

SOUTH RIBBLE BOROUGH COUNCIL

Council

Meeting held at 6.00pm on Wednesday, 20 July 2016 in Shield Room, Civic Centre, West Paddock, Leyland PR25 1DH

Present:

Councillor Mrs Woollard (Mayor) (in the chair)

Councillors Mrs Ball, Ms Bell, Bennett, Bird, Mrs Blow, Clark, Coulton, Donoghue, Evans, Forrest, Foster, Mrs M Green, Michael Green, Miss Hamilton, Hancock, Hesketh, Higgins, Howarth, Hughes, K Jones, Mrs S Jones, Marsh, Martin, Ms Mawson, Mrs Moon, Mrs Mort, Mullineaux, Mrs B Nathan, M Nathan, Nelson, Mrs Noblet, Ogilvie, Patten, Rainsbury, Mrs Snape, Suthers, Titherington, C Tomlinson, M Tomlinson, G Walton, Mrs K Walton, Watkinson, Watts, Wharton, Woodcock, Wooldridge, Yates

Honorary Freeman: Mr Breakell

In Attendance:

The Chief Executive (Mike Nuttall), Director of Corporate Governance and Business Transformation (Ian Parker) and Senior Democratic Services Officer (Andy Houlker)

Public Attendance: 7 and 6 media

Other Officers: 53

Minute No.	Description/Resolution
22	<p>Apologies for Absence Apologies for absence were submitted on behalf of Councillors Mrs M Smith and P Smith.</p> <p>At this point the Mayor informed the council that due to her ill health the Leader (Councillor Mrs M Smith) had today submitted her resignation as Leader with immediate effect. The Chief Executive (Mike Nuttall) then read out Councillor Mrs M Smith's letter of resignation to the council.</p> <p>In view of the special circumstances and the need for the efficient running of the council to have a Leader in place, the Mayor stated she had decided in accordance with the Access to Information Act 1985, to accept as an urgent item, The Appointment of Executive Leader. This item would be discussed immediately following Mayoral Announcements and before the Report of the Cabinet.</p>
23	<p>Declarations of Interest Councillor Bennett declared a personal (non-prejudicial) interest in Item 5(1) (Cabinet Report – Housing Capital Programme-Reoccupation of Empty Properties) and was able under the Code of Conduct for Elected Members to take part in the discussion and vote thereon.</p> <p>Councillor Clark declared a pecuniary interest in Item 8 (Questions to the Leader – Question 1 from Councillor K Jones) as an Associate Manager with Lancashire Care NHS Foundation Trust and left the meeting during its consideration taking no part in the discussion or voting thereon. He also declared a pecuniary interest in Item 15 (Amendment to Membership of Committees and Outside Bodies) as an Associate Manager with Lancashire Care NHS Foundation Trust and left the meeting during its consideration taking no part in the discussion or voting thereon.</p>
24	<p>Minutes of the Last Meeting held on 18 May 2016 Councillor Foster commented that for clarity, since the last meeting he had still not received a letter/report from the Independent Chairman of the Lancashire Safeguarding Board.</p>

