

Minutes

At a meeting of the Full Council held at Council Chamber, County Hall, Preston,
on Thursday, 15 May, 2014

Present:

County Councillor Kevin Ellard (Chairman)

County Councillors

| | | |
|--------------------|-------------------|--------------|
| T Aldridge | J Fillis | J Oakes |
| A Ali | J Gibson | M Otter |
| T Ashton | G Gooch | M Parkinson |
| A Atkinson | M Green | N Penney |
| A Barnes | J Hanson | S Perkins |
| M Barron | Dr M Hassan | M Perks |
| L Beavers | P Hayhurst | C Pritchard |
| D Borrow | C Henig | S Prynne |
| M Brindle | N Hennessy | A Schofield |
| P Britcliffe | S Holgate | K Sedgewick |
| I Brown | D Howarth | S Serridge |
| T Brown | K Iddon | J Shedwick |
| P Buckley | M Iqbal | R Shewan |
| T Burns | A James | D T Smith |
| Mrs S Charles | M Johnstone | K Snape |
| A Cheetham | A Jones | D Stansfield |
| A Clempson | A Kay | V Taylor |
| D Clifford | J Lawrenson | M Tomlinson |
| Mrs F Craig-Wilson | D Lord | C Wakeford |
| C Crompton | T Martin | D Watts |
| M Dad | J Mein | D Westley |
| B Dawson | G Molineux | D Whipp |
| F De Molfetta | Y Motala | G Wilkins |
| C Dereli | B Murray | B Winlow |
| M Devaney | R Newman-Thompson | B Yates |
| G Dowding | D O'Toole | |
| G Driver | Mrs L Oades | |

1. Apologies and Announcements

Apologies for absence had been received from County Councillors Ken Brown, Paul Rigby, Jeff Sumner and Paul White.

Announcements

Deaths

The Chairman reported the following sad deaths:

Former County Councillor John West died on 27 April, and
Former County Councillor Keith Roach died on 14 May.

A number of members spoke in their memory and the council stood in silent tribute.

Awards

Local Government Chronicle Award

The Chairman announced that the County Council had recently won the LGC Award for Innovation in Commissioning.

Representatives from the winning team attended full council to acknowledge the council's congratulations:

- Angela Esslinger, Strategic Customer Quality Manager
- Shalini Norris, Quality Manager.

Fair Train Gold Quality Standard Award

The County Council had been awarded the Fair Train Gold Quality Standard Award for exemplar performance in employment practices.

Representatives from the winning team attended full council to acknowledge the council's congratulations:

- Pam Goulding, Head of L&D service,
- Anne Marie Morgan, Business Manager Employment and Support team
- Hannah Kynaston, Employment and Support assistant - who is on the WorkStart programme

2. Disclosure of Pecuniary and Non-Pecuniary Interests

The Full Council was notified that Members had been invited to make declarations of Pecuniary and Non-Pecuniary interests in matters on the agenda in accordance with the County Council's Code of Conduct for Members:

No declarations were made.

3. Election of Chairman

(County Councillor Mike Devaney, the retiring Chairman of the County Council presided for this item)

It was moved by County Councillor Niki Penney and seconded by County Councillor Jennifer Mein that County Councillor Kevin Ellard be elected Chairman of the County Council.

There being no other nominations, it was:

Resolved: That County Councillor Kevin Ellard be elected Chairman of the County Council until the Annual Meeting of the Full Council in 2015.

County Councillor Ellard then took the Chair and made his Declaration of Acceptance of Office.

The Chairman paid tribute on behalf of Members to the valuable service tendered by the retiring Chairman, County Councillor Mike Devaney.

4. Appointment of Vice Chairman

It was moved by County Councillor Bill Winlow and seconded by County Councillor Dorothy Lord that County Councillor Margaret Brindle be appointed Vice-Chairman of the County Council.

There being no other nominations, it was:

Resolved: That County Councillor Margaret Brindle be appointed Vice-Chairman of the County Council until the Annual Meeting of the Full Council in 2015.

County Councillor Brindle then took her place and made her Declaration of Acceptance of Office.

5. Confirmation of Minutes from meetings held on 20 and 27 February 2014

Resolved: That the Minutes of the meetings of the County Council held on the 20 February and 27 February 2014 be confirmed and signed by the Chair.

