

COUNCIL

WEDNESDAY, 25TH JULY, 2018, 6.00 PM

SHIELD ROOM, CIVIC CENTRE, WEST PADDOCK, LEYLAND, PR25
1DH

AGENDA

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|-----------|-------------------------------------------------------------------------------------------------------|-----------------|
| 1 | Apologies for absence | |
| 2 | Minutes of the last meeting | (Pages 3 - 16) |
| | To confirm the Minutes of the Council meeting held on 17 May 2018 attached. | |
| 3 | Declarations of Interest | |
| 4 | Mayors Announcements | |
| | Report(s) of Cabinet and Committees | |
| 5 | Minutes of the Cabinet meetings held on 21 June and 11 July 2018 | (Pages 17 - 26) |
| 6 | Minutes of the Governance Committee minutes - 29 May 2018 | (Pages 27 - 34) |
| 7 | Minutes of the Scrutiny Committee meetings held on 12 April and 28 June 2018 | (Pages 35 - 42) |
| 8 | Annual Performance Report 2017/18 | (Pages 43 - 64) |
| | Report of the Specialist Consultant attached. | |
| 9 | Investment Property Strategy | |
| | Report of the Interim Assistant Director of Housing and Environmental Services to follow. | |
| 10 | Review of Constitution Part 2Q -Review and Revision of the Constitution (formerly Article 16) | (Pages 65 - 74) |
| | Report of the Interim Monitoring Officer. | |
| 11 | Review of Constitution Part 2P Finance, Contracts and Legal Matters - (formerly Article 15) | (Pages 75 - 82) |
| | Report of the Interim Monitoring Officer attached. | |

**12 Review of Constitution Part 2N - Joint Arrangements
(formerly Article 12)**

(Pages 83 - 92)

Report of the Interim Monitoring Officer attached.

13 Changes to Committee membership 2018/19

Report of the Assistant Director of Scrutiny and Democratic Services to follow.

14 Questions to the Leader of the Council

15 Questions to Members of the Cabinet

**16 Questions to Chairs of Committees and My
Neighbourhood Areas**

**17 Questions to Member Champions and Representatives
on Outside Bodies**

Heather McManus
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Council Councillors John Rainsbury (Mayor), Carol Chisholm (Deputy Mayor), Jane Bell, Warren Bennett, David Bird, Renee Blow, 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, Elizabeth Mawson, Caroline Moon, Jacqui Mort, Peter Mullineaux, Barbara Nathan, Mike Nathan, Mike Nelson, Rebecca Noblet, Alan Ogilvie, James Patten, Margaret Smith, Phil Smith, Susan Snape, David Suthers, Michael Titherington, Caleb Tomlinson, Matthew Tomlinson, Graham Walton, Karen Walton, Ian Watkinson, David Watts, Paul Wharton, Jonathan Woodcock, David Wooldridge, Linda Woollard and Barrie Yates

The minutes of this meeting will be available on the internet at www.southribble.gov.uk

Forthcoming Meetings

6.00 pm Wednesday, 26 September 2018 - Shield Room, Civic Centre, West Paddock, Leyland, PR25 1DH

MINUTES OF COUNCIL (FIRST BUSINESS MEETING)

MEETING DATE Thursday, 17 May 2018

MEMBERS PRESENT: Councillors John Rainsbury (Mayor), Carol Chisholm (Vice-Chair), Jane Bell, Warren Bennett, David Bird, Renee Blow, 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, Elizabeth Mawson, Caroline Moon, Jacqui Mort, Peter Mullineaux, Barbara Nathan, Mike Nathan, Mike Nelson, Rebecca Noblet, Alan Ogilvie, James Patten, Susan Snape, David Suthers, Caleb Tomlinson, Karen Walton, Graham Walton, Ian Watkinson, David Watts, Paul Wharton, Jonathan Woodcock, David Wooldridge and Linda Woollard

OFFICERS: Heather McManus (Chief Executive), Lisa Kitto (DCE (Resources & Transformation)), Dave Whelan (Legal Services Manager/Interim Monitoring Officer) and Dianne Scambler (Governance and Member Services Team Leader)

OTHER MEMBERS: None

PUBLIC: 25

1 Apologies for Absence

Apologies for absence were received from Councillors Colin Clark, Michael Titherington, Matthew Tomlinson, Margaret Smith, Phil Smith and Barrie Yates

2 Minutes of Previous Meetings

RESOLVED: (Unanimously)

That:

- (1) the minutes of the Council meeting held on 21 March 2018 be approved as a correct record subject to the references to Councillor John Bird in Minute No. 105 been amended to read Councillor David Bird; and
- (2) the minutes of the Annual Council meeting held on 15 May 2018 be approved as a correct record.

3 Declarations of Interest

No declarations of interest were made.

4 Mayors Announcements

The Mayor thanked Members of the Council for attending the Annual Council Meeting held on 15 May 2018 and indicated that he looked forward seeing many Members at the Mayoral Banquet to be held on 18 May 2018.

The Mayor also reported that his Mayoral Civic Sunday would be held on 17 June 2018 and invitations would be sent to Members of the Council in the near future.

At the request of Councillor David Howarth, the Mayor agreed that a letter of congratulations be sent on behalf of the Council to Bamber Bridge Football Club who had gained promotion to the Northern Premier League.

The Mayor also asked Members to build on the good conduct that had been shown at recent Council meetings and asked for all Councillors to treat each other with dignity and respect in the coming municipal year.

5 Report of Cabinet and Committees:

5a Minutes of the Standards Committee held on 15 March 2018

The Council considered the draft minutes of the Standards Committee meeting held on 15 March 2018.

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

RESOLVED: (Unanimously)

That the draft minutes of the Standards Committee meeting held on 15 March 2018 be noted.

5b Minutes of the Cabinet meeting held on 11 April 2018

The Council considered the draft minutes of the Cabinet meeting held on 11 April 2018.

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

RESOLVED: (Unanimously)

That the draft minutes of the Cabinet meeting held on 11 April 2018 be noted.

5c Minutes of the Scrutiny Committee meeting held on 12 April 2018

The Council considered the draft minutes of the Scrutiny Committee meeting held on 12 April 2018.

It was moved by Councillor Colin Coulton, seconded by Councillor Susan Jones and

RESOLVED: (Unanimously)

That the draft minutes of the Scrutiny Committee meeting held on 12 April 2018 be noted.

5d Minutes of the Governance Committee meeting held on 18 April 2018

The Council considered the draft minutes of the Governance Committee meeting held on 18 April 2018.

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

RESOLVED: (Unanimously)

That the draft minutes of the Governance Committee meeting held on 18 April 2018 be noted.

6 Leader of the Council

The Mayor reported that Councillor Peter Mullineaux had submitted a notice to the Chief Executive indicating that he wished to resign from the office of Leader of the Council with effect from this meeting of the Council (First Business Meeting of the Municipal Year 2018/19).

Councillor Peter Mullineaux responded by addressing the Council. He thanked his Cabinet for their support and talked about the great achievements that the Council had made over the past two years despite some difficult circumstances.

It was then moved by Councillor Caroline Moon, seconded by Councillor Rebecca Noblet:

That Councillor Mary Green be appointed the Leader of the Council for the period of twelve months until the First Business Meeting of the Council to be held in May 2019.

Following debate and in accordance with Rule 16.4 in Part 4 of the Constitution, the voting on the Motion was recorded and the Members of Council present at the time, voted as follows:

FOR THE MOTION:

Councillors Warren Bennett, Carol Chisholm, Colin Coulton, Mary Green, Michael Green, Claire Hamilton, Jon Hesketh, Cliff Hughes, Jim Marsh, Caroline Moon, Jacqui Mort, Peter Mullineaux, Barbara Nathan, Michael Nathan, Michael Nelson, Rebecca Noblet, Alan Ogilvie, John Rainsbury, Susan Snape, David Suthers, Graham Walton, Karen Walton, Paul Wharton and Linda Woollard.

AGAINST THE MOTION:

Councillors Jane Bell, Renee Blow, Mal Donoghue, Bill Evans, Derek Forrest, Paul Foster, Harold Hancock, Mick Higgins, David Howarth, Ken Jones, Susan Jones, Keith Martin, Elizabeth Mawson, James Patten, Caleb Tomlinson, Ian Watkinson, David Watts, Jonathan Woodcock and David Wooldridge

ABSTENTION

Councillor David Bird

The Mayor declared that the Motion was carried by 24 votes to 19 with 1 abstention and it was

RESOLVED:

That Councillor Mary Green be appointed the Leader of the Council for the period of twelve months until the First Business Meeting of the Council to be held in May 2019.

Councillor Mary Green thanked the Council for appointing her as the Leader of the Council, gave thanks to the previous Leader, Councillor Mullineaux and his Cabinet team and hoped that they could all work well together in the future, to take the Council forward and get it back to being one of the best performing Councils in the country.

7 Appointment of Deputy Leader and Members of the Cabinet 2018/19

The Council considered the report of the new Leader of the Council which set out the following details of the membership of the Cabinet along with their portfolio responsibilities for 2018/19:

Cabinet Portfolio	Cabinet Member
Deputy Leader of the Council and Cabinet Member – Public Health, Leisure and Wellbeing	Councillor Caroline Moon
Cabinet Member – Assets and Transformation	Councillor Warren Bennett
Cabinet Member – Corporate Support and Community Engagement	Councillor Michael Green
Cabinet Member – Environment and Community Safety	Councillor Graham Walton
Cabinet Member - Finance	Councillor Susan Snape
Cabinet Member – Strategic Planning, Housing and Economic Growth	Councillor Cliff Hughes

The report also provided details of the appointment of the following Member Champions, who would support the relevant Cabinet Member but not receive any remuneration. The expectation was that they would stay informed about the work and responsibilities of the Cabinet portfolio and work would be undertaken with direct responsibility and reporting back to the relevant Cabinet Member or the Leader of the Council. This would also build knowledge, experience and be a development opportunity for those Councillors who aspire to become a Cabinet Member.

Member Champion	Member
Armed Forces	Councillor Alan Ogilvie
Economic Development and Skills	Councillor David Suthers
Member Development	Councillor Jacqueline Mort

Older People	Councillor Karen Walton
Rural Communities	Councillor Rebecca Noblett
Safeguarding	Councillor Barbara Nathan
Streetscene and Neighbourhood Improvements	Councillor Paul Wharton
Young People and Community Safety	Councillor Michael Nathan

The Leader of the Opposition, Councillor Paul Foster reported that he would appoint his shadow Cabinet in line with the new Cabinet roles and responsibilities.

RESOLVED: (Unanimously)

That the membership of Cabinet and portfolio responsibilities, and the Member Champions for 2018/19 be noted.

8 Appointment of Committees 2018/19

The Council considered the report of the Assistant Director of Scrutiny and Democratic Services which provided details of the allocation of Committee Places in accordance with the Political Balance Rules and the proposed Membership of the Committees for 2018/19. An amended copy of the appendix to the report, setting out the revised appointments to the various committees for 2018/19 was circulated at the meeting.

It was moved by Councillor Mary Green, seconded by Councillor Caroline Moon:

That

- (1) the allocation of Committee Places in accordance with the Political Balance Rules, as set out in the report be noted;
- (2) the Members, Chairs and Vice-Chairs for the Committees as set out in the revised appendix to the report be appointed for a period of twelve months until the First Business Meeting of the Council to be held in May 2019; and
- (3) the Interim Monitoring Officer be authorised to amend the Constitution to take into account the changes to the number of members on the Committees referred to in Paragraph 7.5 of the report.

An **amendment** was moved by Councillor Paul Foster, (Leader of the Opposition), seconded by Councillor David Wooldridge that the vote on the Chairs and Vice Chairs of the General Licensing Committee and Licensing Act Committee be taken separately.

Councillor Peter Mullineaux asked for a short recess. Councillor Mary Green (Leader of the Council) indicated that she did not feel that was necessary and the Mayor subsequently refused the request.

Following debate and in accordance with Rule 16.4 in Part 4 of the Constitution, the voting on the amendment was recorded and the Members of Council present at the time, voted as follows:

FOR THE AMENDMENT:

Councillors Jane Bell, David Bird, Renee Blow, Mal Donoghue, Bill Evans, Derek Forrest, Paul Foster, Harold Hancock, Mick Higgins, David Howarth, Ken Jones, Susan Jones, Keith Martin, Elizabeth Mawson, Mike Nelson, James Patten, Caleb Tomlinson, Ian Watkinson, David Watts, Jonathan Woodcock and David Wooldridge.

AGAINST AMENDMENT:

Councillors Warren Bennett, Mary Green, Michael Green, Claire Hamilton, Jon Hesketh, Cliff Hughes, Caroline Moon, Jacqui Mort, Barbara Nathan, Mike Nathan, Rebecca Noblet, Alan Ogilvie, John Rainsbury, Susan Snape, David Suthers, Paul Wharton and Linda Woollard

ABSTENTION

Councillors Carol Chisholm, Colin Coulton, Jim Marsh, Peter Mullineaux, Graham Walton and Karen Walton

The Mayor declared that the amendment was **carried** by 21 votes to 17 with 6 abstentions.

Councillor Foster addressed Council and indicated that the Labour Group did not consider Councillor Paul Wharton to be a “fit and proper person” to take the Chair of both Licensing Committee’s and felt that they could not support the proposal of the Leader of the Council.

Councillor Mary Green (Leader of the Council) responded by saying that it was unprecedented for the Council to vote against the Leaders proposed appointments and urged members to consider this when voting as it could set a dangerous precedent for the future.

The Leader of the Council stated that she had submitted the appointments based upon the abilities, skills and preferences of the people and had not taken any decision lightly and that the Councillors were considered to be the best candidate for each position. Along with the Leader, the Cabinet Members, Councillors Michael Green, Caroline Moon, Warren Bennett and a member of the public spoke in support of the proposal to appoint Councillor Paul Wharton as Chair of the two Licensing Committee’s, whilst Councillors David Wooldridge and David Howarth spoke against. Councillors Peter Mullineaux and Coulton both stated that they were struggling with which way to vote.

Following the debate, the vote on the proposal that Councillor Paul Wharton be appointed as Chair and Councillor Barbara Nathan be appointed as Vice Chair of the General Licensing Committee was taken.

The Mayor declared that the proposal was **lost** by 21 votes to 18 with 5 abstentions.

The vote on the proposal that Councillor Paul Wharton be appointed as Chair and Councillor Jaqueline Mort be appointed as Vice Chair of the Licensing Act Committee was taken.

The Mayor declared that the proposal was **lost** by 21 votes to 18 with 5 abstentions.

Following a request from Councillor Mary Green (Leader of the Council) the Mayor agreed to adjourn the meeting for 20 minutes.

Upon recommencement of the meeting Councillor Graham Walton alleged that outside of the meeting, he had been subjected to a defamatory comment by Councillor Paul Wharton and stated that he would be submitting a complaint to the Standards Committee.