	<p>Councillor Mrs Moon referred to min. no.11 (third paragraph on page 8) and stated that the word 'homes' should be 'homeless'.</p> <p>RESOLVED (unanimously): That the minutes of the meeting held on 18 May 2016 be approved as a correct record and signed by the Mayor.</p>
25	<p>Mayor's Announcements The council watched a short video of the Dance from the Heart Roadshow which had taken place in junior and primary schools across the borough.</p>
26	<p>Urgent Item of Business As indicated earlier, the Mayor had agreed to take this item as a matter of urgency in accordance with Section 100B (4) of the Local Government Act 1972 as its delay to the next meeting of the council would be inappropriate because of the special circumstances and the need for the efficient running of the council to have Leader in place.</p>
27	<p>The Appointment of Executive Leader Councillor Hughes referring to the Leader's resignation proposed Councillor Clark as interim Leader until a permanent incumbent was found.</p> <p>Councillor Foster (Leader of the Labour Group) wished Councillor Mrs Smith a speedy recovery. Despite the issues at the council, she was still a wife and grandmother. Whilst there were some matters they would never agree on she had been on the council for 33 years and led it for the last 9 years.</p> <p>However, the conservative group had a lot to answer for as the council was in disarray and on the point of being placed in special measures. It needed to look at what it had created. There were 50 elected members on the council of those about 40/42 cared but there was a small element determined to destroy the authority. Some councillors were just interested in self gain/promotion. The council had not been in this position in its 40+ year history and members had to work collectively to sort it out. He added that last week there had been over 100 staff on the verge of walking out; staff were still suspended after 7months, comments of bullying/intimidation by councillors and staff could not do their jobs because of councillors – there needed to be change (and quickly).</p> <p>Councillor Foster commented that in 19 months the council would be faced with making cuts of around £3m (25% of its revenue budget). How could the council work to achieve this in its current state. The impact of £3m cuts would be decimating and hit the neediest the most. It was now time to drop the flags and start working together and sort this mess out and 'sterilise' those councillors who were not acting for the right reasons.</p> <p>Councillor Foster stated he had no problem supporting (seconding) the proposal of Councillor Clark as interim Leader whilst the conservative group looked to resolve issues in the council. He added that he was in dialogue with both conservative and liberal democrat leaders regarding a type of coalition to resolve matters in the council. He felt that any member(s) who could or would not work together to fix the council should do the honourable thing and resign.</p> <p>Councillor Howarth echoed Councillor Foster's comments regarding Councillor Mrs Smith and hoped she would soon be well. It was an unfortunate situation especially after 32 years. He know Councillor Mrs Smith before he was elected to the council and commended her for work done.</p> <p>RESOLVED (unanimously) that: Councillor Clark be elected as Executive Leader.</p> <p><i>(Councillor Clark in accepting the position on an interim basis stated that whilst he was humbled by the unanimous vote he was also saddened by the departure of the current Leader. He commended Councillor Mrs Smith for her long period of dedication and</i></p>

	<p><i>commitment to the council and its residents. He would endeavour to address the issues faced through discussion and an action plan adding he was fully committed to the council as he had been since first elected.)</i></p>
28	<p>Report of the Cabinet The Leader, Councillor Clark, presented the report of the Cabinet meeting held on 16 June 2016. The report was seconded.</p> <p>Housing Capital Programme - Reoccupation of Empty Properties Councillor Bell commended the scheme which she understood had been successful in other areas. Similarly Methodist Action North West had a successful history in this area. The council should keep a weather eye on how the scheme progressed. Councillor Foster was also supportive but had expected to see details of legal arrangements on how the monies would be allocated in the borough in order to understand the mechanism of how these monies were recycled.</p> <p>Car Parking Schemes and Improvements Councillor Foster stated that this was an important issue with parking causing a blight across the borough and needed a co-ordinated approach. Unfortunately nothing appeared to have happened since February, he suggested this item be withdrawn and looked at by an all party member working group. He understood from the previous time presented that there could possibly be revenue streams if done effectively. Councillor M Tomlinson was aware there had been previous productive dialogue between Councillor Bennett (during his time as responsible Cabinet member) and County Councillor Fillis (Cabinet member for Highways & Transportation). He had issue with the proposal for the overflow car park in Worden Park and would welcome this being withdrawn and if dialogue was resumed with the county council even better. Councillor Ogilvie shared some of the comments particularly regarding the Worden estate, there was no detail on consultation and hoped when there was members' general understanding would be much better.</p> <p>Councillor Mullineaux (Cabinet member for Neighbourhoods & Streetscene) accepted car parking was a borough issue and that there would be consultation but not too early. The Withy Grove and Worden Park areas would be spoken to. All councillors would have the opportunity to voice their opinions on car parks at a meeting that would be held in the next few weeks. It was important all members were involved and it was proposed to obtain their views before wider consultation. He confirmed that discussions with county had gone well, it was hoped to try and extend on-street enforcement and also look at increasing revenue for the council.</p> <p>Introduction of Fixed Penalty Notices for Fly Tipping Councillor Nelson enquired about enforcement and was informed that there were council officers who carried this out. However, Councillor Mullineaux added that as fly tipping was a 24/7 problem the council also looked to the general public for assistance (eyes and ears) to address this. This was an opportunity to speed up enforcement and deter people from fly tipping.</p> <p>Councillor M Tomlinson asked about the previous level of enforcement/fines for fly tipping and for a definition of the term small scale. Councillor Mullineaux commented that these fines were new and an example of small scale was rubble from a small van. He added that larger instances of fly tipping were usually dealt with by the Environment Agency. Councillor M Tomlinson then sought clarification whether anyone had been fined last year and was happy to receive a written response.</p> <p>RESOLVED (unanimously) that:</p> <ol style="list-style-type: none"> 1) the report be noted; <p>2) Housing Capital Programme - Reoccupation of Empty Properties [unanimously]</p> <ol style="list-style-type: none"> 1. the work that is ongoing in relation to the reoccupation of empty properties, and related performance information be noted;