6. Police and Crime Panel for Lancashire - Appointment of County Council Representative for 2014/15

The Full Council was asked to approve the appointment of one member to serve on the Police and Crime Panel for Lancashire until the Annual Meeting of the Full

Council in 2015.

Resolved: That the Lancashire County Council representative on the Police and Crime Panel would be County Councillor Jennifer Mein until the Annual Meeting of the County Council in 2015.

7. Membership of Committees and Related Appointments for 2014/15

The Full Council was asked to:

- i. determine the constitution and membership of Committees for 2014/15, as set out at a) in the report now presented; and.
- ii. Consider the appointment of the Chairs and Deputy Chairs of Committees for 2014/15, as set out at b) in the report now presented.

The Leader moved the report and proposed the names of Chairs and Deputies to be appointed, as set out below, which were seconded by County Councillor Darren Clifford.

Resolved: That:

- i. the appointment of Members to Committees for 2014/15 in the proportional balances set out in the report now presented be approved, on the basis of nominations being made by the respective Political Groups in writing to the County Secretary and Solicitor;
- ii. the appointments of Chairs and Deputy Chairs of Committees for 2012/13, as now reported and set out below, be approved.

| Committee | Chair | Deputy |
|---------------------------------------|--------------|-------------------|
| Urgency Committee | J Mein | D Borrow |
| Overview and Scrutiny | | |
| Scrutiny Committee | B Winlow | A Barnes |
| Health Scrutiny | S Holgate | M Iqbal |
| Education Scrutiny | C Dereli | S Charles |
| Other Committees | | |
| Developmental Control | M Dad | R Newman-Thompson |
| Regulatory | J Oakes | K Snape |
| Commons and Town Greens Sub-Committee | J Oakes | K Snape |
| Audit & Governance | C Pritchard | T Brown |
| Pension Fund | T Burns | M Parkinson |
| - Administration Sub-Committee | M Parkinson | T Burns |

| Committee | Chair | Deputy |
|-------------------------|--------------|---------------|
| Corporate Complaints | M Iqbal | T Brown |
| Student Support Appeals | S Prynne | C Dereli |
| Employment Committee | J Mein | D Borrow |
| Conduct Committee | J Mein | D Borrow |

8. Combined Fire Authority - Appointment of County Council Representatives for 2014/15

The Full Council was asked to approve the appointment of 19 Members to serve on the Lancashire Combined Fire Authority until the Annual Meeting of the Full Council in 2015 on the basis of 9 Labour Members; 8 Conservative Members; 1 Liberal Democrat Member and 1 Independent Member.

Resolved: That the following Members be appointed to serve on the Lancashire Combined Fire Authority (CFA) until the Annual Meeting of the Full Council in 2015.

| Labour | Conservative | Liberal Democrat | Independent |
|-------------------|--------------|------------------|-------------|
| T Aldridge | P Britcliffe | J Sumner | E Oades |
| A Barnes | K Brown | | |
| T Burns | G Gooch | | |
| C Crompton | M Green | | |
| F De Molfetta | D O'Toole | | |
| S Holgate | M Perks | | |
| R Newman-Thompson | J Shedwick | | |
| M Parkinson | D Stansfield | | |
| D Watts | | | |

9. Appointments to Local Government Association General Assembly; Special Interest Group on Coastal Issues; County Councils' Network for 2014/15

The Full Council was asked to approve the appointment of representatives to serve on the Local Government Association (LGA) General Assembly for 2014/15 and to attend the Annual General Meeting of the General Assembly on 8 July 2014. The Full Council was also asked to appoint a representative to serve on the LGA Special Interest Group on Coastal Issues for 2014/15.

Resolved: That,

- i. County Councillors Jennifer Mein, David Borrow, Azhar Ali and Geoff Driver be appointed to serve as the County Council's representatives on the Local Government Association (LGA) General Assembly for 2014/15;

- ii. The representatives approved at (i) above (or nominated substitutes) together with County Councillor Bill Winlow from the Liberal Democrat Group, acting in an observer capacity, be authorised to attend the 2014 Annual Meeting of the LGA General Assembly to be held in Bournemouth on 8 July, and that County Councillor Mein carry the County Council's 12 corporate votes;
- iii. County Councillor Janice Hanson be appointed to serve of the Special Interest Group on Coastal Issues for 2014/15.
- iv. County Councillors Jennifer Mein, David Borrow, Azhar Ali and Geoff Driver be appointed to the County Councils' Network.

