

SOUTH RIBBLE BOROUGH COUNCIL

Council

Meeting held at 6.00pm on Tuesday, 20 May 2014 in Shield Room, Civic Centre, West Paddock, Leyland PR25 1DH

Present:-

Councillor Walton (in the chair)

Councillors Mrs A A Ball, Ms J Bell, Mr S Bennett, Mr W L Bennett, Mr C J Clark, Mr C S Crook, Mr W Evans, Mr D B Forrest, Mr P A Foster, Mrs D A Gardner, Mr M Gardner, Mrs M Green, Mr M A Green, Mr C P Hamman, Mr T G Hanson, Mr D J Harrison, Mr J Hesketh, Mr J M Higgins, Mrs J R Hothersall, Mr D Howarth, Mr K E L Jones, Mrs S Jones, Mr J A Kelly, Mr J D Marsh, Mr K J Martin, Mrs C J Moon, Mrs J A Mort, Mr P Mullineaux, Mr M R Nelson, Mrs R J Noblet, Mr G O'Hare, Mr A F Ogilvie, Mr J W M Otter, Mr J Patten, Mr S M Robinson, Mrs M R Smith, Mr P J Smith, Mr P G R Stettner, Mr D H Suthers, Miss F A Walker, Mr D J Watts, Mrs L R Woollard and Mr B Yates

Honorary Freeman Breakell

In Attendance:-

The Chief Executive (Mike Nuttall), the Director of Business Transformation (Ian Parker) and a Democratic Services Officer (James Wallwork)

Public Attendance:-

17 members of the public were present

Other Officers:-

5 other officers were present.

| Minute No. | Description/Resolution |
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| 7 | <p>Apologies for Absence</p> <p>Apologies for absence were submitted on behalf of Councillors Mrs Beattie, Bradley, Coulton, Heyworth, Hughes, Pimblett, Ms Prynn, Rainsbury, Titherington, C Tomlinson and M Tomlinson.</p> |
| 8 | <p>Declarations of Interest</p> <p>The Chief Executive reported that Councillor Martin had declared a personal interest in items 5, 6 and 12.</p> <p>Councillor K Jones declared a personal interest in Item 12.</p> <p>Councillor O'Hare declared a personal interest in Item 7.</p> |
| 9 | <p>Minutes of the Last Meeting held on 5 March 2014 and 14 May 2014</p> <p>Councillor Howarth referred to the minutes of the meeting held on 5 March 2014 and in particular minute number 78. He suggested that the paragraph commencing with "Councillor Howarth commented that..." should be amended to read as follows.</p> <p>"Councillor Howarth commented that despite concerns with the budget he would support it. He was pleased to see items in the budget such as the regeneration of the Penwortham</p> |

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| | <p>District Centre. He also felt that while Councillor Robinson had stated that the council could congratulate itself for not increasing council tax whilst being appalled that the county council had, Councillor Howarth wondered if last year the county council should have frozen rather than reduce Council Tax.”</p> <p>Councillor Mrs Smith referred to a comment from Councillor Pimblett under the same minute number and suggested that the word ‘Tax’ should be included so that the paragraph would read as follows.</p> <p>“Councillor Pimblett expressed disappointment that the budget was not balanced, the use of reserves was for emergencies. It was suggested that this council’s part of Council Tax had simply not increased because the council had accepted the government’s offer of £70,000 not to increase it.”</p> <p>The Leader suggested that where possible, if members thought that an amendment should be made to the minutes, they should contact Democratic Services prior to the meeting.</p> <p>UNANIMOUSLY RESOLVED : That, subject to the above two amendments, the minutes of the meetings held on 5 March 2014 and 14 May 2014 be approved.</p> <p>Councillor Yates took the opportunity to apologise to the Council for his behaviour and conduct at the full Council Meeting held on 5 March.</p> |
| 10 | <p>Mayor’s Announcements</p> <p>The Mayor provided an update on recent and forthcoming Mayoral events.</p> |
| 11 | <p>Report of the Cabinet</p> <p>Councillor O’Hare declared a personal interest in Item 7 of the Cabinet Report as he worked for the energy industry company Roxtec Ltd but was able, under the Code of Conduct for Elected Members, to remain in the meeting and take part in the consideration of the item.</p> <p>Councillor Martin declared a personal interest in the report of the Cabinet as an employee of Lancashire County Council, but was able under the Code of Conduct for Elected Members, to remain in the meeting and take part in the consideration of the item.</p> <p>The Leader commended the report of the meeting of the Cabinet held on 2 April 2014. The report was seconded.</p> <p><i>Proposed Central Park</i> Following a question from Councillor Patten, who supported the proposed Central Park, the Leader thought that the budget item for this project was realistic. She added that there was not the expertise within the council for this project and that there were already a lot of other projects currently being undertaken within the council, hence why it had been agreed to approve the engagement of an external consultant.</p> <p><i>Update on the Central Lancashire Gypsy and Traveller Accommodation Assessment (GTAA) and the adoption of the Site Allocations Development Plan Document (DPD)</i> Councillor Foster made a comment that this was far too little too late and that action was only being taken because the Inspector had indicated that it was inadequate.</p> <p><i>Renewable and Low Carbon Energy SPD</i> Councillor Foster stated that the Renewable and Low Carbon Energy SPD was striking in its lack of detail and clarity and that he was concerned that it would not stand up to an appeal. He added that each planning application should be dealt with on a case by case basis and therefore he could not support this.</p> |