An **amendment** was moved by Councillor Mary Green, seconded by Councillor Moon that Councillor David Suthers be appointed as the Chair and Councillor Jacqueline Mort as the Vice Chair of the General Licensing Committee, and that Councillor David Suthers be appointed as the Chair and Councillor Barbara Nathan as the Vice Chair of the Licensing Act Committee.

A vote on the amendment was taken and it was **carried** unanimously.

A vote on the substantive vote was then taken and it was

RESOLVED: (Unanimously)

That

- (1) the allocation of Committee Places in accordance with the Political Balance Rules, as set out in the report be noted;
- (2) the Members of all Committees, Chairs and Vice-Chairs for the remaining Committees as set out below be appointed for a period of twelve months until the First Business Meeting of the Council to be held in May 2019:

Committee	Conservative Group	Labour Group	Liberal Democrats Group
Planning Committee (15 Members) (8:6:1)	Jon Hesketh (Chair) Rebecca Noblet (Vice Chair) James Marsh Jacqueline Mort Peter Mullineaux Michael Nathan Michael Nelson Barrie Yates	Malcolm Donoghue Bill Evans Derek Forrest Mick Higgins Ken Jones Caleb Tomlinson	Renee Blow
Scrutiny Committee (13 Members) (7:5:1)	Colin Coulton (Vice Chair) Jim Marsh Barbara Nathan Michael Nathan Karen Walton Linda Woollard Barrie Yates	Matthew Tomlinson (Chair) Susan Jones Keith Martin Elizabeth Mawson Mick Titherington	David Howarth

General Licensing Committee (11 Members) (6:4:1)	Jon Hesketh Jacqueline Mort Barbara Nathan Alan Ogilvie Paul Wharton David Suthers	Jane Bell Ken Jones David Watts David Wooldridge	Harold Hancock
Licensing Act Committee (11 Members) (6:4:1)	John Hesketh Jacqueline Mort Barbara Nathan Alan Ogilvie Paul Wharton David Suthers	Jane Bell Ken Jones David Watts David Wooldridge	Harold Hancock
Standards Committee (7 Members) (4:3)	Linda Woollard (Chair) Carol Chisholm (Vice Chair) Colin Coulton Rebecca Noblet	Bill Evans Susan Jones Mick Titherington	
Governance Committee (7 Members) (4:3)	Alan Ogilvie (Chair) Carol Chisholm Mike Nelson Karen Walton	James Patten (Vice Chair) Paul Foster Ian Watkinson	
Appeals Committee (5 Members) (3:2)	Colin Coulton Jim Marsh David Suthers	Mick Titherington Ian Watkinson	
Appointments Panel (7 Members) (4:3)	Mary Green (Chair) Warren Bennett Michael Green Caroline Moon	Paul Foster Ken Jones Mick Titherington	
Shared Services Joint Committee (5 Members) (3:2)	Mary Green Warren Bennett Susan Snape Caroline Moon (Substitute)	Paul Foster Matthew Tomlinson Mick Titherington (Substitute)	
Shared Services Joint Committee – Appointments Panel (3 Members) (2:1)	Mary Green Caroline Moon Warren Bennet (Substitute)	Paul Foster Mick Titherington (Substitute)	

- (3) the Interim Monitoring Officer be authorised to amend the Constitution to take into account the changes to the number of members on the Committees referred to in Paragraph 7.5 of the report.

9 Appointment of My Neighbourhood Area Chairs and Vice Chairs 2018/19

The Council considered the report of the Assistant Director of Scrutiny and Democratic Services report relating to the appointment of the Chairs and Vice-Chairs of the Council's My Neighbourhood Areas for 2018/19.

It was moved by Councillor Mary Green, seconded by Councillor Paul Wharton and

RESOLVED: (Unanimously)

That, the following appointments for the period of twelve months until the First Business Meeting of the Council in May 2019 be ratified:

Neighbourhood Area	Chair	Vice Chair
Central	Councillor Jacqueline Mort	Councillor Cliff Hughes
Eastern	Councillor Mike Nelson	Councillor Jim Marsh
Leyland	Councillor Jane Bell	Councillor Susan Jones
Penwortham	Councillor Keith Martin	Councillor Harry Hancock
Western Parishes	Councillor Colin Coulton	Councillor John Rainsbury

10 Appointment of Representatives on Outside Bodies 2018/19

The Council considered the report of the Assistant Director of Scrutiny and Democratic Services report relating to the appointment of representatives on Outside Bodies.

It was moved by Councillor Mary Green, seconded by Councillor Caroline Moon and

RESOLVED: (Unanimously)

That the representation on Outside Bodies as set out below be approved.

Outside Body	No of Reps	Existing Representative(s)	Term of Office Expires
Armed Forces Member Champion	1	Councillor Alan Ogilvie	May 2019
Balshaw's Church of England High School Educational Foundation	1	Councillor Caroline Moon	May 2019
Central Lancashire	1	Cabinet Member (Public	May 2019

Outside Body	No of Reps	Existing Representative(s)	Term of Office Expires
Health and Wellbeing Partnership		Health, Leisure and Wellbeing)	
Central Lancashire Strategic Planning Joint Advisory Committee	3	Cabinet Member (Strategic Planning, Housing and Economic Growth) Chair of Planning Committee (Councillor Jon Hesketh) Member Champion (Rural Communities) Substitutes: Leader of the Council and Member Champion (Economic Development and Skills)	May 2019
Chorley, South Ribble and West Lancashire Children's Partnership Board	1	Cabinet Member (Public Health, Leisure and Wellbeing)	May 2019
Council for the Protection of Rural England - Lancashire Branch	1	Councillor David Bird	May 2019
Higher Walton Community Centre Management Committee	1	Councillor Barrie Yates	May 2019
Lancashire County Council Health Scrutiny Committee	1	Chair of Scrutiny Committee (Councillor Matthew Tomlinson)	May 2019
Lancashire Police and Crime Panel	1	Member Champion (Young People and Community Safety)	May 2019
Lancashire Teaching Hospitals NHS Foundation Trust - Council of Governors	1	Cabinet Member (Public Health, Leisure and Wellbeing)	May 2019
Lancashire Waste Partnership	1	Cabinet Member (Environment and	May 2019

Outside Body	No of Reprs	Existing Representative(s)	Term of Office Expires
		Community Safety)	
Lancashire West Citizens' Advice Bureaux – Board of Trustees	1	Councillor Susan Snape	May 2019
Local Authority Elected Member Older People's Champions – North West of England Network	1	Member Champion (Older People)	May 2019
Local Government Association - District Councils Network	2	Leader of the Council and Chief Executive	May 2019
Local Government Association - General Assembly	1	Leader of the Council	May 2019
North West Local Authorities' Employers' Organisation	1	Leader of the Council (Substitute: Deputy Leader of the Council)	May 2019
Preston and South Ribble Fairtrade Steering Group	1	Councillor Michael Green	May 2019
Preston, South Ribble and Lancashire City Deal Executive and Stewardship Board		Leader of the Council and Chief Executive (Observer: Councillor Cliff Hughes)	May 2019
Safer Chorley and South Ribble Community Safety Partnership – Responsible Authorities Group	1	Cabinet Member (Environment and Community Safety)	May 2019
South Ribble Community Leisure Trust Board	1	Cabinet Member (Public Health, Leisure and Wellbeing)	May 2019
South Ribble Partnership	1	Leader of the Council	May 2019
Springfields Fuels	2	Cabinet Member (Public	May 2019

Outside Body	No of Reps	Existing Representative(s)	Term of Office Expires
Limited Site Stakeholder Group		Health, Leisure and Wellbeing) Mr Melvyn Gardner (non-voting)	
Trustees of Alice Rowlinson's Charity	4	Councillors Jane Bell, Mary Green and Michael Green, and Mrs Carole Titherington	May 2019
Wellbeing, Prevention and Early Help Service – South Ribble District Advisory Board	1	Cabinet Member (Public Health, Leisure and Wellbeing) (Substitute: Member Champion (Young People and Community Safety)	May 2019

11 Council Meetings 2018/19

It was moved by Councillor Mary Green, seconded by Councillor Caroline Moon and

RESOLVED: (Unanimously)

That it be noted the Council Meetings scheduled to be held during 2018/19 are as follows:

- 25 July 2018
- 26 September 2018
- 5 December 2018
- 6 February 2019
- 27 February 2019 (Budget Meeting)
- 10 April 2019

12 Licensing Annual Report 2017/18

Further to Minute No. 84 of the meeting of the General Licensing Committee held on 10 April 2018, the Council considered the report of the Interim Deputy Chief Executive (Resources and Transformation) that presented a copy of the Licensing Annual Report for 2017/18. The report identified and documented the good work that had been undertaken by the General Licensing Committee and Licensing Act Committee.

In response to some members concerns regarding In-cab CCTV, the Mayor explained that this was something the Committee would consider in the future as part of a pan Lancashire approach on the issue.

It was moved by Councillor John Rainsbury, seconded by Councillor David Watt and

RESOLVED: (Unanimously)

That the Licensing Annual Report for 2017/18 be noted.

13 Draft Policy / Testing Requirements to Ensure the Safety of Licensed Vehicles which have been Subject to Modification

Further to Minute No. 83 of the meeting of the General Licensing Committee held on 10 April 2018, the Council considered the report of the Interim Deputy Chief Executive (Resources and Transformation) on the proposed adoption of a draft policy to ensure the safety of licensed vehicles which were subject to modification.

It was moved by Councillor John Rainsbury, seconded by Councillor David Watts and

RESOLVED: (Unanimously)

That:

- (1) the final version of the draft testing specification for modified vehicles, set out in Appendix 2 to the report be adopted and come into force on 1 July 2018: and
- (2) the decision originally made in principle by the General Licensing Committee on 17 October 2017, namely that any tests to ensure the safety of modified vehicles against the specification adopted in resolution (1) above, should be carried out solely by the Lancashire County Council facility at Bamber Bridge, be formally adopted.

14 Access to Information Procedure Rules

Further to Minute No. 61 of the meeting of the Governance Committee held on 18 April 2018, the Council considered the report of the Interim Monitoring Officer on the revised wording for the Access to Information Procedure Rules.

It was moved by Councillor John Alan Ogilvie, seconded by Councillor Jim Patten and

RESOLVED: (Unanimously)

That the revised Access to Information Procedure Rules as set out in Appendix A to the report be approved.

15 Notices of Motion

Further to Minute No. 60 of the meeting of the Governance Committee held on 18 April 2018, the Council considered the report of the Interim Monitoring Officer on a suggested change to the Council's Constitution regarding the procedure rules relating to Notices of Motion.

The existing Council Procedure Rules stipulated a deadline for the submission of Notices of Motion to be considered at a meeting of the Council, but this did not extend to any amendments to a Motion. At the Council meeting held on 22 November 2017 (Minute 52b refers), a Motion submitted by Councillor Ken Jones,

seeking a suitable amendment to the procedure rules in the Constitution which would require 3 working days' notice of amendments to motions included in a Council agenda, was referred to the Governance Committee for consideration.

The Governance Committee had discussed the merits of introducing a deadline for the submission of an amendment, and whilst understanding the rationale it was felt on balance that the introduction of a deadline would remove flexibility and that members should continue to use the existing Council Procedure Rules.

It was moved by Councillor Alan Ogilvie, seconded by Councillor Karen Walton and

RESOLVED: (For: 30, Against: 13)

That no change be made to the Council's Constitution regarding the procedure rules relating to Notices of Motion.

Chair

Date

MINUTES OF CABINET

MEETING DATE Thursday, 21 June 2018

MEMBERS PRESENT: Councillors Mary Green (Chair), Caroline Moon (Vice-Chair), Warren Bennett, Michael Green and Susan Snape

OFFICERS: Heather McManus (Chief Executive), Lisa Kitto (DCE (Resources & Transformation)), Jonathan Noad (Director of Planning and Property), Dave Whelan (Legal Services Manager/Interim Monitoring Officer), Jennifer Mullin (Director of Neighbourhoods and Development) and Dianne Scambler (Governance and Member Services Team Leader)

OTHER MEMBERS AND OFFICERS: Councillor Jane Bell, Councillor Colin Clark, Councillor William Evans, Councillor Paul Foster (Leader of the Opposition and Leader of the Labour Group), Councillor Keith Martin, Councillor Jacqueline Mort (Member Champion (Member Development)), Councillor Alan Ogilvie (Member Champion (Armed Forces)), Councillor Margaret Smith, Councillor Phil Smith, Councillor Michael Titherington (Deputy Leader of the Opposition and Deputy Leader of the Labour Group), Councillor Matthew Tomlinson and Councillor Graham Walton

PUBLIC: 4

1 Apologies for Absence

No apologies for absence were received.

2 Minutes of the Last Meeting

RESOLVED (Unanimously):

That the minutes of the meeting held on 11 April 2018 be approved and signed as a correct record.

3 Declarations of Interest

There were no declarations of any interests made at the meeting.

4 Property Investment Strategy

Further to Minute No. 57 of the meeting held on 6 December 2017, the Cabinet considered the report of the Director of Planning and Property which provided details of the revised Investment Property Strategy which had been produced following meetings with the Council's appointed advisers Lambert Smith Hampton Investment

Management (LSHIM). This report set out the investment matrix and the ground rules for LSHIM to find appropriate investments to meet the Council's aims.

An amendment to the report was submitted at the meeting to delegate the final approval to invest on any LSHIM's recommendations to the Section 151 Officer and Corporate Property Officer in consultation with the Cabinet Member for Assets and Transformation. The approval of any such investments would also involve the Cabinet Member for Finance.

Details on the development of two further complementary Investment Strategies, to support Economic Development/Regeneration and Housing were also provided within the report.

During the debate, Cabinet raised the following issues:

Although the Strategy presented last year had forecasted a target net annual shield of 5-8%, Members noted the target reduction of 4.5%. It was accepted that the rate of return has dropped from what was originally earmarked. This was primarily due to changes in the markets, particularly in relation to the retail sector.

The aim was to invest in long term investments in the context of the Treasury Management process, being mindful that investment was considered better than raising the Council's level of balances. There was a general consensus that the authority needed to make its reserves work more effectively.

Decision Made: (Unanimously)

That:

- (1) the Investment Property Strategy as set out in Appendix A of the report be approved; and
- (2) Delegate the final approval to invest on LSHIM's recommendation to Section 151 Officer and Corporate Property Officer in conjunction with the Cabinet Member (Assets and Transformation).
- (3) it be noted that two further complementary Investment Strategies were being developed to support Economic Development / Regeneration and Housing and would be considered at a future Cabinet meeting.

Reasons for Decision:

The Council identified investment in commercial property as an opportunity to increase its income whilst protecting its capital in its Budget for 2017/18. An Investment Strategy and appropriate governance framework was developed and agreed at the Cabinet meeting on 6 December 2017. At that meeting it was agreed to procure specialist advice and LSHIM were subsequently properly procured and appointed in March 2018.