10. Report of the Cabinet (Part B)

The Leader of the Council moved Part B of the report of the Cabinet from its meetings on 6 March and 3 April 2014.

Resolved: That Part B of the report of the Cabinet from its meetings on the 6 March and 3 April 2014 be noted

11. Report of Urgent Key Decisions

Resolved: That the report of Urgent Key Decisions taken by the Cabinet Member for Children, Young People and Schools, the Cabinet Member for Health and Wellbeing, and the Cabinet Member for Adult and Community Services during the preceding three months, as now presented, be noted.

12. Amendments to the Scheme of Delegation to Chief Officers

The report set out various amendments that had been made to the Scheme of Delegation to Chief Officers.

Resolved: That the amendments to the Scheme of Delegation to Chief Officers, as now reported, be noted.

13. The Overview and Scrutiny Committees

County Councillor Bill Winlow presented the reports of the Overview and Scrutiny Committees as follows:

- Scrutiny Committee - 7 March and 4 April 2014
- Health Scrutiny Committee - 4 March and 22 April 2014
- Education Scrutiny Committee - 11 March 2014

Resolved: That the reports of the Overview and Scrutiny Committees, as now presented, be received.

14. Audit and Governance Committee

County Councillor Clare Pritchard presented the report of the Audit and Governance Committee from its meeting on the 31 March 2014.

Resolved: That the report of the Audit and Governance Committee, as now presented, be received.

15. Pension Fund Committee

County Councillor Terry Burns presented the report of the Pension Fund Committee from its meeting on the 27 March 2014.

Resolved: That the report of the Pension Fund Committee, as now presented, be received.

16. Urgency Committee

The Leader presented the report of the Urgency Committee from its meeting on 29 April 2014. The report also referred to action taken on behalf of the Urgency Committee to correct a minor error in relation to the Members' Allowance Scheme 2014/15.

Resolved: That the report of the Urgency Committee, as now presented, be received.

17. Report of the Combined Fire Authority

County Councillor Frank De Molfetta presented the report of the Lancashire Combined Fire Authority from its meeting on the 28 April 2014.

Resolved: That the report of the Lancashire Combined Fire Authority, as now presented, be received.

Part C - Notices of Motion

The following **Notices of Motion** had been submitted under Procedural Standing Order 14.2.1(a).

1. It was moved by County Councillor Gina Dowding and seconded by County Councillor David Borrow that:

"Lancashire County Council believes that Britain should join the 11 European countries that have pledged to introduce a Financial Transaction Tax (FTT) on all financial exchanges, including shares, bonds and derivatives, in the process targeting those who precipitated the financial crisis and going some way to paying off the national debt.

This should be part of a wider programme that proceeds with the urgent reform of the banks, which must include separating the high-street and investment arms of banking , a crackdown on high-earners' and corporate tax avoidance, and proper regulation of the markets.

Further, the revenue raised should be used, among other things, to reduce cuts in funding to the public sector.

Lancashire Council resolves to ask to write to the Chancellor of the Exchequer and the Secretary of State for Communities and Local Government to adopt the Financial Transaction Tax."

On being put to the vote the motion was carried and it was:

Resolved: That,

Lancashire County Council believes that Britain should join the 11 European countries that have pledged to introduce a Financial Transaction Tax (FTT) on all financial exchanges, including shares, bonds and derivatives, in the process targeting those who precipitated the financial crisis and going some way to paying off the national debt.

This should be part of a wider programme that proceeds with the urgent reform of the banks, which must include separating the high-street and investment arms of banking , a crackdown on high-earners' and corporate tax avoidance, and proper regulation of the markets.

Further, the revenue raised should be used, among other things, to reduce cuts in funding to the public sector.

Lancashire Council resolves to ask to write to the Chancellor of the Exchequer and the Secretary of State for Communities and Local Government to adopt the Financial Transaction Tax."