Councillor Crook echoed the comments made by Councillor Foster and said he also agreed with the statement circulated to all councillors by Friends of the Earth prior to the meeting and he also could not support it. He suggested that it should be called a Wind Turbine SPD as it was more focused on that type of renewable energy.

Several representatives of Friends of the Earth attended the meeting and spoke against the Renewable and Low Carbon Energy SPD. Their comments included that the SPD was to try and make the policy clearer but that it only made it more confusing and therefore would not stand up to an appeal. It was also thought that a large amount of fear was based on 'Wind Turbine Syndrome' which did not exist. It was suggested that there should be a more coordinated approach with both Chorley Borough Council and Preston City Council. A comment was also made regarding sophisticated systems available to airports now which should alleviate their objections. It was also commented that there were alternatives to fossil fuels as it was important that the environment was protected.

There were also several members of the public who spoke in favour of the SPD stating that the document was well written, very thorough and that the information had been well researched. A member of the public also stated that years ago no one acknowledged the danger of smoking and therefore the views in relation to wind turbines may change.

Councillor Howarth stated that all resources were finite and fossil fuels would run out eventually. He indicated that it was important that we ensured that there was fuel available in the future.

The Leader responded by welcoming the comments of Friends of the Earth and the members of the public. She thought that it was a particularly good piece of work and it had encouraged a lot of discussion to take place regarding renewable energy. Consultation had taken place and the majority of responses were against the SPD, with most of those wanting a separation distance acknowledging that there were no guidelines regarding this. She stated that she had attended the Planning Appeal Hearings at which three wind turbine applications had been considered and had listened to how they would impact on activities by the Ministry of Defence and Blackpool Airport. Councillor Mrs Smith added that Chorley Borough Council had been consulted regarding this and it was agreed that each council would have its own separate policy. She concluded by stating that this would give the council stability and would provide the Planning Committee with guidance if considering any future applications.

RESOLVED:

- 1) That the report of the Cabinet be noted;
- 2) **Approval of Capital Expenditure for 2014/15 Schemes** [unanimously]
That council:-
 - (a) Grant authority under Section 3.4 of the Financial Regulations to incur capital expenditure of £330,000 to carry out a programme of capital works for Parks and Open Spaces as detailed in the report (the procurement being conducted in accordance with the provisions of the Council's Contract Procurement Rules).
 - (b) Grant authority under Section 3.4 of the Financial Regulations to incur capital expenditure of £120,000 to replace the lifts at the Civic Centre (the procurement being conducted in accordance with the provisions of the Council's Contract Procurement Rules).
 - (c) Grant authority under Section 3.4 of the Financial Regulations to incur capital expenditure of £95,000 to carry out capital works related to the Longton Improvement Plan (the procurement being conducted in accordance with the provisions of the Council's Contract Procedure Rules).
 - (d) Grant authority under Section 3.4 of the Financial Regulations to incur capital expenditure of £110,000 to carry out a programme of capital works related to the formative Penwortham Improvement Plan (the procurement being conducted in accordance with the provisions of the Council's Contract Procurement Rules).
 - (e) Grant authority under Section 3.4 of the Financial Regulations to incur capital

expenditure of £249,715 (government subsidy allocation for 2014/15) for Disabled Facilities Grants.