LSHIM met with Council officers to establish a common understanding of the opportunities that could be available and the practical challenges that would need to be addressed to meet the potentially tight timescales for decisions. On 25 April 2018, the Managing Director of LSHIM, held workshops at the Civic Centre with Members of the Cabinet and the Asset Working Group outlining the staged approach to identifying and selecting investment opportunities. The Investment Strategy had

been revised following those workshops and identified potential opportunities and progression to investment

Alternative Options Considered and Rejected:

This was one investment strategy identified for sustainable income. Other investment opportunities have been identified and funded through the Council's 5 year Capital Strategy.

5 First Phase of Campus Programme

Further to Minute No. 90 of the Council meeting held on 28 February 2018, the Cabinet considered the report of the Director of Neighbourhoods and Development which provided details of the initial first phase works of the Campus Programme, the predicted expenditure in 2018/19 and the preferred procurement route for the leisure element of the Leyland Campus.

During the debate, the Cabinet raised the following issues:

A feasibility study of the playing pitches at Penwortham Holme Recreation Centre identified the need for adequate drainage to allow them to be accessed throughout the winter months. Although concerns were raised about the impact of this work in an area that is liable to flooding, it was thought that the new and improved drainage would restore the pitches to previous conditions and allow for substantially more use of the site during the playing season. The Environment Agency proposals to deliver a flood defence scheme to protect Preston and South Ribble from future flooding was also noted.

The appointment of a Programme Director for the Campus Programme would oversee the whole programme of works and take a specific lead on the new build projects. It was anticipated that this position would be a part time post and discussions with Sport England were currently underway to share the costs of this appointment.

In response to questions raised at the meeting, the Director of Planning and Property updated Cabinet on the work that had been undertaken on the West Paddock Masterplan and the Chief Executive reported that a report on a Playing Pitches and Sports Strategy would be brought to a future meeting of Cabinet.

Decision Made: (Unanimously)

That:

- (1) approval be given to the schedule of works described in section 6 of the report including Project Management, Green Infrastructure (Green links identified in Appendix C for 2018/19), Existing Built Assets, Leisure Facility and Sports Pitch Hub which are within the approved Capital Strategy and to the expenditure been incurred on those schemes;
- (2) the procurement route for developing the leisure element of the Leyland Campus be endorsed and approval be given to the procurement of the development team via a single source, direct award framework as described in Section 6.5. (Pagabo/perfect Circle Framework) of the report; and

- (3) approval be given to the commencement of work on the Leyland Campus Master Plan including public consultation which will then be submitted to Planning Committee at a later date.

Reasons for Decision:

The Council approved the Capital Strategy on 28 February 2018 and the development of campuses was a key element of the Health and Wellbeing priority within that Strategy. Cabinet approval was required for the detail within the overall Strategy to allow expenditure to be incurred in 2018/19 and progress to be made.

The appointment of a development team for the leisure element of the Leyland Campus was essential to move the project forward. Without this the project and hence the whole programme would stall. The single source direct award from a framework was the best route for the Council to secure the wide range of services required. This route would ensure compliance with Official Journal of European Union (OJEU) procurement process, secure best value and enable the Council to move forward. This route would also build in flexibility for the Council to adjust the resources required as the project evolves.

Alternative Options Considered and Rejected:

The report defined the priorities for spending in 2018/19. Other packages of work have been identified and would come forward as further funding was released.

6 South Ribble Borough Council Budget Out-turn Report 2017/18

The Cabinet considered the report of the Interim Deputy Chief Executive (Resources and Transformation) which provided details of the 2017/18 Budget Outturn position in relation to both revenue and capital expenditure. The report had previously been considered by the Governance Committee on 29 May 2018 together with the Council's core financial statements that were produced as part of the Council's draft Statement of Accounts. These were available on the Council's website in accordance with statutory requirements and to meet the earlier statutory deadline of 31 May 2018.

The Council's end of year accounts had been finalised and showed an underspend of £0.770m against the original annual budget of £13.482, representing 5.7%. The reserves at the end of the year reflected some decisions that were made as part of the budget setting process which had resulted in the creation of some new reserves and had consolidated some existing reserves. Members were asked to note the level of reserves with a view to utilising the in-year underspend of £0.770m differently.

During the debate, the Cabinet raised the following issues:

It was noted that income collection levels were good, performance continues to be strong with a slight increase in the Council Tax Collection Rate (0.07%). Although the interest on investment figures were down in comparison to 2016/17, this was in line with market factors and was still compared favourably with external benchmarks for investment returns.

The Business Rates Retention pooling arrangements that the authority had entered into with the wider Lancashire Councils continues to be beneficial with the Council by attaining an additional levy of £1.1m which was reflected in the annual budget.

In response to a member of the public it was explained that the year-in underspend was made up of a number of variances that included employees and premises costs.

Decision Made: (Unanimously)

That:

- (1) the contents of the report and appendices be noted;
- (2) the final out turn position of £0.770m underspend against the original revenue budget of £13.482m and the key variances be noted;
- (3) the final out turn position on the capital budget of £0.597m underspend against an annual budget of £2.774m be noted;
- (4) the financing of the capital programme for 2017/18 be noted and approval be given to the carry forward of £0.402m of capital re-phasing into 2018/19 as outlined in this report;
- (5) the end of year position on reserves as a result of the out turn position and the contributions to and withdrawals from these reserves be noted;
- (6) the Council be recommended to give approval to the underspend being utilised to support other key projects or initiatives; and
- (7) approval be given to the development of a wider investment strategy in light of the level of balances.

Reasons for Decision:

The report sets out the final position for the Council in relation to its 2017/18 revenue and capital budget. The report supports the statutory accounts that are also being presented to the Governance Committee in accordance with statutory requirements. These accounts have to be signed by the Chief Finance Officer by 31 May 2018 which is one month earlier than has previously been required.

Alternative Options Considered and Rejected:

None.

7 Temporary Suspension of Fees and Charges for Domestic Rat and Mice Treatments

The Cabinet considered the urgent report of the Director of Neighbourhoods and Development which sought approval to temporarily suspend the current charges for domestic rat and mice treatments offered to the Borough by the Council's Pest Control Service until 11 July 2018, when a full Fees and Charges Report would be presented for Cabinet approval.

During the debate the Cabinet raised the following issues:

The safety of residents was considered to be of the utmost importance and the Cabinet had taken on board their concerns. It was recognised that the recent decision to charge for this service, had impacted adversely on the community and the Cabinet were minded not to continue with the domestic charge for rat and mice treatments on a permanent basis.

The Cabinet wanted to be clear that this was not about staff underperforming. Since the new charge had been introduced there had been a significant decrease in requests for the service. The Pest Control team had worked hard to increase service delivery to business customers and assurance was sought that the team had the capacity to manage the expected increase in domestic requests upon suspension of the charges.

Decision Made: (Unanimously)

That Cabinet agree to the temporary suspension of the domestic fees and charges for rats and mice until the 11 July 2018 when a Fees and Charges Report will be presented to Cabinet for approval.

Reasons for the Decision:

The new fees and charges for domestic rodent treatments have applied for the last nine months. Since the introduction of the charges, there has been a significant decrease in the number of treatments to residential properties.

Alternative Options Considered and Rejected

Maintain the fees and charges until 11 July 2018 when a full report can be presented to Council detailing all available options and the likely impact.

Chair

Date

MINUTES OF CABINET

MEETING DATE Wednesday, 11 July 2018

MEMBERS PRESENT: Councillors Caroline Moon (Vice-Chair), Warren Bennett, Michael Green, Karen Walton and Cliff Hughes

OFFICERS: Jennifer Mullin (Director of Neighbourhoods and Development), Jane Blundell (Deputy Section 151 Officer), Dave Whelan (Legal Services Manager/Interim Monitoring Officer), Tim Underwood (Digital Communications Officer), Rebecca Heap (Senior Community Works Officer) and Darren Cranshaw (Assistant Director of Scrutiny & Democratic Services)

OTHER MEMBERS AND OFFICERS: Councillor William Evans, Councillor Jon Hesketh, Councillor Jacqueline Mort (Member Champion (Member Development)), Councillor Michael Nathan (Member Champion (Young People and Community Safety)), Councillor Alan Ogilvie (Member Champion (Armed Forces)) and Councillor Phil Smith

PUBLIC: 0

8a Apologies for Absence

Apologies for absence were received from Councillor Mary Green and Councillor Susan Snape.

9 Minutes of meeting Thursday, 21 June 2018 of Cabinet

RESOLVED (Unanimously):

That the minutes of the meeting held on 21 June 2018 be approved and signed as a correct record.

10 Declarations of Interest

There were no declarations of any interests made at the meeting.

11 Corporate Performance Report at the end of Quarter 4 (31 March 2018)

The Cabinet considered a report by the Specialist Consultant which provided an overview of performance against the corporate plan for 2017-2018 at the end of the fourth quarter up to 31 March 2018. The Scrutiny Committee had previously considered the report.

Decision Made: (Unanimously)

That:

1. The performance at the end of Quarter 4 for 2017/18 be noted;
2. The corporate risks and controls that have been in place to mitigate risks in 2017/18 as identified in the Corporate Risk Register be noted.

Reason for Decision:

The Council's performance management framework sets out how performance will be monitored by Cabinet. The report outlined the performance at the end of the fourth quarter and included risk controls. A total of 34 performance indicators were presented with 14 showing an improvement in performance, 3 remaining the same, with 6 worsening and 11 not having comparable data at this time.

Alternative Options Considered and Rejected:

As the report was a routine performance report, other options were not relevant.

12 Refurbishment of the Coach House, Hurst Grange Park

The Cabinet considered a report from the Director of Neighbourhoods and Development seeking approval to apply for external funding from the Heritage Lottery Fund for the improvement of the Coach House Building at Hurst Grange Park, Penwortham.

Cabinet commented on the comprehensive report and that it was a positive move to attract external funding to Penwortham and South Ribble area.

Decision Made: (Unanimously)

That approval of the compiling and submission of a funding bid to the Heritage Lottery Fund be granted based on Option E of the Options Appraisal contained within the report.

Reasons for Decision:

Hurst Grange Park is the principal park in the Penwortham area and contains the Coach House, which has been identified for a number of years as requiring repairs/restoration. The Friends of Hurst Grange Park were previously successful in obtaining a Resilience Grant to look at the options available, which has led to applying for a Heritage Lottery Fund grant.

Alternative Options Considered:

A range of options for the future use and improvement of the Coach House building have been considered and consulted upon as outlined in the report.

13 Review of Discretionary Fees and Charges

The Cabinet considered a report by the former Deputy Chief Executive (Resources and Transformation), which had been updated by the Principal Management Accountant, reviewing discretionary fees and charges. Updates were provided to clarify that it was in January 2018, not February that Full Council received a report to

set discretionary fees and charges for the 2018/2019 financial year. The reference to appendix A in the first recommendation was also to be removed.

It was highlighted that the review dealt with the fees and charges that the Council had discretion to set, with the exception of car parking charges, which would be subject to a future report. The report also recommended the removal of charges for the treatment of domestic properties for rats and mice.

Decision Made: (Unanimously)

That

1. the 2.5% increase to standard charges from 1 August 2018 be approved;
2. the removal of all charges for the treatment of domestic properties for rats and mice be approved;
3. the policy for building control fees detailing the new rates to be implemented from 1 August 2018 be approved;
4. the increases to Fixed Penalty Notices that had been previously approved and are in place be noted;
5. the increase in 25% on Pre-Planning Advice be approved;
6. the introduction of a £50 fee for pre-planning advice to householders be approved; and
7. the generation of an additional income of £100k due to the increases in a full year, some of which is directly related to increases in the cost of service delivery be noted.

Reasons for Decision:

As part of agreeing the budget and medium term financial strategy for 2018/2019 a target of additional income from fees and charges was set at £60,000, increasing to £121,000 in 2019/2020.

Alternative Options Considered:

There are other options available for Cabinet on what rates of increase, if any, should be applied. The proposals reflect current market conditions, are comparable to those charged by other North West councils. Recognised indices have also been used where it is proposed that an inflationary increase be applied.

Chair

Date

MINUTES OF GOVERNANCE COMMITTEE

MEETING DATE Tuesday, 29 May 2018

MEMBERS PRESENT: Councillors Alan Ogilvie (Chair), Carol Chisholm, Paul Foster, Karen Walton and Ian Watkinson

OFFICERS: Heather McManus (Chief Executive), Dave Whelan (Legal Services Manager/Interim Monitoring Officer), Lee Hurst (Principal Systems & Financial Accountant), Jane Blundell (Deputy Section 151 Officer), Garry Barclay (Head of Shared Assurance Services), Dawn Highton (Principal Auditor (South Ribble)), Simon Hardman (Grant Thornton PLC) and Dianne Scambler (Governance and Member Services Team Leader)

OTHER MEMBERS AND OFFICERS: Councillor Susan Snape (Cabinet Member (Finance))

PUBLIC: 0

1 Welcome

The Chair welcomed Councillors Carol Chisholm and Ian Watkinson who had been appointed to the Committee for 2018/19. The Chair also welcomed, Councillor Mike Nelson who had also been appointed to the Committee but was not present at the meeting.

2 Apologies for absence

Apologies were submitted on behalf of Councillors Jim Patten, Vice Chair of the Committee and Mike Nelson.

3 Declarations of Interest

There were no declarations of any interests.

4 Minutes of the Last Meeting

RESOLVED: (Unanimously)

That the minutes of the Governance Committee held on 18 April 2018 be confirmed as a correct record for signing by the Chair.

5 External Audit - Audit Progress Update

The External Auditor reported that everything was in place to start the audit of the draft accounts. Meetings would restart with the Finance team next week and they were confident that the final accounts would be ready for the end of the July. The

Grant Thornton core team would consist of Simon Hardman, Mark Heaps and Richard Watkinson, with other members being brought in, as and when required.

Grant Thornton were delivering an event at Manchester University on the Art of making the Urban Environment attractive on 12 July 2018 and an invitation was extended to the Chief Executive to attend.

Simon Hardman, also extended his thanks and appreciation to Lee Hurst - Principal Systems & Financial Accountant who was attending his last meeting of Governance Committee, Lee was leaving the authority to start a new position in another authority, Simon wished him all the best in his new job on behalf of the team at Grant Thornton.

The Chair on behalf of the Committee also thanked Lee for all his hard work and support over the years and wished him all the best in his future endeavours.

The Committee sought assurances that there was adequate measures in place following Lee's departure as the team were in the middle of the closure of accounts process. The Committee were worried about the continuity of work due to this departure and the news that the temporary Deputy Chief Executive and acting Section 151 Officer was also leaving at the end of June.

The Cabinet Member (Finance) stated that she was monitoring the staffing situation carefully to ensure a robust financial team was in place to deliver the closure of accounts to the given deadlines.

The Chief Executive also gave assurances that there was adequate cover available within the Shared Financial Services across both authorities.

External Audit will also look to review the arrangements through their processes but took some comfort that Lee Hurst had been involved in the process up till this point. Lee Hurst also explained, that the production of the Statement of Accounts was very much a team effort and that there had been a long handover period for the team.

RESOLVED: (Unanimously)

That the report be noted.