	<ol style="list-style-type: none"> 2. authority be given to enter into an agreement with Methodist Action North West for the purposes of providing “A Place to Live” Scheme; and 3. expenditure of £100,000 Housing Capital Programme monies for the “A Place to Live” scheme be approved; and <p>3) Introduction of Fixed Penalty Notices for Fly Tipping [unanimously]</p> <ol style="list-style-type: none"> 1. the national FPN for small scale fly tipping in accordance with the Unauthorised Deposit of Waste (fixed penalties) Regulations 2016 be adopted; and 2. the level of a FPN charge for small scale fly tipping be set at £400 to be reduced to £200 if paid within 10 days of issue.
29	<p>Report of the Scrutiny Committee</p> <p>Councillor Titherington presented the report of the Scrutiny Committee meeting held on 28 June 2016. The report was seconded. Councillor Titherington commented that the agenda had been light due to the unfortunate ill health of the former Leader (Councillor Mrs M Smith) and the committee had discussed scrutiny business and an update on the licensing matter. He would discuss licensing later under the specific item on licensing later on tonight’s agenda (min. no.37 below refers).</p>
30	<p>Report of the Governance Committee</p> <p>Councillor Ogilvie presented the report of the Governance Committee meeting held on 29 June 2016. He commented that the report was longer than had been intended due to the seriousness of the issues. Basically, Internal Audit’s findings on the flexitime system and overtime showed that there had been repeated abuse of procedure initially in 2014/5 and repeated in 2015/6. The committee felt this was serious and asked a number of robust questions. He asked people not to rely on reports in local media which told the wrong story and was essentially an unjust smear on staff. In certain areas of the council the payment of overtime was essential and depended on the goodwill of staff to put in those extra hours. As mentioned earlier, the report had found some abuses and a failure of management to address this, but the amount concerned was very small and nothing like the suggested £100,000. The sum of £100,000 was the total amount of overtime payments to staff. The committee had sought clarification and if necessary re-examined. The committee received confirmation that following the report everyone was working to procedure. To ensure this was embedded in the council, the committee had requested a complete audit of flexitime and overtime. Councillor Ogilvie was keen to stress that people should not gauge the committee meeting from the local media articles.</p> <p>The chairman added the committee had considered other items. It had been pleased to note the 2015/16 budget out-turn surplus. However, the committee was mindful of the very serious financial pressures the council faced in a couple of years and recognised that challenge. In respect of the Corporate Risk Register it had asked that issues presented by the EU Referendum be added. The council’s decision to widen the range of allowable investment counterparties had been a major factor in achieving better returns under the Treasury Management Annual Report 2014/5. Also with regard to the Strategic Review of Reserves, an independent report had shown the level of the council’s general reserve was comparable with other local authorities. Plus South Ribble was better at estimating future requirements on reserves.</p> <p>The report was seconded.</p> <p>Councillor Foster asked if there was a reason why there was no mention of the review of licensing in the report, which had been discussed at length during the committee meeting. Councillor Ogilvie re-assured Councillor Foster that there was no attempt to hide the matter. The report presented to council was a brief overview of the meeting with the detail being in the minutes.</p> <p>The Branch Secretary of Unison on behalf of council employees commented that the revelations in local media had been a shock to staff as was alleged comments from elected members. He asked if the chairman would elaborate on the committee’s terms of reference, particularly in respect of the recommendations relating to employee disciplinary matters. Councillor Ogilvie shared the shock of the media headlines which he</p>