2. It was moved by County Councillor David Borrow and seconded by County Councillor Jennifer Mein that:

"Council believes that minimising barriers to access for elected office in local government is an important principle of a healthy functioning democracy. It agrees with Sir Merrick Cockell when he says that "fair remuneration is important so that people from all walks of life can afford to stand for office. Otherwise, we

risk local government becoming the exclusive preserve of a privileged few who have [...] time and money to spare.”

To this end it supports the position of the cross-party Local Government Association and the County Council’s Network in calling on Government to reconsider the withdrawal of access for Councillors to the Local Government pensions scheme.

Council requests that the Chief Executive writes to the Secretary of State for Communities and Local Government to ask the Government to reconsider its decision; which it believes will impact negatively on fairness of access to local elected office.”

County Councillor Geoff Driver moved the following amendment which was seconded by County Councillor Bill Winlow.

To add the following words at the end of the second paragraph:
"....and the proposal to deduct tax and national insurance contributions from members' travelling expenses."

County Councillor Borrow accepted the amendment.

On being put to the vote the amended motion was carried and it was:

Resolved: That,

Council believes that minimising barriers to access for elected office in local government is an important principle of a healthy functioning democracy. It agrees with Sir Merrick Cockell when he says that “fair remuneration is important so that people from all walks of life can afford to stand for office. Otherwise, we risk local government becoming the exclusive preserve of a privileged few who have [...] time and money to spare.”

To this end it supports the position of the cross-party Local Government Association and the County Council’s Network in calling on Government to reconsider the withdrawal of access for Councillors to the Local Government pensions scheme and the proposal to deduct tax and national insurance contributions from members' travelling expenses.

Council requests that the Chief Executive writes to the Secretary of State for Communities and Local Government to ask the Government to reconsider its decision; which it believes will impact negatively on fairness of access to local elected office.

3. It was moved by County Councillor John Fillis and seconded by County Councillor Janice Hanson that:

"Since work has started on the Heysham / M6 link road, there have been a number of incidents of vandalism to vehicles and the construction site.

This vandalism includes:

- cutting hydraulic hoses on excavators and dumper trucks
- sand placed in fuel tanks
- letting down tyres
- damage to temporary jetty on the river Lune

The vandalism appears to be orchestrated and the damage to machinery is putting construction workers at serious risk of injury.

This council condemns this vandalism and the threat to workers safety and condemns those responsible for it."

Six County Councilors requested a recorded vote in accordance with procedural Standing Order 15.2 (9.4).

The names of county councillors who voted for or against the Amendment and those who abstained are set out below:

For (78)

| | | |
|----------------|-------------------|--------------|
| T Aldridge | J Fillis | J Oakes |
| T Ashton | J Gibson | D O'Toole |
| A Atkinson | G Gooch | M Otter |
| A Barnes | M Green | M Parkinson |
| M Barron | J Hanson | N Penney |
| L Beavers | M Hassan | S Perkins |
| D Borrow | P Hayhurst | M Perks |
| M Brindle | C Henig | C Pritchard |
| T Brown | N Hennessy | S Prynn |
| I Brown | S Holgate | A Schofield |
| P Buckley | D Howarth | K Sedgewick |
| T Burns | K Iddon | S Serridge |
| S Charles | M Iqbal | J Shedwick |
| A Cheetham | A James | R Shewan |
| A Clempson | M Johnstone | D Smith |
| D Clifford | T Jones | K Snape |
| F Craig-Wilson | A Kay | D Stansfield |
| C Crompton | J Lawrenson | V Taylor |
| M Dad | D Lord | M Tomlinson |
| B Dawson | T Martin | C Wakeford |
| F De Molfetta | J Mein | D Watts |
| C Dereli | G Molineux | D Westley |
| M Devaney | Y Motala | D Whipp |
| G Dowding | B Murray | G Wilkins |
| G Driver | R Newman-Thompson | B Winlow |
| K Ellard | E Oades | B Yates |

Against – 0

Abstain - 0

The motion was therefore carried and it was:

Resolved: That,

Since work has started on the Heysham / M6 link road, there have been a number of incidents of vandalism to vehicles and the construction site.

This vandalism includes:

- cutting hydraulic hoses on excavators and dumper trucks
- sand placed in fuel tanks
- letting down tyres
- damage to temporary jetty on the river Lune

The vandalism appears to be orchestrated and the damage to machinery is putting construction workers at serious risk of injury.

This council condemns this vandalism and the threat to workers safety and condemns those responsible for it.