6 External Audit - 2018/19 Audit Fee Letter

The External Auditor presented the planned audit fee for 2018/19 for South Ribble Council. From 2018/19 all grant work, including housing benefit certification, will fall outside the PSAA contract, as PSAA no longer has the power to make appointments for assurance on grant work and returns. Any assurance engagements would therefore be subject to separate engagements agreed between the grant paying body, the Council and the external auditors and separate fees agreed with the Council.

Following a consultation process, PSAA had published the 2018/19 scale fees for opted-in bodies in March 2018. Due to these pooling arrangements, individual scale fees had been reduced by 23% from the fees applicable in 2017/18. The scale fee is based on the expectation that the Council is able to provide the auditor with complete and materially accurate financial statements, with supporting papers, within

the agree timeframes. In response to the Chair, assurances were given that the finance team fully understood the expectations and that relevant measures were in place.

Members asked if the Value for Money conclusion would assess the Council's use of Interims and redundancies made during the implementation of the Council's transformation agenda and new senior management restructure.

External Audit reported that a full VfM review would be undertaken that would assess financial sustainability, effective decision making and work being undertaken with key partnerships. Previously highlighted areas for improvement would also be review to ensure compliance. The guidelines for the VfM conclusion for 2017/18 remained similar to those of 16/17.

RESOLVED: (Unanimously)

That the report be noted.

7 Statement of Accounts for the 2017/18 Financial Year

The Committee received a report of the Temporary Deputy Chief Executive (Resources and Transformation) that advised Members about the statutory requirements for signature, audit, inspection and publication of the accounts and Members' role in the process leading up to the formal submission of the Statement of Accounts (SOA) for approval by 31 July 2018, following completion of the external audit.

The report also provided Members with an update on the progress made towards meeting the earlier statutory deadline for approval and publication of the Statutory Statement of Accounts.

It was reported that the draft financial accounts had been formerly signed off on 24 May and that the external audit was due to commence next week. Although there was no actual requirement at this stage for them to be presented formally to the Governance Committee it was noted that maybe next year's meeting could take place before the draft accounts were signed off to give the Committee an opportunity to comment.

Members were informed that there would be a Member Learning Hour held on 19 June on the Statement of Accounts and encourage Members to attend.

RESOLVED: (Unanimously)

That the report be noted.

8 South Ribble Borough Council - Budget Out Turn 2017/18

The Committee received a report of the temporary Deputy Chief Executive (Resources and Transformation) that notified Members of the 2017/18 Budget Outturn position in relation to both Revenue and Capital Expenditure. The report also included the core financial statements relating to the year-end position including information on the balance sheet for completeness and in line with best practice.

The Accounts and Audit Regulations require that the Section 151 Officer of the Council must sign and date the un-audited Statement of Accounts (SOA) no later than 31 May 2018 for the 2017/18 financial year, that the Annual Governance Statement (AGS) accompanies the SAO and that the audited SOA, including the AGS, is approved by Members by 31 July 2018.

The Council's year end accounts have been finalised and showed an increased underspend of £0.77m, against the original annual budget with the final position showing a change of £0.491m against the last monitoring report at the end of December 2017, when it was anticipated that the budget would underspend by £0.279m and of the £0.3m budgeted contribution from reserves, only £0.021m would be required. The final outturn position reported at this meeting, means that no contribution is required and that the £0.470m surplus would be transferred to the Council's general reserve.

The main reasons for the underspend were set out in Table 1 of the report and included a reduction in planned expenditure of £0.094m, an increase in income of £0.468m, and increase in new Housing Benefits income of £0.119m and additional funding of £0.89m.

It was important to note that the 2017/18 revenue out-turn position is partly impacted upon by one-off occurrences and that their temporary nature should and would be considered in context when assessing their impact on the Council's Medium Term Financial Strategy (MTFS) to ensure that the budget is sustainable in future years.

It was reported that the original budget for 2017/18 had included efficiency targets of £0.435m all of which had been achieved in the year.

In response to Member questions, officers gave additional detail on a number of different points within the report that included how major projects like the City Deal and the Leisure Strategy would impact on the budget, the underspends in relation to the maintenance fund and garden waste collection costs, how the Council deals with its balances on reserves and outstanding debtors, especially in relation to S106 and CIL monies, awarded to the Council.

Officers also agreed that a breakdown of the capital budgets rephased into 2018/19 (£0.402m), would be circulated to the Committee.

Members felt that the new reporting style did not provide them with the adequate information needed to help them to understand the budgets enough to be able to hold people to account. In response the Chief Executive explained that this was a high level out-turn report and that a more detailed delivery and performance report would be reported on a quarterly basis. Members also asked if more detail could be provided when reporting on projects.

RESOLVED: Unanimously

1. That the report and appendices be noted;
2. That the final out-turn position of £0.770m underspend against the original revenue budget of £13,482m and the key variances be noted;
3. That the final out-turn position on the capital budget of £0.597 underspend against and annual budget of £2.774m be noted;

4. That the financing of the capital programme for 2017/18 and approval carry forward of £0.402m of capital re-phasing into 2018/19 as outlined in the report be noted;
5. That the end of year position on reserves as a result of the out-turn position and contributions to and withdrawals from these reserves as detailed within the Core Financial Statements within the report be noted.

9 Unaudited Statement of Accounts for Year Ending 31 March 2018

The Committee received a report of the Temporary Deputy Chief Executive (Resources and Transformation) that gave Members sight of the draft Core Financial Statements along with supporting information on the major changes and year on year variations. These statements will form part of the Council's year end statutory Statement of Accounts (SOA) for 207/18 which must be signed and authorised for issue by the Chief Financial Officer by 31 May 2018.

The following statements and notes were presented to the Committee:

- Expenditure and Funding Analysis
- Comprehensive Income and Expenditure Statement
- The Balance Sheet
- Collection Fund Account

The cash flow was not available for inclusion at this stage but Members were informed that it would be made available in advance of the statutory publication date of 31 May.

The Expenditure and Funding Analysis showed an increase on the Net Cost of Service, chargeable to the General Fund Balance for the year. This was an overall increase of £2.449m in comparison to 2016/17. The most significant movement was in the net expenditure of the Chief Executive directorate and mainly related to one-off interim specialist consultant costs to support the organisation as it undergoes transformation and support the improvement action plan set by the Local Government Association (LGA), graduate apprentices and apprenticeship levy and an increase in the bad debt provision.

Councillor Susan Snape, Cabinet Member (Finance) explained that the authority are undertaking a large management restructure and that because of this, the £0.807m increase in the Chief Executive Directorate had been anticipated and budgeted for.

Members asked who monitors the final spend on projects against the budget and requested further detail on the financial reconciliation for the relocation of DWP into the Civic Centre.

RESOLVED: (Unanimously)

That the report be noted.

10 Internal Audit Annual Report 2017/18

The Governance Committee received the Internal Audit Annual Report for 2017/18 that summarised the work undertaken by the Internal Audit Service from April 2017 to March 2018 and gave an opinion on the adequacy and effectiveness of the

Council's framework of control, risk management and governance. The report also gave an appraisal of the Internal Audit's performance during the year and summarised the results of an independent peer review of the service that has been undertaken by the Heads of Audit of two Lancashire authorities.

The Internal Audit Service provides an independent opinion on the adequacy of the internal control system. Any recommendations for improvement are agreed with Senior Management and progress reported to Committee. It was reported that no Internal Audit reports with a limited assurance controls assurance rating were issued in 2017/18.

The Council's arrangements were further strengthened during 2017/18 by the continued development of the GRACE risk management system. Extensive officer training had been supplemented by Member Learning Hours covering the Corporate Risk Register and the revised Risk Management Framework that had been approved by Committee in April.

A range of actions had been taken during 2017/18 to strengthen the Council's governance arrangements and the Annual Governance Statement (AGS) Action Plan for 2018/19 included details of actions to further strengthen the Council's governance arrangements.

The 2018 AGS had been produced following a rigorous assessment process, both internal and external and was the opinion of the Head of Shared Assurance that upon the completion and implementation of the remaining improvement actions, the Council's system of corporate governance will incorporate the very highest standards of practice.

The majority of key performance indicators had either been achieved or exceeded. The only exception being the "Audit Plan Completed" indicator for South Ribble Council. Environmental Enforcement, Health and Safety and Commercial Properties, had each been the subject of a detailed service review that had resulted in considerable changes to processes and procedures. Completion of these audits had therefore been carried forward into 2018/19 to allow for the revised procedures to be embedded.

Following the new Senior Management restructure any management actions agreed with previous personal would be re-assigned to the newly appointed Directors.

The Chair commented that this was a positive report and thanked officers for their work over the year. The Committee were also informed that Dawn Highton, Principal Auditor was also attending her last Committee meeting after gaining promotion at another authority. Members thanked her for all her help and support over the years and wished her every success in her new role.

RESOLVED: (Unanimously)

That the Internal Audit Annual Report for 2017/18 be noted.

11 Draft Annual Governance Statement

The Interim Monitoring Officer presented a report on the Council's draft Annual Governance Statement (AGS) for 2018 to provide assurance on the standards of

corporate governance spanning all the Council's priorities and activities. This was a requirement of the Accounts and Audit Regulations 2015. Members were asked to review and comment upon the draft AGS that was appended to the report along with an action plan of recommended improvements and proposed actions for 2018/19.

Last year's action plan was also appended to the report and it was noted that a great deal of progress had been made in the last 12 months to strengthen and improve the Council's governance arrangements.

Although in accordance with CiPFA guidelines the Chair considered the draft AGS to be too long and wordy and asked the Interim Monitoring Officer if he could look at a more digestible format for its presentation.

A new performance management system, InPhase, had been recently procured by the authority for managing the Council's performance. Training for officers was currently being rolled out and a Member Learning Hour would be delivered in the near future.

A lot of work had been undertaken on the new General Data Protection Regulations (GDPR). An officer working group were continuing to make good progress on the implementation of the new arrangements.

Members were concerned that the last Improvement Reference Group meeting had been cancelled and as yet had not been rearranged. This Group was meant to meet on a monthly basis and as the recent Peer Review had suggested a review of Governance Committee, Members were keen to progress this.

RESOLVED: (Unanimously)

That the draft Annual Governance Statement be noted and suggested recommendations be included in the final version, along with some proposed deadlines for completion of key recommendations in the action plan.

12 Finance Contracts and Legal Matters

The Committee considered a report that presented the draft Part 2P – Finance, Contracts and Legal Matters (formerly Article 15) of the Council's Constitution that had been recently reviewed by the Governance Committee Working Group.

RESOLVED: (Unanimously)

That full Council be recommended to approve the draft Part 2P - Finance, Contracts and Legal Matters (formerly Article 15) and the Council's Constitution update to reflect the changes.

13 Review and Revision of Constitution

The Committee considered a report that presented the draft Part 2Q – Review and Revision of the Constitution (formerly Article 16) of the Council's Constitution that had been recently reviewed by the Governance Committee Working Group.

RESOLVED: (Unanimously)

That full Council be recommended to approve the draft Part 2Q – Review and Revision of the Council’s Constitution (formerly Article 16) and the Council’s Constitution update to reflect the changes.

14 Joint Arrangements

The Committee considered a report that presented the draft Part 2N - Joint Arrangements (formerly Article 12) of the Council’s Constitution that had been recently reviewed by the Governance Committee Working Group.

RESOLVED: (Unanimously)

That full Council be recommended to approve the draft Part 2N – Joint Arrangements (formerly Article 12) and the Council’s Constitution update to reflect the changes.

Chair

Date

MINUTES OF SCRUTINY COMMITTEE

MEETING DATE Thursday, 12 April 2018

MEMBERS PRESENT: Councillors Matthew Tomlinson (Chair), Michael Green, David Howarth, Susan Jones, Keith Martin, Barbara Nathan, Michael Titherington, Karen Walton and Linda Woollard

CABINET MEMBERS: Councillor Colin Clark (Deputy Leader of the Council and Cabinet Member for Corporate Support and Assets)

OFFICERS: Darren Cranshaw (Assistant Director of Scrutiny & Democratic Services) and Andy Houlker (Senior Democratic Services Officer)

OTHER MEMBERS: Heather McManus (Chief Executive), Howard Anthony (South Ribble Partnership Manager), Councillor Mary Green, Councillor Michael Nathan, Councillor Alan Ogilvie and Councillor Phil Smith (Cabinet Member for Regeneration and Leisure)

PUBLIC: 0

50 Apologies for Absence

Apologies for absence were received from Councillors Carol Chisholm, Colin Coulton and Ian Watkinson.

51 Declarations of Interest

Councillors Michael Green, David Howarth and Matthew Tomlinson declared personal interests as elected members of Lancashire County Council, but were able under the Code of Conduct for Elected Members, to remain in the meeting and take part in the discussion and voting thereon.

52 Minutes of the Last Meeting

RESOLVED (Unanimously):

That the minutes of the Scrutiny Committee meeting held on 8 March 2018 be signed as a correct record.

53 Matters Arising from Previous Meetings

The Committee received an update of the progress made against matters arising from all previous meetings.

RESOLVED (Unanimously):

That all the outstanding matters arising be removed and those actions not already implemented be brought forward in the future.

54 Worden Hall - progress update

The Cabinet member for Corporate Support and Assets (Councillor Colin Clark) and the South Ribble Partnership Manager addressed and responded to the Committee's enquiries relating to an update on progress with proposals to bring Worden Hall back into use.

The South Ribble Partnership Manager provided an overview of activity which included the forthcoming Artisan Market and an outline of the timescale for tenders for consultancy work in respect of the use of Worden Hall and market. The prospective Consultants included those with specific experience in the heritage sector and show how Worden Hall could be adapted for use. It was planned that detailed proposals would be submitted in May with the Council intending to make a decision on their detailed proposals in June. There would be engagement with members, users and those interested in Worden Hall/Worden Park and hopefully be able to report back in September.

It was confirmed that proposals at Worden Hall would complement and not compete with those at the Civic Centre.

It was noted that at the moment the next scheduled event would be Leyland Festival in June.

RESOLVED (Unanimously):

That:

1. the Committee was encouraged that progress to date was in line with the previously indicated timescales;
2. the Committee looks forward to the Consultants' Brief being circulated to members of the Committee; and
3. the Committee requests that future updates include some information (such as bullet points) included on the agenda.

55 Scrutiny Matters

55a Verbal update on Lancashire County Council's Health Scrutiny Committee

The Chair indicated that the meeting was next week and he would circulate the minutes to members of the Committee.

55b Member feedback on meeting(s) and training attended on behalf of the committee

The Chair reported on the recent North West Strategic Scrutiny Network meeting which had been interesting and given ideas that could possibly be used.

55c Scrutiny Committee Forward Plan

The Chair reported that the Committee would soon be formulating its plan for 2018/19. This could include setting up a group to look at the Council's responsibilities to Air Quality Management Areas and provide an understanding on the process.

55d Cabinet Forward Plan

The Committee noted the Cabinet's Forward Plan.

56 Exclusion of Press and Public

RESOLVED (Unanimously):

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.

57 Strategic Asset Review Study by Cushman and Wakefield

The Cabinet member for Corporate Support and Assets (Councillor Colin Clark) and the Chief Executive addressed the Committee and responded to its comments and enquiries relating to the Strategic Asset Review Study by Cushman and Wakefield.

