

MINUTES OF COUNCIL

MEETING DATE **Wednesday, 17 January 2018**

MEMBERS PRESENT: Councillors Michael Titherington (Mayor), John Rainsbury (Deputy Mayor), Jane Bell, Warren Bennett, David Bird, Renee Blow, Carol Chisholm, Colin Clark, Colin Coulton, Malcolm Donoghue, Bill Evans, Derek Forrest, Paul Foster, Mary Green, Michael Green, Claire Hamilton, Harry Hancock, Jon Hesketh, Mick Higgins, David Howarth, Cliff Hughes, Ken Jones, Susan Jones, Jim Marsh, Keith Martin, Caroline Moon, Jacqui Mort, Peter Mullineaux, Mike Nelson, Rebecca Noblet, Alan Ogilvie, James Patten, Margaret Smith, Phil Smith, Susan Snape, David Suthers, Caleb Tomlinson, Matthew Tomlinson, Karen Walton, Graham Walton, Ian Watkinson, David Watts, Paul Wharton, David Wooldridge, Linda Woollard and Barrie Yates

OFFICERS: Heather McManus (Chief Executive), Dave Whelan (Legal Services Manager/Monitoring Officer), Andy Houlker (Senior Democratic Services Officer), Jane Blundell (Deputy Section 151 Officer), Roger Ashcroft (Waste & Transport & Neighbourhoods Manager) and Jonathan Noad (Planning Manager)

OTHER OFFICERS: 7

PUBLIC: 45

68 Apologies for Absence

Apologies for absence were received from Councillors Elizabeth Mawson, Barbara Nathan, Mike Nathan and Jonathan Woodcock.

69 Minutes of the Last Meeting

RESOLVED:

That subject to an amendment to Minute No. 52a (last sentence at the bottom of page 7) with the insertion of 'A councillor stated and' ..., the minutes of the Council meeting held on 22 November 2017 be approved as a correct record.

70 Declarations of Interest

The Interim Monitoring Officer declared a prejudicial interest in the final item on the agenda (Item 15 - Shared Services) as his post was included in the report and stated he would leave the meeting when this was to be discussed.

71 Mayoral Announcements

The Mayor commented that a number of events were being arranged and publicised and hoped Members of the Council and public would support them.

72 Report of Cabinet and Committees

72a Minutes of Scrutiny Committee meeting held on 27 November 2017

The Council considered the minutes of the Scrutiny Committee meeting held on 27 November 2017.

It was moved by Councillor Matthew Tomlinson, seconded by Councillor Colin Coulton and

RESOLVED:

That the minutes of the Scrutiny Committee meeting held on 27 November 2017 be noted.

72b Minutes of Governance Committee meeting held on 29 November 2017

The Council considered the minutes of the Governance Committee meeting held on 29 November 2017.

It was moved by Councillor Alan Ogilvie, seconded by Councillor James Patten and

RESOLVED:

That the minutes of the Governance Committee meeting held on 29 November 2017 be noted.

72c Minutes of Cabinet meeting held on 6 December 2017

The Council considered the minutes of the Cabinet meeting held on 6 December 2017.

It was moved by Councillor Peter Mullineaux, seconded by Councillor Colin Clark and

RESOLVED:

That the minutes of the Cabinet meeting held on 6 December 2017 be noted.

72d Minutes of Standards Committee meeting held on 7 December 2017

The Council considered the minutes of the Standards Committee meeting held on 7 December 2017.

It was moved by Councillor Linda Woollard, seconded by Councillor Carol Chisholm and

RESOLVED:

That the minutes of the Standards Committee meeting held on 7 December 2017 be noted.

73 Final Report from the Scrutiny Review of Staff Morale (including Cabinet response)

Further to Minute No. 44 of the meeting of the Cabinet held on 25 October 2017, the Council considered a report of the Interim Monitoring Officer detailing the work of a Scrutiny Committee Task Group into the issue of staff morale and the Cabinet's response to the recommendations of the Scrutiny Committee Task Force. The Committee had made several recommendations to Cabinet and all were accepted.