- 3) **Reactive Repair and Maintenance Framework** [unanimously]
That council agree to accept the highest scoring 5 organisations for each Trade Lot, as detailed in Table 1, on to a Reactive Repairs and Maintenance Framework Agreement for a 12 month period, with the option to extend on an annual basis up to a total maximum framework period of 4 years.
- 4) **Proposed Central Park** [unanimously]
That council approve the engagement of an external consultant to prepare the Central Park Masterplan with the procurement process commencing in April 2014 be approved.
- 5) **City Deal** [unanimously]
That council:-
- (a) Note the progress made to ensure the City Deal can be implemented from 2014/15;
 - (b) Approve the draft City Deal Infrastructure Delivery Plan;
 - (c) Approve the principles of the Stewardship Board Agreement which will be considered by the City Deal Stewardship Board in May 2014;
 - (d) Approve the operating principles for the establishment of the City Deal Infrastructure Fund and Heads of Terms regarding fund flow between the three Councils;
 - (e) Grant the Chief Executive, in consultation with the Leader and the Cabinet Member for Strategic Planning and Housing, delegated powers to agree any subsequent changes of wording to the Heads of Terms prior to signing by the three councils;
 - (f) Grant the Chief Executive, in consultation with the Leader and the Cabinet Member for Strategic Planning and Housing, delegated powers to agree the formal legal agreement based on the Heads of Terms and to subsequently enter into this agreement.
- 6) **Update on the Central Lancashire Gypsy and Traveller Accommodation Assessment (GTAA) and the adoption of the Site Allocations Development Plan Document (DPD)** [unanimously]
That council:-
- (a) Endorse the Main Modification relating to Gypsy and Traveller and Travelling Showpeople for a 6 week consultation period and subsequent submission to the Planning Inspectorate;
 - (b) Accept the need for further work on the GTAA and agree to the preparation of a joint Gypsy and Traveller and Travelling Showpeople Development Plan Document (DPD) with the neighbouring authorities of Chorley and Preston;
 - (c) Endorse the additional modifications as detailed in this report for consultation for a period of 6 weeks and subsequent submission to the Planning Inspectorate;
 - (d) Grant delegated authority to the Planning Manager in consultation with the Cabinet Member for Strategic Planning and Housing to make any other minor modifications to the Development Plan Document as considered necessary in light of the recently published Planning Practice Guidance.
- 7) **Renewable and Low Carbon Energy SPD** [Yes-27, Abstain-1, No-16]
That council:-
- (a) Adopt the Renewable and Low Carbon Energy SPD;
 - (b) Grant delegated authority to the Planning Manager in consultation with the Cabinet Member for Strategic Planning and Housing to make any minor text, layout and formatting changes on the publication of the document.
- 8) **Review of Constitution 2013/14** [unanimously]
That council:-
- (a) Adopt the following proposed changes to the Constitution:-
 - (i) The proposed new Standing Order 14 appended to this report replace the current Standing Order 14.
 - (ii) The following paragraph be added to Rule 11 Procedure Rules C. Access to Information Procedure Rules:
"Reports containing exempt information will not remain exempt longer than is

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| | <p>necessary and will be made public six months after the date of meeting or sooner unless the Chief Executive (or other designated officer) is of the opinion that there are overriding reasons for the information to remain exempt.”</p> <p>(iii) The following paragraph be added to Standing Order No. 22 Voting and Decisions:-</p> <p>“(3) There shall be recorded in the minutes of the proceedings of meetings of the Council of each member's vote for or against or abstention from voting on any decisions relating to the budget or council tax at any Budget and Council Tax setting meeting.”</p> <p>(iv) Provision be included on the agenda of full Council meetings for questions to be asked of any member nominated by the Council as a Member Champion.</p> <p>(b) That Cabinet recommend the Council adopt the proposed changes to the Constitution with effect from the first Council meeting of the new municipal year in 2014.</p> <p>(c) That the Monitoring Officer be authorised to update the Constitution to reflect the outcomes from Recommendation (1) above.</p> <p>(d) That, given the level of disruption caused at Council meetings, a feasibility study be undertaken to determine the suitability of the current microphone system and to make recommendations to improve or replace the current audio system in light of impending regulation.</p> |
| 12 | <p>Report of the Scrutiny Committee</p> <p>Councillor Martin declared a personal interest in this item as an employee of Lancashire County Council but was able, under the Code of Conduct for Elected Members, to remain in the meeting and take part in the consideration of the item.</p> <p>Councillor M Gardner commended the report of the meeting held on 17 March 2014. The report was seconded. He thanked both members and officers and in particular Darren Cranshaw for their hard work over the last 12 months.</p> <p>Councillor Hanson referred to a number of cars in Bamber Bridge which continued to park over drop kerbs. He said that he would refer the matter to Councillor Watts as the County Councillor for that area.</p> |
| 13 | <p>Report of the Governance Committee</p> <p>Councillor W Bennett commended the report of the meeting held on 23 April 2014. The report was seconded. As it was now 12 months since he had become Chairman he thanked both the committee and Carol Eddleston for their hard work during that period.</p> |
| 14 | <p>Constitution - May 2014</p> <p>UNANIMOUSLY RESOLVED: That Council adopts the constitution which had been updated to reflect the changes as referred to in the report of the Cabinet.</p> |
| 15 | <p>Appointment of Cabinet 2014/15</p> <p>Council received a report concerning the Executive Leader's appointment of Cabinet which included any changes to Cabinet responsibilities.</p> <p>Following a comment by Councillor Foster, the Leader indicated that all Cabinet Members worked extremely hard with larger portfolios than when there had been nine Cabinet Members. Councillor Mrs Smith indicated that at the moment she did not want to reduce the number further and increase their individual workloads.</p> <p>UNANIMOUSLY RESOLVED: That the Cabinet Members and responsibilities be noted.</p> |