During the discussion, the Committee's comments/enquiries included the following areas:

- it was confirmed that following its production the Consultant's report had been used as part of the background information for the Council's property and asset review.
- the committee was informed that the portfolio holder and the other members of Cabinet were ambitious to maximise use of Council assets and generate income (reference to the Council's Investment Strategy) and that good progress had been made in the last two years.
- in respect of the lower condition/yield of the Middleforth Estate compared to other Council properties, due to a lack of strategic investment, this was still the case. However, a programme of works was in place to strategically review assets to ascertain whether to invest or to look at disposal.
- the gross yield from an asset was confirmed as the rental income against the value of the asset whilst net yield also took into account the costs of maintenance, insurance and such other costs to keep the asset.
- the findings for Worden Hall/Park differed because the Consultant's report was very high level, lessons had been learned and what was now being worked up was much more detailed and needed to complement operations at the Civic Centre.
- compared to the findings in the Consultant's report, opportunities at the Moss Side Depot had subsequently arisen from the Council's developing shared services agenda.

- in respect of the Council's Corporate Plan and Medium Term Financial Strategy (MTFS), these drew information/pointers from many sources and the use of assets was key and included the Consultant's report and the Council developed that.
- it was confirmed that assets were one of the Council's resources working collectively for what was needed for the residents of the borough and a medium term resource strategy was being developed and would be brought to members.
- regarding the South Ribble Homes Build, this was a new venture looking forward at the use of land assets which the borough had a good supply of as a former new town area (negotiating with the Homes and Communities Agency) and could be used to fill the gap identified in the Housing Strategy.
- the committee was assured that following the recent management re-structure the Council would have the necessary skills, expertise and capacity to strategically manage and grow its property assets.
- the Leyland Town Centre Masterplan was mentioned in the Consultant's report and was included in this year's Corporate Plan and whilst not having information to hand on the current position and timescales this would be provided.
- in respect of moving forward with a Strategic Action Plan for the Council's approach to assets, the Committee was keen to have a future role in its development and monitoring and as no firm approach had yet been decided it was possible this could be subject to pre-scrutiny.
- clarity would be given as to whether the required essential maintenance works in the Consultant's report at Worden Hall had been carried out.

RESOLVED (Unanimously):

That

1. the Committee appreciated being provided with a copy of the Cushman and Wakefield Consultant's Report;
2. the Committee was encouraged that the Council had learned lessons on commissioning such reports and being less than effective in responding to it;
3. the Committee requests an update on the Leyland Masterplan;
4. the Committee welcomes the Strategic Asset Plan and suggests it is involved in its development and monitoring; and
5. the Committee welcomes the offer to provide clarity on whether the essential maintenance works had been carried out at Worden Hall.

Chair

Date

MINUTES OF SCRUTINY COMMITTEE

MEETING DATE Thursday, 28 June 2018

MEMBERS PRESENT: Councillors Matthew Tomlinson (Chair), Colin Coulton (Vice-Chair), Keith Martin, Barbara Nathan, Mike Nathan, Michael Titherington and Linda Woollard

CABINET MEMBERS: Councillor Karen Walton (Cabinet Member (Public Health, Leisure and Wellbeing) Member Champion (Older People)), Councillor Warren Bennett (Cabinet Member (Assets and Transformation)) and Councillor Phil Smith

OFFICERS: Jonathan Noad (Director of Planning and Property) and Darren Cranshaw (Assistant Director of Scrutiny & Democratic Services)

OTHER MEMBERS: Councillor Phil Smith

PUBLIC: 0

1 Apologies for Absence

Apologies for absence were received from Councillors David Howarth, Sue Jones, Jim Marsh, Lizzie Mawson, Barrie Yates and Karen Walton.

2 Minutes of the Last Meeting

RESOLVED (Unanimously):

That the minutes of the Scrutiny Committee meeting held on 12 April 2018 signed as a correct record.

3 Matters Arising from Previous Meetings

The Committee received an update of the progress made against matters arising from previous meetings.

RESOLVED (Unanimously):

That all outstanding matters arising be removed.

4 Declarations of Interest

There were no declarations of interest.

5 Corporate Performance Report at the end of Quarter 4 (31 March 2018)

The Deputy Leader (Councillor Caroline Moon) and the Specialist Consultant (Joanne Platt) addressed the Committee and responded to its comments and enquiries relating to the Corporate Performance Report at the end of Quarter 4.

During the discussion, the Committee's comments/enquiries included the following areas:

- ▶ The year-end performance position would be reported as part of an annual report being presented to the Full Council meeting to enable all Members to get an overview of how the Council was performing.
- ▶ With regards the decrease in business rates collect this was not felt to be a concern but further information would be provided to the Committee for the next meeting.
- ▶ It was felt that further information on the remedial action being taken to bring performance measures back on track be included in future reports.
- ▶ Concern was expressed that there was not yet a complete picture of statutory and mandatory training for staff. Whilst it was not reported because it was not complete, confirmation was given that statutory training requirements were being met.
- ▶ Clarification was provided on the number of jobs created by City Deal, which appeared low but was at a point in time and not the total created over the period of the City Deal. A strategic review of the City Deal had been commissioned and it was felt that more context would have been useful.
- ▶ Response times in the Gateway customer contact centre had increased with feedback that there were difficulties getting through. It was acknowledged that due to the implementation of the green waste scheme had increased the volume of calls and the service was undergoing re-structuring. Reassurance was provided that action had been taken and that the performance was now improving and would be reported in the next performance report.
- ▶ The definition of the number of visits to leisure and health facilities was queried as there was reference to football pitches, which would be difficult to calculate. The definition would be reviewed and disaggregated for the future.
- ▶ The number of empty properties brought back into use had worsened and due to the reductions made it was queried whether any additional work would be an effective use of resources.
- ▶ An update was provided on the current situation with the Cuerden Development site as reference had been made in the report to work starting at the site and the coverage of the IKEA withdrawal in the local media.
- ▶ As mentioned previously, following the delays with masterplans as a result of the City Deal which was outside the Council's control a review had been commissioned and would be received imminently and would be shared with Members.
- ▶ The shortfall in property income due to writing off debt was highlighted and the amount and process for writing off debt was queried. More detailed information would be provided to the Committee and future quarterly reports would include the amounts written off.

- ▶ It was confirmed that the report from the Local Government Association (LGA) peer review re-visit had been placed on CllrCONNECT and the Improvement Reference Group would be meeting to consider the feedback and develop an action plan.
- ▶ The employee vacancy rate appeared to be high when benchmarked against other organisations which raised concerns whether the Council had sufficient staff resources to deliver our corporate plan. It was reported that steps had been taken to respond to this, including recruiting to the vacant positions in the leadership structure, investing in staff and through shared services.
- ▶ Reassurance was provided that work had started as part of this year's corporate plan to review the leisure partnership contract, which is due to expire in 2021.

RESOLVED (unanimously):

That:

1. Information on the reasons for the business rate decrease is to be provided to the Committee along with what steps are being taken increase collection rates;
2. concern was expressed at no information being available for statutory and mandatory training for employees and asks that further information be provided to the Committee;
3. welcomes the Cabinet Member's reassurance that call waiting times in Gateway would improve and looks forward to further information being provided in the quarter 1 performance report;
4. clarification be provided on the definition and methodology used for collecting the indicator on the use of leisure and health facilities;
5. consideration be given to our approach to empty properties and the scale of the issue assessed against the resources deployed;
6. further information be provided on the timescales for agreeing and implementing the Penwortham, Leyland and Lostock Hall masterplans and confirmation the resources are in place;
7. information be provided to the Committee on how much property rental income was written off and the process used;
8. the Scrutiny Committee considers the Peer Review re-visit report and actions taken in response;
9. welcomes the offer of providing examples of how we learnt from complaints in a case study format; and
10. the Committee places on record its appreciate to Joanne Platt for her support as Specialist Consultant and wishes her well for the future.

6 Worden Hall - progress update

The Cabinet Member for Assets and Transformation (Councillor Warren Bennett) and Director of Planning and Property (Jonathan Noad) addressed the committee and responded to its comments and enquiries relating to Worden Hall.

During the discussion, the Committee's comments/enquiries included the following areas:

- ▶ As a result of the success of the Artisan Market in April holding more events and being commercial was being explored further.
- ▶ The delay in the consultants commencing their review of Worden Hall was as a result of procurement taking longer than originally thought. Reassurance was provided that the consultants would look at Worden Hall in the context of the wider Worden Park.

RESOLVED (unanimously):

That:

1. the Committee welcomes the Cabinet Member's commitment to explore events for Worden Park in the future; and
2. looks forward to seeing the Cabinet report on future options for Worden Park in September 2018.

7 Scrutiny Matters

7a Verbal Update on Lancashire County Council's Health Scrutiny Committee

The Chair reported on the proceedings of the last Lancashire County Council Health Scrutiny Committee meeting.

7b Member Feedback on Meeting(s) and Training attended on behalf of Committee

It was reported that a workshop for the Committee had been arranged to discuss its future work programme. Committee Members were encouraged to attend.

The North West Strategic Scrutiny Network organised by North West Employers' Organisation would take place on 12 July 2018.

7c Cabinet Forward Plan

The Committee noted the Cabinet's forward plan.

Chair

Date

REPORT TO	ON
COUNCIL	25/07/2018



TITLE	PORTFOLIO	REPORT OF
Annual Performance Report 2017-18	Deputy Leader	Specialist Consultant

Is this report a KEY DECISION (i.e. more than £100,000 or impacting on more than 2 Borough wards?)	No
Is this report on the Statutory Cabinet Forward Plan ?	No
Is the request outside the policy and budgetary framework and therefore subject to confirmation at full Council?	No
Is this report confidential?	No

1. PURPOSE OF THE REPORT

The Council's performance against the agreed Corporate Plan activities and performance indicators is reported to both Cabinet and the Scrutiny Committee on a quarterly basis throughout the year.

The purpose of this report is to provide an overview of the year's performance in the form of an annual report for Council.

2. PORTFOLIO RECOMMENDATIONS

It is recommended that:

To note the Annual Performance Report.

3. CORPORATE PRIORITIES

The report relates to all of the former corporate priorities as shown below.

Clean, green and safe	✓	Strong and healthy communities	✓
Strong South Ribble in the heart of prosperous Lancashire	✓	Efficient, effective and exceptional council	✓

4. BACKGROUND TO THE REPORT

The Council's Corporate Plan for 2017-18 was approved by Council in February 2017.

During 2017-18, quarterly performance reports were considered by the Council's Leadership Team and by Cabinet and the Scrutiny Committee at the end of quarters 1 and 2 (together at the end of Quarter 2) and in quarters 3 and 4.

This report supplements the Quarter 4 report which was considered by Scrutiny Committee on 28th June and by the Cabinet on 11th July.

The annual report is for all members and provides a high level overview of the Council's performance over the year 2017-18 at the end of March 2018.

4.1. Overview

The report attached at **Appendix 1** shows an overall positive position at the end of March 2018.

The majority of the activities in the Corporate Plan for 2017-18 were achieved and most performance indicators show an improvement from the previous period.

4.2 Performance measures - overview

- ❖ The Council's financial position was strong in 2017-18, with services delivered within budget and council tax and business rate collection performance better than the Lancashire and the national average.
- ❖ Although we are performing slightly below the national average for number of days lost to sickness absence, there has been a reduction in the number of absences in comparison to 2016-17.
- ❖ The 2017 resident survey showed how the Council is performing above the national average in the majority of areas. This included satisfaction with the way the Council runs things, value for money, with South Ribble as a place to live, parks and open spaces, and the majority of services delivered with the exception of sports and leisure facilities and street cleaning.
- ❖ There has been a significant increase in resident involvement in Council run activities and programmes. This includes the sports development team delivering in-school and out-of-school programmed activities to just under 40,000 young people, and more than 50,000 people participating in My Neighbourhood plans and activities.

- ❖ A 99.98% collection rate for domestic waste bins has been consistently achieved throughout the year – this equates to no more than 20 missed bins out of 100,000 bins collected each week..

4.3. Corporate Plan Activities

There were a total of 27 Corporate Plan activities across the Council's four Corporate Priorities, and of these 23 were completed on-time and 4 were off-track, due to circumstances beyond our control.

4.3.1 Some key achievements during the year include:

- ❖ All actions in the annual safeguarding action plan were completed within the agreed timescales
- ❖ The Equality Objectives have been reviewed.
- ❖ My Neighbourhood plans have been developed for 2018-19 with input from local communities. Projects to be delivered include new schemes, such as Church Road Garden in Bamber Bridge, refurbishment of Lostock Hall War Memorial and Dale Avenue Pond in Longton. Existing schemes which have been successful are being evolved and expanded, for example Penwortham Live community music festival and South Ribble in Bloom. Volunteering opportunities continue to be promoted throughout the year, particularly around supporting welcome cafés, as part of our reducing loneliness and social isolation work.
- ❖ Mobile technology is now being used in both neighbourhoods and environmental services.
- ❖ Retention of Green Flag Awards for Worden Park in Leyland for 21 years consecutively, one of only six parks in the country to achieve this. Longton Brickcroft retention of award for 20 years and Hurst Grange Park retention of award for 13 years.
- ❖ Refurbishment of western side of Withy Grove Park.
- ❖ Completion of boardwalk decking around Fish Pond area at Worden Park.
- ❖ Restoration of the historic Vine House within the walled garden at Worden Park.
- ❖ Restoration of the Herbaceous Border on Formal Gardens at Worden Park.
- ❖ Refurbishment of the Arboretum at Worden Park.
- ❖ Communities continue to be encouraged to hold 'clean-up' events in their local hotspots. The annual Great British Clean Up in March included litter picks across the borough and the Great Plastic Pick Up is scheduled for May.
- ❖ The Central Park Master plan was adopted by planning committee in July 2017
- ❖ Phase 2 of St Catherine's park is substantially complete.
- ❖ The second phase of the regeneration of Bamber Bridge is due to be completed by late summer.
- ❖ Significant work has taken place to ensure that the housing needs of the Borough are continued to be met as Borough moves forward with City Deal, including both affordable and high quality homes. Year 2 of the Housing Framework has largely been delivered except for Extra Care.

- ❖ Work has started on the Cuerden Strategic Site with tree clearing and site preparation well underway. The temporary construction access has also been completed.
- ❖ The year-end housing completions figure has increased from the previous financial year. Work is ongoing with Homes England on accelerated construction and scoping work for SRBC's own home build project is now underway.
- ❖ All activities in the Corporate Improvement plan have been delivered and the recent Peer Review re-visit acknowledged the significant amount of progress we have made.
- ❖ Arrangements are in place to commission a further residents survey to enable the Council to monitor progress from the baseline in 2017. We are also now using LGInform (a Local Government Association system) to inform decisions and have made ward profiles from this available for all members on Councillor Connect. Data from this system and the 2017 residents and business surveys were used to develop the Council's new corporate priorities and corporate plan.
- ❖ The Council has approved an Investment Property Strategy and appointed LSH Investment Management (LSHIM) as professional advisers. As a result, investment opportunities are now being sourced. DWP has also moved into the Civic Centre and opportunities are being explored with other organisations in relation to other vacant space in the building. In addition, Transformation funding has been approved for improvements to the workshop at the Depot to increase commercial use to generate income and to reduce expenditure on external servicing of council vehicles.
- ❖ This year, we have worked with Chorley Council to agree the next stage of shared services and have also worked with a range of partners to develop new business models. This includes working with the Department of Work and Pensions to accommodate a move into the Civic Centre in February to facilitate closer working arrangements.