4. It was moved by County Councillor John Fillis and seconded by County Councillor Lorraine Beavers that:

"Lancashire County Council requests that the Cabinet Member for Highways and Transport writes to the Minister for Transport asking that legislation be introduced that would:

- prevent PSV operators from using aged tyres regardless of their outward condition.
- formalise the current research and guidance that advises tyres more than 6 years old should not be fitted and should be removed and replaced regardless of condition when 10 years old.
- make it illegal to operate coaches with such tyres fitted."

On being put to the vote the motion was carried and it was:

Resolved: That,

Lancashire County Council requests that the Cabinet Member for Highways and Transport writes to the Minister for Transport asking that legislation be introduced that would:

- prevent PSV operators from using aged tyres regardless of their outward condition.

- formalise the current research and guidance that advises tyres more than 6 years old should not be fitted and should be removed and replaced regardless of condition when 10 years old.
- make it illegal to operate coaches with such tyres fitted."

5. It was moved by County Councillor Gina Dowding and seconded by County Councillor Bill Winlow that:

"'Austerity' cuts and the reduction in Government funding for local authorities will continue to impact services provided by Lancashire County Council over the next three years. However, task group reports produced for Overview and Scrutiny such as the July 2012 report 'Towards and Stronger Sense of Place' and the more recent report on 'Local Growth and Business Support' have highlighted the important contribution made by Lancashire's visitor economy, cultural offer and the arts to the overall economy.

In light of this Lancashire County Council agrees to:

- Nominate an elected member to be Champion of the Visitor Economy, Culture and the Arts;

That this elected member will

- Highlight the value of this important sector to Lancashire's economy;
- Champion arts and cultural organisations for the contribution they make to the quality of life for all of Lancashire's citizens
- Help to raise the profile of Lancashire's visitor economy arts and cultural offer outside of Lancashire and to funding organisations
- Endeavour to argue for a fairer share of national arts funding for the County."

County Councillor Marcus Johnstone moved the following amendment, which was seconded by County Councillor Niki Penney:

Delete the words

"agrees to:

Nominate an elected member to be Champion of the Visitor Economy, Culture and the Arts

That this elected member will"

And replace them with

"notes that there are a number of key elected member roles closely linked to the visitor economy and culture, namely:

- CC Johnstone, Cabinet Member with named responsibility for Cultural Services
- CC Gibson , Lead member for Libraries and Cultural Services

- CC Penney, Vice Chair of Marketing Lancashire, Chair of Lancashire County Developments Limited, Vice Chair of Creative Lancashire, Director of the Dukes Theatre
- CC Lawrenson, as Chair of the Lancashire Visitor Economy Forum, which meets quarterly and draws together the cabinet leads for all the district and unitary councils

And that these elected members"

County Councillor Dowding accepted the amendment.

On being put to the vote the amended motion was carried and it was:

Resolved: That,

'Austerity' cuts and the reduction in Government funding for local authorities will continue to impact services provided by Lancashire County Council over the next three years. However, task group reports produced for Overview and Scrutiny such as the July 2012 report 'Towards and Stronger Sense of Place' and the more recent report on 'Local Growth and Business Support' have highlighted the important contribution made by Lancashire's visitor economy, cultural offer and the arts to the overall economy.

In light of this Lancashire County Council notes that there are a number of key elected member roles closely linked to the visitor economy and culture, namely:

- CC Johnstone, Cabinet Member with named responsibility for Cultural Services
- CC Gibson , Lead member for Libraries and Cultural Services
- CC Penney, Vice Chair of Marketing Lancashire, Chair of Lancashire County Developments Limited, Vice Chair of Creative Lancashire, Director of the Dukes Theatre
- CC Lawrenson, as Chair of the Lancashire Visitor Economy Forum, which meets quarterly and draws together the cabinet leads for all the district and unitary councils

And that these elected members

- Highlight the value of this important sector to Lancashire's economy;
- Champion arts and cultural organisations for the contribution they make to the quality of life for all of Lancashire's citizens
- Help to raise the profile of Lancashire's visitor economy arts and cultural offer outside of Lancashire and to funding organisations
- Endeavour to argue for a fairer share of national arts funding for the County.

Jo Turton
Chief Executive

County Hall
Preston