	<p>had spoken about earlier. The committee was charged with being the guardian of the council's financial risks and it saw abuse of procedures relating to flexitime and overtime which brought it into the remit of the committee. The recommendations followed the issues raised and subsequent discussion and were to move forward with additional clarification/information. In respect of disciplinary matters the committee had not sought to change/influence policy but to question to clarify and understand the issues presented.</p>
31	<p>Questions to the Leader</p> <p>Councillor K Jones had prior to the meeting (and included with the agenda) submitted two questions in the Leader. The first related to the closure of the A&E Department at Chorley & South Ribble Hospital and Lancashire Teaching Hospitals NHS Foundation Trust. As previously declared, the Leader (Councillor Clark) left the meeting during consideration of this matter and took no part in the discussion on this topic.</p> <p>Councillor K Jones commented that as raised previously the council still had no representative on the NHS trust's Council of Governors. The Leader was this council's nominee on that body and could not send deputies. The council's representative needed to be at senior level like the other local authorities' representatives were.</p> <p>The first written question was</p> <p><i>'Can the Leader please confirm if she has resolved this ongoing saga which has brought about great embarrassment to this Borough with us having no representation at the most crucial of times? Who is representing us, and why did she feel it appropriate to change the nomination in the very unprofessional manner she did?'</i></p> <p>In the absence of the Leader, Councillor Hughes (Cabinet member for Strategic Planning) commented that whilst accepting the council needed someone on the Council of Governors, the council was represented. There had been previous discussion and debate on representation and Item 15 on tonight's agenda related to this topic.</p> <p>Councillor Foster commented that whilst other councils' members had been leading on this that had not been so with this council. It was an issue that this council's leadership should take seriously and to date this council had not been sat at the table to discuss the issues at the hospital.</p> <p>Councillor Michael Green referred members to the last meeting of this council when the former Leader had set out what had happened. He added that there had not been a meeting of the Council of Governors since then. Item 15 on tonight's agenda was intended to rectify the matter.</p> <p>Councillor K Jones' second written question related to the council's new Catering Service and was</p> <p><i>'The High Value Procurement limit of £75,000 has now been breached, as has the Council's own constitutional Contract Procedural Rules and public sector procurement regulations, and yet the Catering Service has still not been put out to tender. Does this not place the Administration in an ultra vires position?'</i></p> <p>The Leader commented that Councillor K Jones had raised this matter at the last meeting. This had been looked at and whilst certain procedures might not have been followed, the total spend was not illegal. A procurement exercise had since been commenced and when Councillor K Jones asked for details he was told on 20 July 2016. Councillor K Jones then indicated to the Leader that he was happy to receive a reply in writing.</p> <p>The Leader commented that he was not clear about Councillor Martin's comment relating to Cabinet members not using private email addresses and suggested this could be discussed later.</p> <p>Councillor Wharton referred to a Freedom of Information (FOI) request and asked in the</p>

interests of openness, honesty and transparency that emails between the council's Chief Executive and the external solicitors (Wilkin Chapman) be released. The Leader agreed with openness, honesty and transparency which should be practised by all councillors but no such request had been submitted by Councillor Wharton.

In reply to Councillor Howarth, the Leader saw no reason to change the council's current twinning arrangements.

The Leader agreed with a member of the public that members of the council should be careful when they publicly played down the impact of recreational drugs.