The Community Safety Partnership has also been developing new business models to facilitate a more collaborative approach to working with residents, community groups, businesses and other public sector agencies to improve communication, share data and intelligence and co-design services to meet local needs. Specific examples include a new model to address organised crime through disruption activities and the development of an Integrated Early Action Team to work with vulnerable adults and families at an early stage to prevent the need for statutory intervention.

The four projects not completed are shown below.

- ❖ The overarching strategy for parks, open spaces and sports pitches is closely linked to the development of the new health, wellbeing and leisure campus model being brought forward in 2018-19 and couldn't therefore be developed in isolation in 2017-18.
- ❖ The work on the master plans for Penwortham, Lostock Hall and Leyland is underway but has been delayed due the brief being amended at a City Deal level and the appointed consultants taking longer than envisaged to complete the work. Work has started on scoping a Penwortham Master Plan which is linked to work on the Penwortham Bypass.
- ❖ Phase 2 of Bamber Bridge Regeneration is now on site and due for completion late summer. Program slippage is due to LCC site commitments elsewhere – All SRBC Program requirements have been met on time (Leyland landmarks, Bobby the Horse installed October17).

- ❖ Year 2 of the Housing Framework has largely been delivered except for Extra Care. This is due to funding being withdrawn by Lancashire County Council on Extra Care projects. Housing and Planning colleagues are discussing opportunities for the market to deliver to such a development instead. A new Housing Framework was also adopted in January 2018 which refocuses the Council's aspirations for housing.

5. CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

Consultation on resident satisfaction took place in February 2017 and the outcome of that consultation has provided the data for a number of the performance measures shown in the annual report. A further survey will be carried out in 2019 to inform future performance reports.

6. OTHER OPTIONS CONSIDERED

As this is a routine performance report, other options are not relevant.

7. FINANCIAL IMPLICATIONS

The report is for information only and therefore there are no financial implications arising from the recommendations in this report.

8. HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT IMPLICATIONS

There are no human resources or organisational development implications arising from the recommendations in this report.

9. ICT/TECHNOLOGY IMPLICATIONS

There are no ICT or technology implications arising from the recommendations in this report.

10. PROPERTY AND ASSET MANAGEMENT IMPLICATIONS

There are no property and asset management implications arising from the recommendations in this report.

11. RISK MANAGEMENT

The status of the Corporate Risk Register has been updated on a quarterly basis and reported to members. It is not included in the annual report.

12. EQUALITY AND DIVERSITY IMPACT

There is no impact on equality and diversity arising from the recommendations in this report.

13. COMMENTS OF THE STATUTORY FINANCE OFFICER

As set out in the body of the report, financial performance and core income collection rates in 2017/18 were strong. The 2017/18 Budget Outturn position was reported in detail to Governance Committee in May 2018.

The approved 2018/19 budget and Medium Term Financial Strategy (MTFS) is aligned to the Corporate Priorities for 2018/19 which are set out at the end of the attached Annual performance report.

14. COMMENTS OF THE MONITORING OFFICER

There are no direct legal implications arising from the recommendations in this report.

15. RELEVANT DIRECTORS RECOMMENDATIONS

It is recommended that:

- i. Members note the information contained in the Annual Report for 2017-18 shown at **Appendix 1.**

16. BACKGROUND DOCUMENTS

Corporate Plan 2017-18
Quarters 2, 3 and 4 Corporate Performance Reports to Cabinet and Scrutiny Committee

Appendix 1: Annual Performance Report 2017-18

Leadership Team Member's Name: Joanne Platt
Job Title: Specialist Consultant

Report Author:	Telephone:	Date:
Reece Drew	01772 (62) 5461	29/05/2018



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1. Foreword

This annual performance report provides an overview of how the Council performed against the things it set out in its Corporate Plan for 2017-18.

The report shows the progress the Council made in achieving the outcomes it aimed to achieve and the activities it undertook to make those outcomes a reality.

A key action in the 2017-18 Corporate Plan was to engage with residents and other stakeholders to agree a new set of priorities and a new Corporate Plan for the future. An overview of this is provided in Section 6 of the report.



2: Our Money

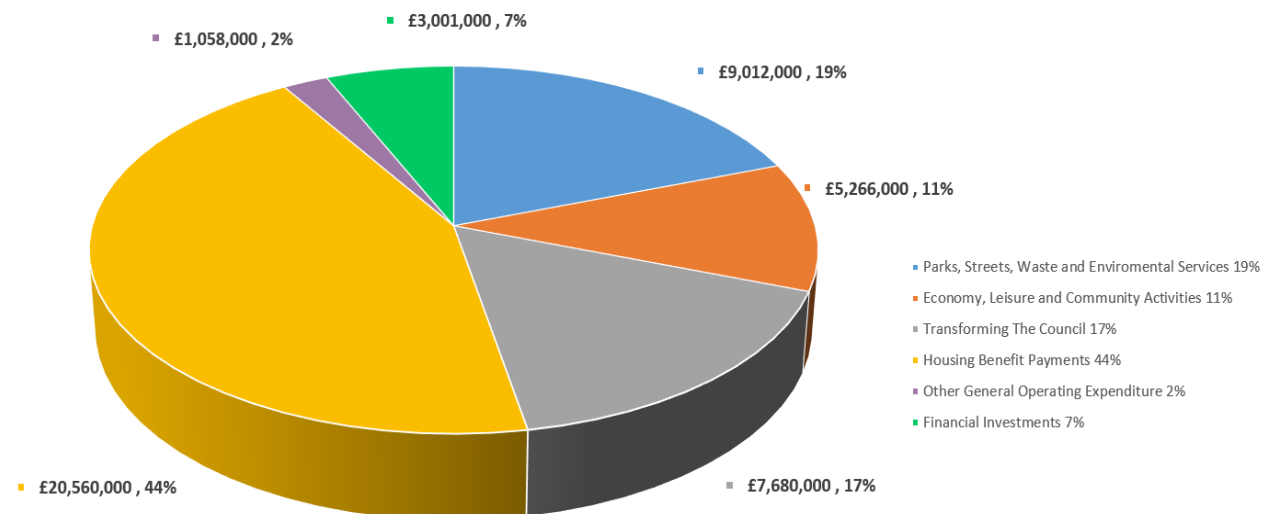
	Council tax collection rate	Business rates collection rate
2017/18	97.5%	98.22%
2016/17	97.43%	98.3%
District Council average	97.96%	98.38%



The percentage of council tax collected improved from the previous year however the percentage of business rates collected worsened slightly compared to the previous year.

Although the Council's performance is slightly below the average collection rate for district councils nationally, it is above average for Lancashire district councils and all types of councils nationally.

Where the money was spent - 2017/18



3: Our People



South Ribble Borough Council has a total workforce of 282 (March 2018). In the 2017-18 year a total of 2,491 days were lost to either short-term or long-term sickness. This amounts to an average of **9.62 days per employee.**

This is an improvement on the average of 10.21 days per employee in the 2016-17 year but is not as good as the national average of 8.2 days.



4: Our Customers

79% of residents stated that they were satisfied with the way the Council runs things in the 2017 Resident Survey.

This is significantly better than the national average of 65%



16 complaints were made to the Ombudsman in 2016-17 (the latest data we have) although only 4 of these were upheld

This is worse than in the previous year, when only 11 complaints were made to the Ombudsman and none being upheld. This is consistent with a rise in Ombudsman complaints nationally.

56% of the 100,671 calls made to the Council's Gateway service were answered within 60 seconds.

In 2016-17 64% were answered within 60 seconds, however only 77,008 calls were received. An increase took place due to a change to Council services, this increase is not expected to continue into the following year.

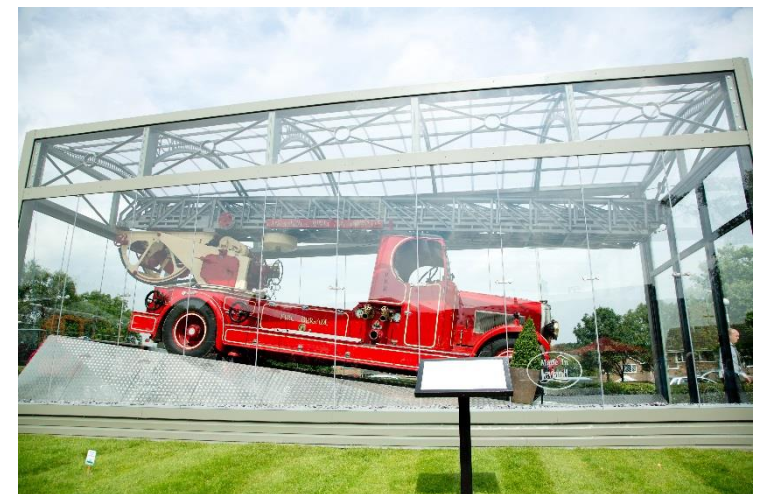
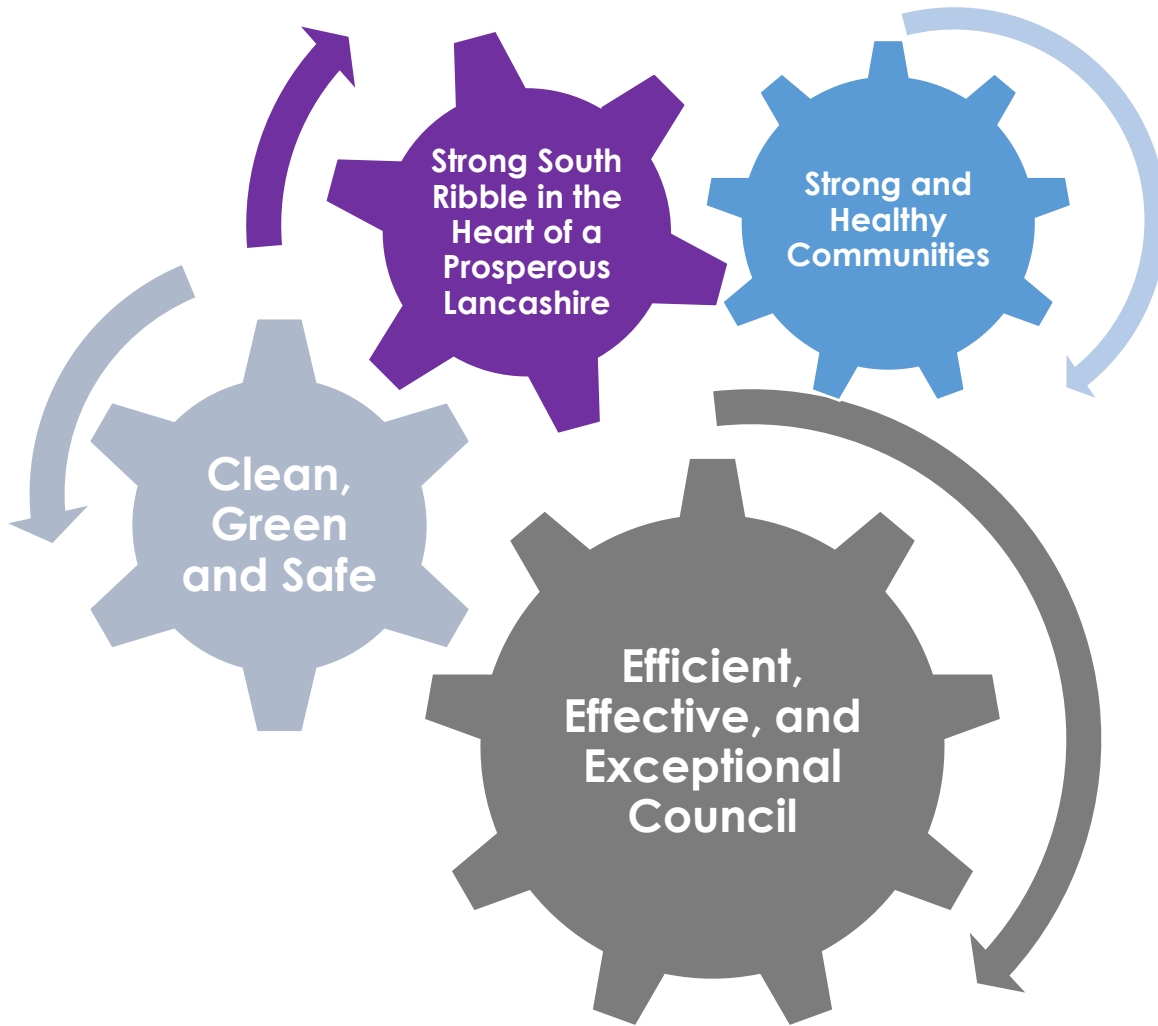


40 **complaints** were received through Gateway this year with **57 compliments** over the same period.

This is an improvement on the 46 complaints received in 2016-17 and is better than the national average.

5: Corporate Priorities 2017-18

Page 54



5a: Strong and Healthy Communities

39,857 young people took part in programmed activities in 2017-18 - 28,551 of these activities took place in school with a further 11,306 taking part in programmed activities out of school such as the 'Dance from the Heart' event

£190,000 external funding was secured to support sport and physical activity between September 2017 and July 2018.

This is an improvement on the £172,000 secured in the previous year.

There were **784,645** visits to the Council's leisure and sports facilities in 2017-18

This has dropped from the 796,695 visits in 2016-17 largely due to the poor weather which resulted in a number of sports' pitches being closed (a problem nationally last year)



62% of residents said that they were satisfied with sports and leisure facilities in South Ribble which is slightly less than the national average of 64%

The Council undertook a strategic review of leisure in 2017-18

Ambitious plans to develop a health, wellbeing and leisure campus were approved by the Council in 2017-18 and are a priority in the Council's new Corporate Plan for 2018-23.



Equality Objectives

The Council reviewed its equality objectives in 2017-18 and as a result the following things have been prioritised for 2018-19.