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| 16 | <p>Appointment of Committees 2014/15</p> <p>The Leader presented the report outlining the nominations for membership of committees for 2014/15. The report was seconded.</p> <p>Following a question from Councillor K Jones regarding the Boundary Committee, the Leader explained that the committee was still required until the final report with the boundary changes had been implemented. The committee would also be required to review the parish boundaries as there were now a number of anomalies following the Boundary Review.</p> <p>Councillor Watts thanked all the members of the Boundary Committee for the work undertaken so far.</p> <p>UNANIMOUSLY RESOLVED: That the Membership of Committees 2014/15 as detailed in the attached schedule be approved.</p> |
| 17 | <p>Appointment of My Neighbourhood Area Chairs and Vice-chairs 2014/15</p> <p>Councillor Foster expressed his concern regarding the effectiveness of My Neighbourhood Area Forums saying that he felt that some did not work as well as others. He asked if an urgent review could be undertaken.</p> <p>As chairman of Leyland My Neighbourhood Area, Councillor Ms Bell was offended by a recent article in the Lancashire Evening Post and said that she could only praise all the Leyland councillors for their support and their attendance at meetings. There had also been many events which everyone had attended and helped at.</p> <p>UNANIMOUSLY RESOLVED: That, in accordance with the Council's Constitution, the appointments for the period until the First Business Meeting of the 2015 Municipal Year be ratified:</p> <p>Central Area – Chair: Councillor Walton; Vice-chair: Councillor Otter Eastern Area - Chair: Councillor Marsh; Vice-chair: Councillor Nelson Leyland Area – Chair: Councillor Ms Bell; Vice-chair: Councillor Heyworth Penwortham Area – Chair: Councillor Mrs Hothersall; Vice-chair: Councillor M Gardner Western Parishes Area – Chair: Councillor Coulton; Vice-chair: Councillor Suthers</p> |
| 18 | <p>Representation on Outside Bodies 2014/15</p> <p>Councillor Martin declared a personal interest in this item as he had an association with the NHS Lancashire Teaching Hospitals Patient Forum but was able, under the Code of Conduct for Elected Members, to remain in the meeting and take part in the consideration of the item.</p> <p>Councillor K Jones declared a personal interest in this item as he was an elected Governor of the Lancashire Teaching Hospitals NHS Foundation Trust but was able, under the Code of Conduct for Elected Members, to remain in the meeting and take part in the consideration of the item.</p> <p>The Leader presented the report outlining the nominations to outside bodies for 2014/15.</p> <p>She indicated that the Penwortham Community Centre Joint Management Committee no longer existed due to the lease arrangement being amended. In respect of the Three Tier Forum, the Leader stated that Councillors Coulton and Nelson had also been representatives for approximately six months and therefore needed to be added to the list of nominations. Finally she confirmed that she wished to replace Councillor Clark with Councillor Miss Walker on the Council for the Protection of Rural England (Lancashire</p> |