The following documents were appended to the report:

Appendix – Cabinet report dated the 25 October 2017

Appendix A – Action Plan to address the recommendations of the Scrutiny Committee Task Group

Appendix B – Report of the Scrutiny Committee Task Group – Review of Staff Morale.

It was moved by Councillor Peter Mullineaux, seconded by Councillor Colin Clark and

RESOLVED:

That the Scrutiny Committee Task Group Review of Staff Morale and the Cabinet response to it be noted.

74 Review of Fees and Charges

Further to Minute No. 51 of the meeting of the Cabinet held on 6 December 2017, the Council considered the report presented by the Cabinet member for Finance (Councillor Susan Snape). This provided details of the review of fees and charges pricing policies across the Council to generate additional income.

The report with the exception of recommendation 2 was moved by Councillor Susan Snape and seconded by Councillor Peter Mullineaux:

Namely, that recommendations 1, 3, 4, 5, 6, 7 and 8 be approved.

The withdrawal of recommendation 2 relating to car parking charges at Worden Park was welcomed.

An amendment was moved by Councillor Paul Foster and seconded by Councillor David Wooldridge that in addition to withdrawing recommendation 2, recommendations 4 and 5 should also be withdrawn. These related to proposed changes to the pay and displaying parking charges, including those at Leyland Railway Station.

Following debate, the vote on the amendment was For: 21, Against: 22, Abstention: 3 and the Mayor declared that the amendment was lost.

The Mayor then took the vote on the original (substantive) motion to approve recommendations 1, 3, 4, 5, 6, 7 and 8. The vote was For: 21, Against: 21, Abstention: 4. In view of the tied vote, the Mayor used his casting to vote against the motion. The motion was subsequently lost – For: 21, Against: 22, Abstention: 4.

RESOLVED (For: 21, Against: 22, Abstention: 4):

That the recommendations in the report not be approved.

75 Standards Committee Annual Report

Further to Minute No. 19 of the meeting of the Standards Committee held on 7 December 2017, the Council considered the Annual Report of the Interim Monitoring Officer on the Standards work carried out over the last 12 months.

This included:

- the appointment of a second Independent Person,
- the development of a Social Media Protocol,
- amending the Hearing and Investigation Procedure for Dealing with Complaints,
- reviewing the Code of Conduct for Elected Members and the development of Guidance relating to it,
- details of the number of complaints against members that had been dealt with

The report also contained details of the number of Ombudsman complaints received and Members' attendance figures.

In respect of the number of complaints lodged in the report, some members raised concerns about potentially vexatious/mischievous complaints. The Interim Monitoring Officer commented that each complaint had to be dealt with on its own merits.

It was moved by Councillor Linda Woollard, seconded by Councillor Carol Chisholm and

RESOLVED:

That the Standards Committee Annual Report be noted.

76 Questions to the Leader of the Council

(a) Written question submitted by Councillor Claire Hamilton:

“Please could the Leader confirm his statement made at the Cabinet Meeting on Wednesday 21st June that South Ribble residents who opt out of using their brown bin and dispose garden waste in their grey bin will not be charged?”

Councillor Peter Mullineaux (Leader of the Council) confirmed that the statement was correct.

(b) Councillor Sue Jones referred to the last meeting of the Cabinet which had been very hot without water or tables and asked that the room layout be re-considered?

The Leader stated he did not want members in discomfort and agreed that it would be looked at.

(c) A member of the public asked if the Leader agreed that if the position of an elected Mayor was to be introduced for Lancashire this should not be imposed but selected by referendum?

The Leader was not aware of any such proposal and if the regulations required a referendum, residents would need to be consulted.

77 Questions to Members of the Cabinet

Corporate Support & Assets

No questions were asked.