A member of the public commented that his son had twice been assaulted by one of the council's licensed taxi drivers and nothing was done despite a complaint. As a result of the assaults the member of the public said that his son's behaviour had deteriorated to the extent he could no longer live at home. The council's General Licensing Committee eventually considered the driver's licence but took no action. Those councillors that had subsequently investigated the licensing function had been admonished. He wondered if the Leader (or any member of Cabinet) would travel in a taxi driven by that licensed driver. The Leader commented that a number of factors were concerned when booking a taxi but he had only recently returned to the Cabinet and was at a disadvantage in not being aware of the history.

The Branch Secretary of Unison on behalf of council employees stated last week he had met 140 employees to discuss their concerns following further media reports that gave a very poor reflection of staff. Officers of the council continued to provide excellent services in the borough. Whilst councillors might have acknowledged that the media reports were unjust the council had a duty of care to its employees. He added that the late Councillor Hanson had once commented in respect of the council's motto that there was no progress and no humanity. That comment was still true today. The Leader understood staff morale was low and he was in discussions to improve this through positive action. Yes councillors needed to show respect and engender respect from officers/employees. He also accepted the council had a duty of care to staff. Members should reflect the council motto with their actions. Councillor Clark confirmed that it was felt that council officers/employees continued to provide excellent services to residents.

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Questions to Members of the Cabinet

Neighbourhood and Street Scene (Councillor Mullineaux)

Councillor Mrs S Jones wondered when repairs were scheduled to the first overflow car park on Worden Park. She also commented that she had not received a reply to her suggestion at the recent Scrutiny Committee that it visit some of the council's parks (similar to the existing visits to leisure facilities). Councillor Mullineaux had not been aware of any damage to this car park and would look into it. He welcomed the suggested committee visits to the council's parks.

A member of the public commented that he tried to get answers from former Councillor Hamman regarding negotiations between the council and Runshaw College and revenue streams. However his enquiries and subsequent complaints had gone around the council commenting that someone should take responsibility. Councillor Clark (Leader of the Council) replied that he had received an email and promised to reply when he had all the information. When asked when Councillor Clark indicated the reply would be shortly. Councillor Mullineaux added that if the matter was within his portfolio he was happy to look at the information and reply. If it was not then the Leader would reply.

A member of the public commented he was pleased to live in a beautiful borough. However, this was spoilt by the actions of a few and asked if it was allowed for a sports club to tip into Cricketers Brook. Councillor Mullineaux stated it would be appreciated if the members of the public would email or write to him with information so he could respond. Rather than wait and come to council to raise matters/issues. In response, the Cabinet member confirmed he would not want tipping to happen (he was previously unaware) and if fly tipping would be happy to stop it.