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| | <p>Branch).</p> <p>Councillor K Jones referred to the Lancashire Teaching Hospitals NHS Trust – Governing Council and said that due to poor attendance from district councils there were no longer any district representatives. The only representative now was the Leader of Lancashire County Council who regularly attended. The Leader confirmed that she was aware of this and that Chorley Borough Council had put forward a suggestion of having one representative for the three district councils and that if this was agreed she would be happy for them to represent us. Therefore, this could be deleted from the list.</p> <p>The report was seconded.</p> <p>UNANIMOUSLY RESOLVED: That the representation on Outside Bodies for 2014/15 be approved in accordance with the attached revised schedule.</p> |
| 19 | <p>Boundary Review – Boundary Commission’s Final Recommendations</p> <p>The Leader thanked Councillor Watts for his earlier kind words regarding the Boundary Committee. There had been quite a few errors in the first report but the Boundary Commission had rectified many of those in the final report and she was pleased to see that they had agreed the council’s recommendations in the Eastern part of the borough. However, she was still disappointed that the commission had not agreed any single member wards and considered that its decision regarding Earnshaw Bridge was very strange.</p> <p>Councillor Foster was also pleased with the final recommendations as they had appeared to agree with most of his group’s proposals. He expressed his concern that the Community Infrastructure Levy was apportioned to parish and town councils. However, some parts of the borough were still not parished and this needed to be looked at.</p> <p>Councillor Michael Green noted that the council’s proposals reflected communities and he was therefore disappointed by, and could not understand, the commission’s decision regarding Earnshaw Bridge ward as this had clearly joined two separate communities. He was also disappointed with the lack of reference to Midge Hall within the Moss Side Ward name as this was also a distinct community and should be referred to.</p> <p>Councillor P Smith was happy with the outcome of the final report stating that 13 out of the 23 wards had followed his group’s proposals.</p> |
| 20 | <p>Questions to the Leader</p> <p>Councillor Green congratulated the Leader in obtaining £3½m of funding for Leyland Railway Station as this would enable greater access for all and would create a gateway feature for South Ribble. Following a question from Councillor Green, the Leader confirmed that there had been a lot of contact with local businesses and they had been asked to send in their support. She stated that the new ticket office and real time information had gone well and was delighted that three lifts would be installed to enable access to all platforms. However, there was currently no timetable for this work. A member of the public also congratulated the Leader for the work so far at Leyland Railway Station.</p> <p>Following a question from Councillor Howarth, the Leader agreed to find out the latest position concerning the Mr Bubble Hot Car Wash on Liverpool Road, Penwortham.</p> |
| 21 | <p>Questions to Members of the Cabinet <i>Deputy Leader, Neighbourhoods and Street Scene</i></p> <p>Following a question from Councillor Martin, the Cabinet Member indicated that a disabled toilet had recently been installed at Hurst Grange Park. In addition, drainage and resurfacing of footpaths were in the capital programme for 2014/15.</p> <p>In response to a question from Councillor Hanson, Councillor Mullineaux agreed to investigate his concerns about Wesley Street Mill to see if the site could be cleaned up.</p> |

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| | <p><i>Strategic Planning and Housing</i></p> <p>Councillor Watts indicated that he had three questions for Councillor Hughes, but in his absence he would submit them in writing to him.</p> |
| 22 | <p>Questions to Chairmen of Committees and My Neighbourhood Areas</p> <p>There were no questions.</p> |
| 23 | <p>Questions to Representatives on Outside Bodies</p> <p>Councillor Ogilvie, the Council's Armed Forces Champion, informed Council that he had recently visited all My Neighbourhood Forums referring to World War 1. Memorials which had been enthusiastically received. A public drop-in session had been held on 1 May to bring organisations together and collate memorabilia from members of the public. There had been a good attendance and these included representatives from churches, schools and other local organisations. He also referred to the proposed War Memorial at Lostock Hall and that a planning application for this would be considered by Planning Committee in July. [The application will be considered on 18 June 2014]. A funding application would then follow if the planning application was successful.</p> <p>Councillor Ogilvie continued to refer to the Centenary Fields Programme which would safeguard in perpetuity our war memorial parks, playing fields and open spaces in memory of those who lost their lives during World War 1. He added that there were a number of forthcoming events which included a live performance on 13th June at St Andrews Church of a musical documentary outlining the contribution of the borough during World War 1.</p> <p>He suggested that anyone wishing to find out any further information concerning the commemorating World War 1, could do so by looking at the following website. www.lancashireww1.org.uk</p> |

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The meeting finished at 7.46pm