Finance

No questions were asked.

Neighbourhoods & Street Scene

Councillor Caleb Tomlinson asked if the portfolio holder agreed that the improvement works to Withy Grove Park looked fantastic and an excellent piece of work by the Council?

The portfolio holder agreed that the park was looking good and was sure that the work was appreciated by residents and visitors to the park.

Public Health, Safety & Wellbeing

(a) Councillor Ken Jones referred to poisonous air being breathed by residents of Leyland and welcomed the Air Quality Management Area and asked what was actually being done (action plan) to stop this?

The Cabinet member stated that a full borough wide action plan was imminently being brought forward.

(b) A member of the public asked a question on the same topic referring to information on the Council's website, a 2016 plan and that Lostock Hall was identified as one of the worst areas. The issues dated back to 2012 and wanted to know what was being done and when?

The Cabinet member indicated that a lot of the issues were outside the control of this Council. This council did liaise with such bodies as Lancashire County Council being the highway authority. There had been changes and that was why the Council was updating its action plan to address these issues. If any specific questions were emailed to her she was more than happy to speak to the individual outside the meeting.

Regeneration & Leisure

(a) Referring to the Gateway features that had been introduced in the borough, Councillor Howarth asked if consideration could be given to assist in the provision of an attractive Gateway feature in Penwortham?

The Cabinet member replied that following recent developments in Penwortham such as the sod cutting for the bypass which would improve regeneration and businesses the Council had ideas in mind which included Gateway features.

(b) Councillor David Wooldridge sought confirmation of his understanding that City Deal monies were currently being used on projects in Higher Penwortham and not wider Penwortham such as Charnock and Middleforth.

The Cabinet member confirmed that this was in a sense correct in that the area of major expenditure was the identified transport corridor around Liverpool Road.

Strategic Planning & Housing

(a) Councillor Paul Wharton asked if there was an update on investment in housing to rent?

The Cabinet member asked for the question in writing which he would respond to.

(b) A member of the public asked whether the Council had set a target for the use of brownfield land in its planning policies?

The Cabinet member replied that the Council supported keeping as much land as possible green and re-using brownfield sites. As part of the need to have a five year supply of development land it endeavoured that 70% of this was brownfield. Since 2005 the average percentage of new housing delivered on previously developed land within South Ribble had been 71%. This varied year to year but was in line with the overall target for Central Lancashire. The Council endeavoured to target as much development on brownfield sites as it could but had to balance that against the need to deliver a targeted supply of houses.

78 Questions to Chairmen of Committees and My Neighbourhood Areas

Councillor Jane Bell thanked Councillor Colin Coulton for his support and if he agreed that following all the hard work by officers and cross-party councillors on dementia that the borough was becoming Dementia Friendly? Next week there would be a number agencies delivering dementia awareness training in the Civic Centre.

Councillor Colin Coulton thanked Councillor Jane Bell for her words and agreed.

79 Questions to Member Champions and Representatives on Outside Bodies

Councillor Keith Martin referred to the recent update regarding Westinghouse and asked the Council's representative on the Springfields Site Stakeholder Group what impact if any this had on the operation of the Springfields site.

As the Council's representative was not a Councillor and not present, the question would be forwarded.

80 Notice of Motion

It was moved by Councillor Paul Wharton and seconded by Councillor Claire Hamilton:

"Due to financial pressures faced by this authority, the Council are forced to look at measures to make efficiencies and generate revenue. All areas should be explored by this Council.

From April, the Council will bring in a charge to residents for brown waste collections which is a non-statutory service, and increase car parking charges in our town centres. For the "jewel in the crown", Worden Park, the Council is proposing to introduce car park charges, and in last year's budget, it was forecast council tax will rise this year putting a greater burden on residents.

We feel that as Councillors, we should be the ones who lead by example in these difficult financial times.