	<p><i>Strategic Planning (Councillor Hughes)</i></p> <p>Councillor Howarth asked the Cabinet member if he recalled the issues on Liverpool Road, Penwortham with the Mr Bubble Car Wash. This operator had now moved on and the situation at this site was now much more serious. Planning permission had been refused but the occupier continued to operate and cause nuisance. Councillor Hughes was more than happy to organise enforcement action for the site.</p>
33	<p>Questions to Chairmen of Committees and My Neighbourhood Areas</p> <p>There were no questions.</p>
34	<p>Questions to Member Champions and Representatives on Outside Bodies</p> <p>Councillor Mrs S Jones informed council that there was now a new outside body to make South Ribble a Dementia Friendly Borough (DFB). The Dementia Action Alliance had held its second meeting on 12 July 2016 moving the borough closer to being a DFB. It was well attended with people from Age Concern, CCG, Lancashire Teaching Hospital, fire service, and various voluntary bodies along with Councillors Ms Bell, Mrs Blow, Coulton, M Nathan and Titherington. It has appointed Maria Desmond as its chair and to move forward working with a small group including Cllr M Nathan. Good progress was being made.</p> <p>Councillor Hughes as the appropriate Cabinet member stated he applauded Councillor Mrs S Jones' work and his willingness to work with them all to see what could be achieved.</p>
35	<p>Notice of Motion</p> <p>Notice of the following motion had been submitted in accordance with standing order number 9(2). The motion was proposed by Councillor K Jones and seconded by Councillor Mrs S Jones.</p> <p>“We are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country. Our council condemns racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable.</p> <p>We will work to ensure that local bodies and programmes have the support and resources they need to fight and prevent racism and xenophobia.</p> <p>We reassure all people living in this area that they are valued members of our community.”</p> <p>In moving the motion Councillor K Jones reiterated the notice of motion and being born immediately after WW2, he never thought it would be necessary to move such a motion. However, bigotry and reaction appeared to be eroding this country's value with frightening signs of racism and hatred. Over the last forty years under successive governments secure and decently paid jobs have diminished replaced by insecure self-employment, zero hour contracts and call centre work. This has led to the stagnation of incomes of large sections of people whilst a small number have accumulated great wealth. Resentment to this had built slowly but steadily. This had come to a head with the lies of the EU Referendum, those rich people running the country denying their responsibility for the loss of wages and personal pride and laying it at the door of foreigners in this country. The result had been seen in the murder of a decent public servant and the rise in hate fuelled racism.</p> <p>Councillor Mrs S Jones in seconding the motion stated that in 2014/5 there were 52,528 recorded race hate crimes in England and Wales. In the last four weeks that had risen by 52%. There had been a massive increase in youth being involve in xenophobic incidents. Social media now enabled people to witness race hate crimes on public transport and in their own homes. People never targeted or in fear before were now reporting fear they would be harmed, forced to leave the country they had settled in or where they were born. In 2016 we lived in a modern, multicultural and seemingly tolerant society but we had allowed people who were different to be treated as second class citizens. This could not be right and everyone in every community should to be rid of this growing hatred. The</p>

	<p>motion called for everyone to work together, value other people in our communities and ensure everyone in our society could live together without being subject of violence or fear.</p> <p>Councillor Ms Bell wholehearted agreed with the motion and Councillors Jones' comments. We should respect differences and value diversity and should be proud to live in a society that valued and respected everyone.</p> <p>Councillor Martin referred to the murder of Sophie Lancaster in 2007. This country was now more divided and suggested as a way forward the council contact the Sophie Lancaster Foundation.</p> <p>Councillor Clark indicated that he agreed in principle with the motion but had had reservations on the possible impact on council resources. However, he had sought more information on the number of incidents in South Ribble and was re-assured that those were very low (far better than most in Lancashire). He had discussed this matter with Councillor Foster and agreed to withdraw a proposed amendment to the motion.</p> <p>Councillor Bennett commented that he had been involved in the Brexit campaign and whilst supporting Councillors Jones, he was disappointed at what he felt were disproportionate comments by Councillor Jones.</p> <p>Councillor M Tomlinson was very pleased the amendment had been withdrawn. However, he was aware of instances merely days after the EU Referendum when xenophobic comments had been made to people of either a different cultural background or from a foreign country. He felt that the EU Referendum had had the most toxic and divisive debate. Councils needed to stand up and say those incidents could not continue. He would have said until recently that this country was one of the most tolerant in the world.</p> <p>Councillor Howarth felt that he had been very fortunate being brought up in Manchester which had one of the most diverse communities in the country. He recalled that his two best friends had been West Indian and Jewish. It was now nearly 40 years since he'd marched against racism but the EU Referendum had unleashed some very unsavoury debate (UKIP had questions to answer). He recalled that some years ago all leaders of the political groups of the council had signed an agreement to oppose racism etc and it was time to revisit the values of that document.</p> <p>A member of the public thanked Councillor K Jones commenting no sane person would oppose those sentiments. However, he added there had been reported instances of antisemitism by the Labour party and suggested it needed to sort that before preaching.</p> <p>RESOLVED (unanimously) that the motion be carried.</p>
36	<p>Introduction of Hackney & Private Hire Licensing Policy</p> <p>In the absence of Councillor P Smith, Councillor Rainsbury (Chairman of the General Licensing and Licensing Act Committees) proposed the council adopt this robust policy that had been agreed by the General Licensing Committee. He added that about 80% of local authorities did not have such a policy in place. The adoption and implementation of the policy was seconded.</p> <p>Councillor M Tomlinson whilst welcoming the policy suggested two small amendments. Those being on p7 (5.10-Standard of Clothing) – last bullet point to read: wear inappropriate clothing (examples be removed as felt both relate to women and it could be viewed as being sexist) and also on p19 (9.2-Application Procedure) – add fourth bullet point: valid driving licence.</p> <p>Councillor Bennett commented in respect of p5 (5.6-Medical Fitness) and concern the medical fitness check was every five years and not in line with the length of a driver's licence, i.e. every three years.</p> <p>It was felt that Councillor M Tomlinson's suggestions were minor alterations and could be</p>