- ✓ Improved disabled access to the Council's Business & Conference Centre (formerly the Civic Centre Banqueting Suite)
- ✓ Increase independent living support to people living with a disability
- ✓ Develop new tools to ensure that all decisions are properly evaluated against the impact they will have on all sections of the community
 - ✓ Additional training for staff and councillors
- ✓ A new approach to how we consult with residents and use and share data with each other and with partners
- ✓ Continue our work with the South Ribble Dementia Action Alliance as part of our work towards being a Dementia Friendly Borough
- ✓ Continue our work with young people to promote good mental health and extend the range of work place based health checks programmes

The Council's Safeguarding Action Plan was Completed

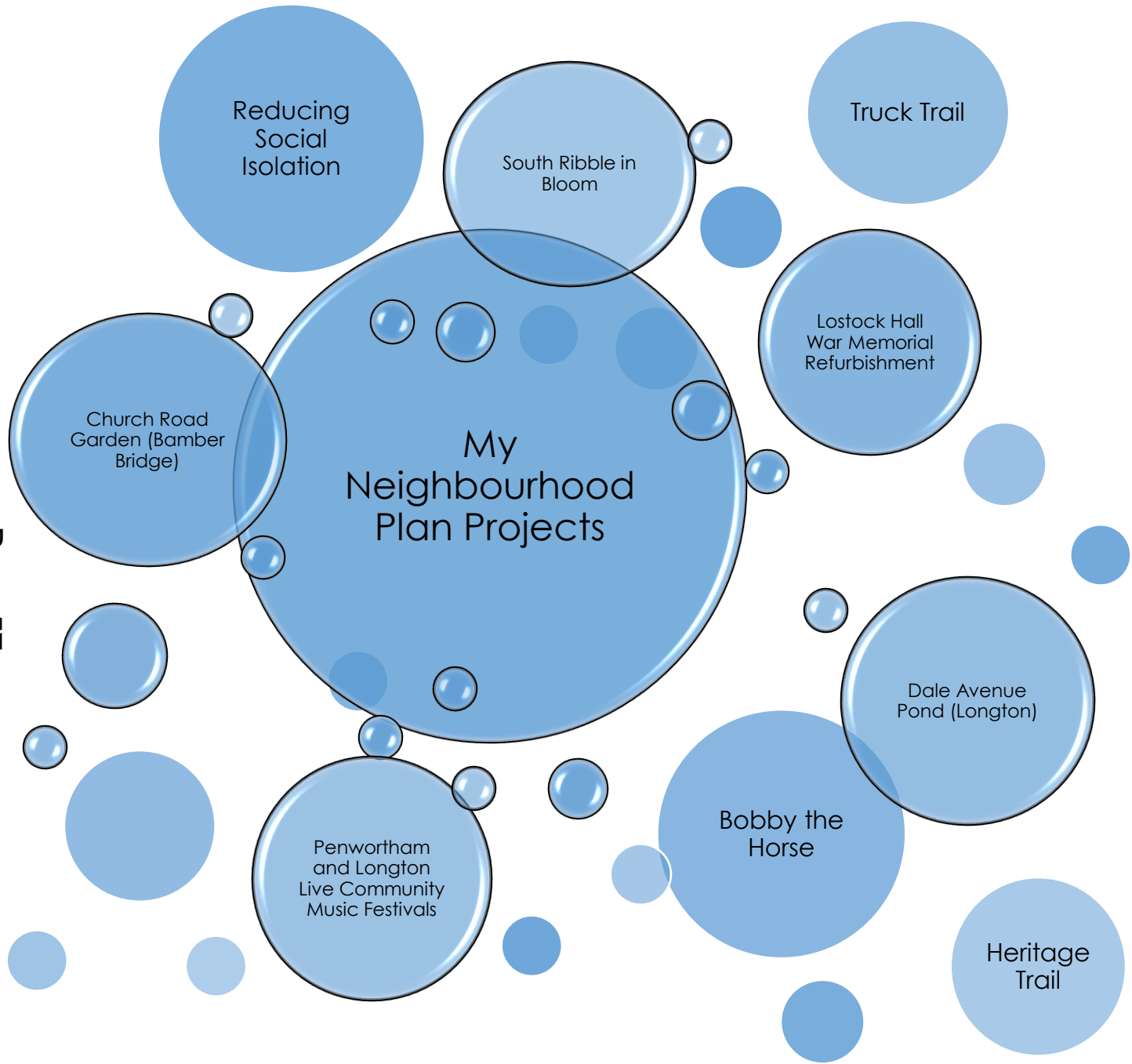
Key activities in 2017-18 included

- New Safeguarding Children, Adult Safeguarding Domestic Abuse policies
- A new protocol developed to support those at threat of harm
- Additional safeguarding training provided for staff and councillors

Mobile Working has been introduced into Neighbourhood Services to improve response times to issues raised by residents and to make the service more efficient



387 people at risk of becoming homeless were prevented from becoming homeless.



5b: Clean, Green and Safe

There are approximately 100,000 domestic waste bins collected each week across South Ribble, and consistently throughout the year no more than 20 were missed each week.

This is a **99.98% collection rate**

83% of residents said that they were satisfied with the parks and open spaces in the Borough.

Three of our parks currently hold a Green Flag award – Worden Park holding this now for 21-years...one of only six parks nationally to do this. Longton Brickcroft has also retained the award for 20 years and Hurst Grange Park for 13 years.

69% of residents said that they were satisfied with street cleaning in the Borough

This is slightly below the national average of 70%

Great British Clean Up!

Communities continue to hold 'clean-up' events in local hotspots. The annual Great British Clean Up in March 2018 included litter picks across the borough



Parks, Open Spaces, and Sports Pitches

Improving leisure and sports facilities in the borough is a priority for the Council in 2018 with the Health, Wellbeing and Leisure Campus programme playing a significant part in this

Central Park Master Plan

Central Park is identified as a key area of open space to be developed as a high quality park and outdoor leisure opportunity. It is situated in the central urban spine of South Ribble running from Preston City Centre across the River Ribble and through Penwortham and Lostock Hall to join Cuerden Valley Park. A Master Plan for this area was adopted by the Council in 2017 to shape the area and identify what priority improvements are needed to make the area accessible and attractive

Worden Park Improvements

We are extremely proud of Worden Park and are committed to maintaining it as a flagship park in the region. In 2017-18 the following improvements were made in the park:

- Restoration of the historic Vine House within the walled garden
- Restoration of the Herbaceous Border in the formal gardens
- Completion of boardwalk decking around the fish pond area
- Refurbishment of the Arboretum

St Catherine's Park

St Catherine's Park is a partnership scheme between South Ribble Borough Council and St Catherine's Hospice to open its facilities up to the wider public. The Park was opened for the Queen's 90th Birthday in 2016, but was not completed due to extreme flooding. Phase 2 of the park in 2017-18 completed the original design with the addition of a natural play area and landscaping enhancements around the war memorial



5c: Strong South Ribble at the Heart of a Prosperous Lancashire

There are 49,180 houses in South Ribble, and of these 650 houses are currently empty, this being **1.32%** of the total housing stock.

This is better than in the previous year and significantly better than the national average.

88% of residents surveyed said they were satisfied with South Ribble as a place to live compared to only 80% nationally.

Another **3** properties within the borough were brought back into use through the 'A Place to Live' programme in 2017-18 compared to only 2 the previous year.

This programme aims to increase the number of affordable houses in the private letting market

£559,042 funding was secured by businesses in South Ribble who made applications through the Lancashire Growth Hub

This is less than the previous year however is dependent on when businesses decide to submit their applications.



Construction of New Homes

South Ribble is a key partner in City Deal and works very closely with neighbouring boroughs to bring forward high quality new homes as it cannot rely solely on private sector housebuilders to meet all of the Borough's housing needs.

New build housing alongside improving the existing stock is vital to achieving this as is ensuring choice for residents in the area.



Penwortham Masterplan

Work started on construction of the Penwortham Bypass in 2017-18, which will have a positive impact on traffic running through the centre of Penwortham and traffic movement across the Borough.

This provides an opportunity to remodel the centre of Penwortham to take advantage of the reduced traffic but also to ensure that the centre remains vibrant and active. The creation of a masterplan to shape this is a priority in 2018-19

Housing Framework

In early 2018 South Ribble refreshed its Housing Framework to identify priorities for meeting housing needs and community aspirations for the area

Bamber Bridge Regeneration

The regeneration improvements in Bamber Bridge are a partnership between South Ribble Borough Council and neighbouring boroughs as part of City Deal. Phase 2 plans to invest over £3,000,000 in Bamber Bridge to improve its appearance for shoppers and businesses so that the centre remains viable in the future. This phase expands on work completed in the summer of 2017, creating a high quality street environment including new pavements and more on street parking facilities

Cuerden Strategic Site

Planning permission was granted in 2017 for the development of the Cuerden Strategic site. The aim of this development is to provide a mixed use development providing employment opportunities, new homes, leisure uses, and a different retail offer to that given in our town centres. The development will also provide vital contributions to improvements in the local transport and highways network. A key element of the vision is connecting open spaces. The scheme will deliver a key link between Central Park and Cuerden Valley Park



5d: Efficient, Effective, and Exceptional Council

In the 2017 Residents Survey resident satisfaction with most Council services was significantly **above the national average.**

51,030 people across the borough participated in My Neighbourhood plans and projects in 2017-18 compared to the 29,870 who participated the previous year

The Council approved an Investment Strategy in 2017-18 and looked for ways to invest its assets to generate income.

The Department of Work and Pensions moved into the Civic Centre at Leyland in February 2018 which has provided further opportunities to work collaboratively, whilst also generating an income for the Council from existing vacant office space

A key part of the Council's digital strategy is to increase the number of services which we offer as **online self-serve** options via our website.



Priorities for 2018-19

Corporate Priorities and Project Commitments

Excellence and Financial Sustainability

- Commercialisation of Leyland Civic Centre, Worden Arts Centre and the Council Depot
- Going digital and transforming our services by putting the customer at the centre
- Sharing some services with neighbouring boroughs

Health and Wellbeing

- Health, leisure and wellbeing campus in Leyland with partners in health and education, including a new £15m leisure centre
- Improving outdoor open leisure space
- Investing in the community with the South Ribble Partnership
 - Improving Worden Park in Leyland, with new toilet facilities and a refurbished conservatory
- Creation of a sports pitch hub with artificial grass pitches
- Working within the wider South Ribble Partnership to support communities and volunteering to reduce social isolation and loneliness
 - Developing the Lancashire mental health strategy and continuing our work to become a dementia-friendly borough
 - Improving air quality
- Continuing the development of Central Parks

Place

- £2.5m improvements to Penwortham, Lostock Hall and Leyland town centres
- Continuing work on Cuerden, which will bring 4,500 new jobs and up to 210 new homes to the area
 - Looking at the feasibility of opening up parts of the River Ribble frontage for leisure use
- Supporting apprenticeships as a way to develop people of all ages and to support businesses to meet the skills needs of the future
- £2.5m invested in supporting the building of affordable new homes and a further £2.75m in disabled facilities grants to ensure people can continue living in their homes for as long as possible

Our People

- Development programmes for councillors and staff

REPORT TO	ON
Council	25 July 2018



September 2017

TITLE	REPORT OF
Review of Constitution Part 2Q –Review and Revision of the Constitution (formerly Article 16)	Interim Monitoring Officer

1. PURPOSE OF THE REPORT

- 1.1 At their meeting on the 1ST February 2017, the Governance Committee resolved to review the Council's Constitution.
- 1.2 The Governance Committee considered this part (formerly Article 16) of the Constitution at their meeting on the 29th of May 2018.

2. RECOMMENDATIONS

- 2.1 That Council approve the draft Part 2Q – Review and Revision of the Constitution (formerly Article 16) at Appendix B.

3. CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Excellence and Financial Sustainability	X
Health and Wellbeing	
Place	

Projects relating to People in the Corporate Plan:

People	
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4. BACKGROUND TO THE REPORT

4.1 All Councils are required to have a written Constitution which sets out the Council's internal governance arrangements, approved procedures and protocols. As part of the Corporate Governance Action Plan 2016/17 Members of the Governance Committee agreed to carry out a thorough review of the Constitution in order to ensure that the Constitution is as clear as possible, completely up to date and fit for purpose.

4.2 Members agreed to adopt the following "House Style" to ensure the Constitution was an easily accessible document:

- Use of plain english
- Clarity of expression
- Consistency of terminology
- Streamlining and simplification of sections
- Improvement of interactive links to allow ease of access within the document itself.

4.3 The existing Article 16 – Review and Revision of the Constitution is set out at Appendix A.

4.4 The amended Article 16 – Review and Revision of the Constitution (renumbered as Part 2Q) to ensure consistency with the overall numbering of the October 2017 published version of the Constitution), is set out at Appendix B.

4.5 The purpose of this part of the Constitution is to explain the rules relating to the review of the Constitution – whose responsibility is it and how will we proceed in practice. The proposed changes are set out in paragraph 5 below.

5.0 Part 2Q Review and Revision of the Constitution

5.1 The amended Part 2Q Review and Revision of the Constitution at Appendix B includes the following key changes:

Paragraph	Content	Justification
General Paragraph numbers are now 1 through to 4, replacing 16.01 through to 16. 04.	Paragraph numbers are now 1 through to 4, replacing 16.01 through to 16. 03	Simplify numbering
Paragraph 1	<p>Paragraph 1 Maintaining the Constitution</p> <p>New Paragraph 1 inserted as follows:</p> <p>“The Monitoring Officer has responsibility to maintain an up-to-date version of this Constitution, incorporating all alterations and amendments approved by Full Council, and to ensure that it is available to Councillors, staff and the public”.</p>	This paragraph records the responsibility of the Monitoring Officer to maintain an up to date version of the Constitution.
Paragraph 2	<p>Paragraph 2 Duty to Monitor and review the Constitution</p> <p>Paragraph 2 has been amended to read as follows :</p> <p>“The Monitoring Officer shall monitor and review the operation of the constitution to ensure that the following aims and principles of the constitution are given full effect:</p> <ul style="list-style-type: none"> • The constitution assists the Council to provide clear leadership to the 	<p>The Monitoring Officer should have a duty to maintain and review.</p> <p>Paragraph 2 now identifies the aims and principles he should have regard to</p>

	<p>community and in working in partnership with citizens, businesses and other organisations;</p> <ul style="list-style-type: none"> • The constitution supports the active involvement of citizens in the process of local authority decision-making; • The constitution help Councillors represent their constituents more effectively; • The constitution enables decisions to be taken efficiently and effectively; • The constitution create a powerful and effective means of holding decision makers to public account; • The constitution ensures that no one will review or scrutinise a decision in which they were directly involved; • The constitution ensures that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and • The constitution assists the delivery of quality services to all sections of the community; and • The constitution provide a framework which promotes the Council's priorities set out in its Corporate Plan." 	
<p>Paragraph 3</p>	<p>1. Paragraph 3 Protocol for monitoring and review of the constitution</p> <p>A key role for the Monitoring Officer is to be aware of the strengths and weaknesses of the constitution adopted by the Council, and to make recommendations for ways in which it could be amended in order better to achieve any one or more of the aims and purposes referred to in paragraph 2 above :</p> <p>In undertaking this task the Monitoring Officer, amongst other things, may:</p>	<p>In order to ensure consistency with Paragraph 2, the Monitoring Officer is responsible for monitoring and reviewing the Constitution.</p>

	<ol style="list-style-type: none"> 1. observe meetings of different parts of the member and officer structure; 2. undertake an audit of a sample of decisions; 3. record and analyse issues raised with him/her by members, officers, the public and other relevant stakeholders; and 4. compare practices in this authority with those in other comparable authorities, or national examples of best practice. 	
Paragraph 4	There is an amendment to para 4(a) as Cabinet are not involved in the review of the Constitution	Update and clarification

6.1 Comments of the Statutory Finance Officer

There are no financial implications arising directly from this report.