Therefore, this Council agrees free of charge committee meals for elected members should be abolished with immediate effect in line with many other local authorities, to ease the pressure on the Council's budget and to demonstrate our support to our local residents and businesses."

An amendment was subsequently moved by Councillor Paul Foster and seconded by Councillor Peter Mullineaux. The Council was already looking at the wider catering provision including member catering whilst reviewing the Council's Banqueting Suite.

The amendment removed the last paragraph (Therefore, this Council ...) and replaced it with the following two paragraphs:

"The Council notes that the subject of committee meals is already being considered as part of the detailed review of all catering facilities. The Council looks forward to receiving recommendations in due course.

As South Ribble Borough Councillors we have always led by example, particularly regarding Allowances and Expenses and will continue to do so."

Councillor Paul Wharton stated he did not support the amendment.

Following debate, the amended Motion was put to the vote and the Mayor declared that it was carried by 43 votes to 2.

81 Notice of Motion

In moving the motion Councillor Paul Wharton amended in the last paragraph 'will be impaired' to 'may be impaired', this was seconded by Councillor Claire Hamilton:

"For elected members to be consuming alcohol before making decisions which can affect the lives of many residents and businesses across our borough simply is not

right. Any amount of alcohol can affect a person's decision making ability. Most private sector employers have an outright ban on alcohol during working hours and our residents should expect the same from their elected members.

Therefore, this Council agrees that all councillors should not attend meetings or act as representatives of the Council if they are under the influence of alcohol, as their ability to contribute and their judgement *may* be impaired."

Councillor Peter Mullineaux proposed and Councillor Paul Foster seconded an amendment that removed the last sentence in the first paragraph and the whole of the second paragraph. It also added the words 'Therefore this Council confirms that all councillors should abide by the Code of Conduct for Elected Members and in all aspects of their Public Life.'

The amended motion then read as:

"For elected members to be consuming alcohol before making decisions which can affect the lives of many residents and businesses across our borough simply is not right. Any amount of alcohol can affect a person's decision making ability.

Therefore this Council confirms that all councillors should abide by the Code of Conduct for Elected Members in all aspects of their Public Life."

Following a request, members were advised by the Interim Monitoring Officer that it was an amendment to the original motion and not a negation. Whilst there was no specific reference to the consumption of alcohol In the Code of Conduct there were more general provisions that would cover it.

Following debate, the amended Motion was put to the vote and the Mayor declared that it was carried by 44 votes to 2.

82 Exclusion of Press and Public

RESOLVED:

That the press and public be excluded from the meeting during the consideration of the following item of business as it involved the discussion of information defined as exempt from publication under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, 'Information relating to the financial or business affairs of any particular person (including the authority holding that information) ' and in which the public interest in maintaining the exemption outweighed the public interest in disclosing it.

83 Shared Services

Further to Minute No. 18 of the meeting of the Joint Shared Services Committee held on 11 January 2018, the Council considered the joint report of the Chief Executives of South Ribble and Chorley Councils which provided details of the progress made in developing operating models for the two Councils in the expansion of shared services and the proposed next steps.

It was moved by Councillor Peter Mullineaux and seconded by Councillor Colin Clark.

Concerns were expressed by Councillors from both sides of the Council at the lateness of receiving the report on such a significant matter. It was explained that the report had been dependent on the outcome of the meeting of the Shared Services Joint Committee held on Thursday 11 January 2018. The report had been issued electronically on Tuesday and also posted 1st Class. However, a number of members indicated that they had not received the report by either method. There was then a discussion as to whether the report should either be deferred or the meeting be adjourned for a period of 20 minutes to enable Councillors to read it.

It was proposed by Councillor Paul Foster and seconded by Councillor Paul Wharton that consideration of the report be deferred.

The Mayor then took the vote on the proposal which was: For: 26, Against: 19. The motion was carried.

RESOLVED (For: 26, Against: 19):

That the report be deferred for further consideration by Council at a later date.

Chair

Date