	<p>incorporated at the meeting. However, Councillor Bennett's was more significant and felt needed to be looked at in more detail not least as the policy had been out to consultation on the basis of drivers' medicals being every five years.</p> <p>RESOLVED (unanimously) that: the proposed Hackney Carriage & Private Hire Licensing Policy be adopted and implemented, subject to the inclusion of the above amendments relating to Standard of Clothing (5.10) and Application Procedure (9.2).</p>
37	<p>Receiving the Final Report on the Council's Licensing Function In presenting for note the final report by the external solicitors (Wilkin Chapman) Councillor Titherington emphasised that they had taken full ownership for the report and it was not for the council's task group to re-write. The report gave the re-assurance that South Ribble was not a Rotherham, and the recommendations had or were close to being fully implemented. This included the adoption of a composite taxi licensing policy. Phase one was now complete and we now turn to phase two. The report was seconded.</p> <p>Councillor Ogilvie commented that there had not been an opportunity for councillors or the public to question Wilkin Chapman. He wondered why they had not presented this report similar to Sir John Chilcot presenting his report on The Iraq Inquiry. Councillor Titherington stated that he had been asked by council to make arrangements to receive the final report from Wilkin Chapman. That was done and pertinent questions were asked. All councillors can now comment on the report which is in the public domain.</p> <p>Councillor Michael Green commented that he had had some questions for Wilkin Chapman but would not have the opportunity and echoed Councillor Ogilvie's comment that neither councillors nor public had had an opportunity to ask questions. He had a significant interest in this matter (with suggestions of a cover up) and felt it appropriate for openness and transparency. Councillor Titherington apologised for the delay in responding to Councillor Green's emailed questions. He added it was not his remit to say why the external solicitors report had so long to submit or their attendance at council. He confirmed that the external LGA advisor was not carrying out the investigation, but assisting the task group in gathering the facts.</p> <p>Councillor Foster indicated he had spoken at length with the Chief Executive, Monitoring Officer and Councillor Titherington. As mentioned previously, the external advisor would gather information from interested persons and prepare a report. This would then in public be considered by the task group whilst questioning those persons. He looked forward to the subsequent report to council.</p> <p>Councillor Mrs Moon welcomed the report commenting that it had been arduous for some on the council - there had been a number of times when she had not been able to speak/defend herself. She was scheduled to shortly be interviewed and welcomed the opportunity. Councillor Mrs Moon added that she intended to record her interview and make the transcript available. Since day one she had been open, honest and transparent. She wished that persons who had made certain comments would withdraw them so she could move forward. Councillor Titherington felt it was up to Councillor Mrs Moon if she wanted to record and publish the interview. The purpose of the interviews was to gather facts and evidence which the external advisor would use to prepare a report. Then the interested persons would meet the task group and be asked questions in public. The remit of the task group was to gather evidence and prepare a report for council. It was not appropriate for others to influence what questions the task group might want to ask for its report. There had to be some trust and integrity and, as Chairman of the Scrutiny Committee he was trying to conduct this review as professionally as possible with integrity. It was not helpful members talking about suspicion. He commented that the process had taken longer than he liked, the review needed to proceed and a report be presented to council.</p> <p>Councillor Michael Green did not doubt the professional approach but felt on such an important issue others should have the opportunity to ask questions. He also commented that following the FOI request the released correspondence showed that the report was</p>

	<p>available two months ago. Pertinent questions needed to be asked. Councillor Titherington commented at the number of times people mentioned openness and transparency, easy to say but what mattered was actually doing it. He made it clear any allegation of hiding anything would not be accepted. It was not in his or the task group's interest to. There had been opportunities to ask questions all along, no one had tried to hinder debate. There would be plenty of opportunity to debate the task group's report when it was presented to council.</p> <p>Councillor Martin commented that he had made the FOI request relating to correspondence on this matter because of the lack of transparency and openness surrounding the initial (interim) report which everyone appeared to know about except elected members of this council.</p> <p>In response to Councillors Bennett and Mrs Moon, Councillor Titherington, confirmed that he had only seen one report. Wilkin Chapman had stated that it was their report and it was not for the task group to say they should not have written this or said that. They had been appointed to investigate and report back, which is what they had done.</p> <p>A member of the public strongly felt Wilkin Chapman should be interviewed.</p> <p>Councillor Titherington was disappointed that no one had spoken about the actual Wilkin Chapman report presented to council. Instead they had talked around it. The task group had been asked to conduct a review</p> <p>RESOLVED (unanimously) that: the final report from Wilkin Chapman of the review of licensing functions by the council be received and accepted.</p>
38	<p>Amendment to Membership of Committees and Outside Bodies</p> <p>The council was requested to approve a change to the membership of the General Licensing Committee and the Licensing Act Committee. In that Councillor K Jones replaced Councillor C Tomlinson on both committees.</p> <p>It was also asked to approve the change of the council's representative on the Council of Governors of the Lancashire Teaching Hospitals NHS Foundation Trust. This was that Councillor Mrs Mort replace the Leader of the Council as its appointee. As previously declared, Councillor Clark (Leader of the Council) left the meeting during consideration of this matter and took no part in the discussion or voting thereon.</p> <p>Councillor Hughes understood Councillor K Jones' comment that this council's representative should be a senior member of the council. However, he felt it was also very important the council had input to the trust, the next few months would be very busy and he believed that Councillor Mrs Mort as an experienced business woman had the ability to represent the council.</p> <p>Councillor Foster also felt in view of the very serious matter of A&E at Chorley and South Ribble Hospital, this council should be represented by a more senior member. He commented that other local authority representatives were Chorley – Leader, Preston – Cabinet member and the County Council – Leader. He suggested that the Leader (Councillor Clark) be the representative. This needed to be fronted by the leadership. The Mayor reminded Councillor Foster of Councillor Clark's declared interest and that his appointment would be inappropriate.</p> <p>Rather than this be put to the vote at this stage, Councillor Michael Green suggested a five minute adjournment to enable members to discuss options to ensure the right appointment.</p> <p>Councillor M Tomlinson concurred with Councillor Foster, in that this council's representative if not the Leader needed to be someone with authority/power to commit the authority to action(s) and that was also why substitutes were not permitted.</p>

Councillor Hughes had hoped for cross party support and was disappointed councillors opposite were unable to support the proposed representative now and be reviewed when the council's leadership was settled. Councillor Hughes seconded the proposal to adjourn.

The Mayor stated that she would allow a five minute adjournment with the expectation that when members returned it was with a positive outcome (8.52pm).

The meeting of the council re-convened at 8.57pm.

Councillor Hughes stated that he would be this council's representative on the Council of Governors of the Lancashire Teaching Hospitals NHS Foundation Trust. This was seconded.

RESOLVED (unanimously) that:

1. Councillor K Jones replace Councillor C Tomlinson on the General Licensing Committee and the Licensing Act Committee; and
2. Councillor Hughes be appointed as the council's representative on the Council of Governors of the Lancashire Teaching Hospitals NHS Foundation Trust.

..... Chairman

The meeting finished at 8.58pm