6.2 Comments of the Monitoring Officer

Every Council is required to have a written Constitution which is regularly reviewed and kept up to date.

<p>Other implications:</p> <ul style="list-style-type: none"> ▶ Risk ▶ Equality & Diversity ▶ HR & Organisational Development ▶ Property & Asset Management ▶ ICT / Technology 	<p>There are no specific risk implications arising from this report</p> <p>There are no specific equality implications arising from this report</p> <p>There are no specific HR implications arising from this report</p> <p>There are no specific Property or asset management implications arising from this report</p> <p>There are no specific ICT implications arising from this report</p>
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7. BACKGROUND PAPERS

None

David Whelan
Monitoring Officer

Report Author:	Telephone:	Date:
David Whelan	01772 625247	14 June 2018

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Appendix A Article 16 – Review and Revision of the Constitution

16.01 Duty to monitor and review the constitution

The Monitoring Officer shall monitor and review the operation of the constitution to ensure that the aims and principles of the constitution are given full effect.

16.02 Protocol for monitoring and review of the constitution by the Monitoring Officer.

A key role for the Monitoring Officer is to be aware of the strengths and weaknesses of the constitution adopted by the Council, and to make recommendations for ways in which it could be amended in order better to achieve the purposes set out in [Article 1](#). In undertaking this task the **Monitoring Officer**, amongst other things, may:

1. observe meetings of different parts of the member and officer structure;
2. undertake an audit of a sample of decisions;
3. record and analyse issues raised with him/her by members, officers, the public and other relevant stakeholders; and
4. compare practices in this authority with those in other comparable authorities, or national examples of best practice.

16.03 Changes to the constitution

(a) **Approval.** The Governance Committee has a responsibility to maintain an overview of the constitution but only full Council can approve changes to it. Changes should only be made further to a report from the Monitoring Officer. Unless, in the opinion of the Chief Executive or Monitoring Officer, it is not appropriate, all such reports from the Monitoring Officer shall be considered by the Cabinet prior to approval being sought from full Council.

(b) **Change within a Mayoral form of executive.** Unless the change relates only to the operation of the Scrutiny Committee, any resolution of the full Council to approve a change will have no effect without the written consent of the Mayor.

(c) **Change from a Mayoral form of executive to another form of executive or to alternative arrangements, or from alternative arrangements to a Mayoral form of executive.** The Council must take reasonable steps to consult with local electors and other interested persons in the area when drawing up proposals and must hold a binding referendum. Any change shall not take effect until the end of the Mayor's term of office.

(d) **Change from a Leader and Cabinet form of executive to alternative arrangements, or vice versa.** The Council must take reasonable steps to consult with local electors and other interested persons in the area when drawing up proposals.

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Appendix B Part 2Q – Review and Revision of the Constitution

1. Maintaining the Constitution

The Monitoring Officer has responsibility to maintain an up-to-date version of this Constitution, incorporating all alterations and amendments, approved by Full Council and to ensure that it is available to Councillors, staff and the public.

2. Duty to monitor and review the constitution

The Monitoring Officer shall monitor and review the operation of the constitution to ensure that the following aims and principles of the constitution are given full effect:

- The constitution assists the Council to provide clear leadership to the community and in working in partnership with citizens, businesses and other organisations;
- The constitution supports the active involvement of citizens in the process of local authority decision-making;
- The constitution help Councillors represent their constituents more effectively;
- The constitution enables decisions to be taken efficiently and effectively;
- The constitution create a powerful and effective means of holding decision makers to public account;
- The constitution ensures that no one will review or scrutinise a decision in which they were directly involved;
- The constitution ensures that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and
- The constitution assists the delivery of quality services to all sections of the community; and
- The constitution provide a framework which promotes the Council's priorities set out in its Corporate Plan.

3. Protocol for monitoring and review of the constitution

A key role for the Monitoring Officer is to be aware of the strengths and weaknesses of the constitution adopted by the Council, and to make recommendations for ways in which it could be amended in order better to achieve any one or more of the aims and purposes referred to in paragraph 2 above:

In undertaking this task the Monitoring Officer, amongst other things, may:

1. observe meetings of different parts of the member and officer structure;
2. undertake an audit of a sample of decisions;
3. record and analyse issues raised with him/her by members, officers, the public and other relevant stakeholders; and
4. compare practices in this authority with those in other comparable authorities, or national examples of best practice.

4. Changes to the constitution

(a) **Approval.** The Governance Committee has a responsibility to maintain an overview of the constitution but only full Council can approve changes to it. Changes should only be made further to a report from the Monitoring Officer.

(b) **Change within a Mayoral form of executive.** Unless the change relates only to the operation of the Scrutiny Committee, any resolution of the full Council to approve a change will have no effect without the written consent of the Mayor.

(c) **Change from a Mayoral form of executive to another form of executive or to alternative arrangements, or from alternative arrangements to a Mayoral form of executive.** The Council must take reasonable steps to consult with local electors and other interested persons in the area when drawing up proposals and must hold a binding referendum. Any change shall not take effect until the end of the Mayor's term of office.

(d) **Change from a Leader and Cabinet form of executive to alternative arrangements, or vice versa.** The Council must take reasonable steps to consult with local electors and other interested persons in the area when drawing up proposals.

REPORT TO	ON
Governance Committee	25 July 2018



September 2017

TITLE	REPORT OF
Review of Constitution Part 2P Finance, Contracts and Legal Matters – (formerly Article 15)	Interim Monitoring Officer

1. PURPOSE OF THE REPORT

- 1.1 At their meeting on the 1ST February 2017, the Governance Committee resolved to review the Council's Constitution.
- 1.2 This particular part of the Constitution (formerly Article 15) was considered by the Governance Committee at its meeting on the 29th of May.

2. RECOMMENDATIONS

- 2.1 That Governance Committee approve the draft Part 2P – Finance, Contracts and Legal Matters (formerly Article 15) at Appendix B.

3. CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Excellence and Financial Sustainability	X
Health and Wellbeing	
Place	

Projects relating to People in the Corporate Plan:

People	
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4. BACKGROUND TO THE REPORT

- 4.1 All Councils are required to have a written Constitution which sets out the Council's internal governance arrangements, approved procedures and protocols. As part of the Corporate Governance Action Plan 2016/17 Members of the Governance Committee agreed to carry out a thorough review of the Constitution in order to ensure that the Constitution is as clear as possible, completely up to date and fit for purpose.

4.2 Members agreed to adopt the following “House Style” to ensure the Constitution was an easily accessible document:

- Use of plain english
- Clarity of expression
- Consistency of terminology
- Streamlining and simplification of sections
- Improvement of interactive links to allow ease of access within the document itself.

4.3 The existing Article 15 – Finance, Contracts and Legal Matters is set out at Appendix A.

4.4 The amended Article 15 – Finance , Contracts and Legal Matters (renumbered as Part 2P to ensure consistency with the overall numbering of the October 2017 published version of the Constitution), is set out at Appendix B.

4.5 The purpose of this part of the Constitution is to explain how contracts entered into by the Council need to be documented and signed dependent on their value. The review has been light touch, this Part of the Constitution is essentially robust and fit for purpose. The proposed changes are set out in paragraph 5 below.

5.0 Part 2P Finance, Contracts and Legal Matters

5.1 The amended Part 2P Finance, Contracts and Legal Matters, at Appendix B includes the following key changes:

Paragraph	Content	Justification
General Paragraph numbers are now 1 through to 5, replacing 15.01 through to 15. 05.	Paragraph numbers are now 1 through to 5, replacing 15.01 through to 15.05.	Simplify numbering
Paragraph 4	<p>Paragraph 4 Authentication of Documents</p> <p>The second subparagraph has been amended to read as follows:</p> <p>“Any contract entered into on behalf of the Council in the course of the discharge of an executive function shall be made in writing. Where the value does not exceed £20,000 (calculated in accordance with the Contract Procedure Rules set out in Part 4H of this constitution) this can be the purchase Order. Any contract exceeding £20,000 (calculated in accordance with the Contract Procedure Rules set out in Part 4H of this constitution) must either be signed by at least two appropriate officers of the Council or made under the common seal of the Council attested by at least one officer.”</p>	The original wording did not require contracts under £20,000 in value to be in writing, The new wording clarifies that all contracts must be in writing and clarifies that for contracts under £20,000 in value, this can be a purchase order which is referred to in the Contract Procedure Rules at Part 4H of the Constitution.

6.1 Comments of the Statutory Finance Officer

There are no financial implications arising directly from this report.

6.2 Comments of the Monitoring Officer

Every Council is required to have a written Constitution which is regularly reviewed and kept up to date.

Other implications:	
▶ Risk	There are no specific risk implications arising from this report
▶ Equality & Diversity	There are no specific equality implications arising from this report
▶ HR & Organisational Development	There are no specific HR implications arising from this report
▶ Property & Asset Management	There are no specific Property or asset management implications arising from this report
▶ ICT / Technology	There are no specific ICT implications arising from this report

7. BACKGROUND PAPERS

None

David Whelan
Monitoring Officer

Report Author:	Telephone:	Date:
David Whelan	01772 625247	14 June 2018

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Appendix A Article 15 – Finance, Contracts and Legal Matters

15.01 Financial management

The management of the Council's financial affairs shall be conducted in accordance with the Financial Regulations set out in Part 4G of this constitution.

15.02 Contracts

Every contract made by the Council shall comply with the Contract Procedure Rules set out in Part 4H of this constitution.

15.03 Legal proceedings

The Council's most senior legally qualified officer available is authorised to participate in any legal proceedings to give effect to decisions of the Council and where considered action is necessary to protect the Council's interests.

15.04 Authentication of documents

Subject to the provisions for substitutes in the Scheme of Delegation to Officers, where any document is necessary in relation to any legal procedure or proceedings on behalf of the Council, it shall be signed by the Chief Executive or, in her/his absence, the Council's most senior legally qualified officer available, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

Any contract with a value exceeding £20,000 (calculated in accordance with the Contract Procedure Rules) entered into on behalf of the local authority in the course of the discharge of an executive function shall be made in writing. Such contracts must either be signed by at least two appropriate officers of the authority or made under the common seal of the Council attested by at least one officer.

15.05 Common Seal of the Council

The Common Seal of the Council shall be kept in a safe place in the custody of the Council's most senior legally qualified officer. A decision of the Council, or of any part of it, shall be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal shall be affixed to those documents which, in the opinion of the Council's most senior legally qualified officer available, should be sealed. The affixing of the Common Seal shall be attested by the Council's most senior legally qualified officer available.

Appendix B Part 2P – Finance, Contracts and Legal Matters

1. Financial management

The management of the Council's financial affairs shall be conducted in accordance with the Financial Regulations set out in Part 4G of this constitution.

2. Contracts

Every contract made by the Council shall comply with the Contract Procedure Rules set out in Part 4H of this constitution.

3. Legal proceedings

The Council's most senior legally qualified officer available is authorised to participate in any legal proceedings to give effect to decisions of the Council and where considered action is necessary to protect the Council's interests.

4. Authentication of documents

Subject to the provisions for substitutes in the Scheme of Delegation to Officers, where any document is necessary in relation to any legal procedure or proceedings on behalf of the Council, it shall be signed by the Chief Executive or, in her/his absence, the Council's most senior legally qualified officer available, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

Any contract entered into on behalf of the Council in the course of the discharge of an executive function shall be made in writing. Where the value does not exceed £20,000 (calculated in accordance with the Contract Procedure Rules set out in Part 4H of this constitution) this can be the purchase Order. Any contract exceeding £20,000 (calculated in accordance with the Contract Procedure Rules set out in Part 4H of this constitution) must either be signed by at least two appropriate officers of the Council or made under the common seal of the Council attested by at least one officer.

5. Common Seal of the Council

The Common Seal of the Council shall be kept in a safe place in the custody of the Council's most senior legally qualified officer. A decision of the Council, or of any part of it, shall be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal shall be affixed to those documents which, in the opinion of the Council's most senior legally qualified officer available, should be sealed. The affixing of the Common Seal shall be attested by the Council's most senior legally qualified officer available.

REPORT TO	ON
Council	25 July 2018



September 2017

TITLE	REPORT OF
Review of Constitution Part 2N – Joint Arrangements (formerly Article 12)	Interim Monitoring Officer

1. PURPOSE OF THE REPORT

- 1.1 At their meeting on the 1ST February 2017, the Governance Committee resolved to review the Council's Constitution.
- 1.2 The Governance Committee considered this Part (formerly Article 12) of the Constitution at their meeting of the 29th of May 2018.

2. RECOMMENDATIONS

- 2.1 That Council approve the draft Part 2N – Joint Arrangements (formerly Article 12) at Appendix B.

3. CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Excellence and Financial Sustainability	X
Health and Wellbeing	
Place	

Projects relating to People in the Corporate Plan:

People	
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4. BACKGROUND TO THE REPORT

4.1 All Councils are required to have a written Constitution which sets out the Council's internal governance arrangements, approved procedures and protocols. As part of the Corporate Governance Action Plan 2016/17 Members of the Governance Committee agreed to carry out a thorough review of the Constitution in order to ensure that the Constitution is as clear as possible, completely up to date and fit for purpose.

4.2 Members agreed to adopt the following “House Style” to ensure the Constitution was an easily accessible document:

- Use of plain english
- Clarity of expression
- Consistency of terminology
- Streamlining and simplification of sections
- Improvement of interactive links to allow ease of access within the document itself.

4.3 The existing Article 12 – Joint Arrangements are set out at Appendix A.

4.4 The amended Article 12 - Joint Arrangements (renumbered as Part 2N to ensure consistency with the overall numbering of the October 2017 published version of the Constitution) are set out at Appendix B.

4.5 The purpose of this part of the Constitution is to recognise that the Council may enter into joint arrangements with an individual and or an organisation in order to promote the economic, social or environmental well-being of the borough. The review has been light touch, this Part of the Constitution is essentially robust and fit for purpose. The proposed changes are set out in paragraph 5 below.

5.0 Part 2N Joint Arrangements

5.1 The amended Part 2N Joint Arrangements at Appendix B now provides as follows have been

Paragraph	Content	Justification
General Paragraph numbers are now 1 through to 6 replacing 12.01 through to 12.05	Paragraph numbers are now 1 through to 6 replacing 12.01 through to 12.05	Simplify numbering
New Paragraph 1	<p>1. Introduction</p> <p>Local authorities can establish joint working arrangements with other local authorities, people or organisations. This can happen in a number of different ways. For instance:-</p> <ul style="list-style-type: none"> • Local authorities can agree that one (or more) authority(ies) will exercise functions on behalf of another (or other) authority(ies); • Local authorities can also agree to exercise their functions jointly. This is usually achieved by establishing a joint committee of Members 	New paragraph which explains the background and provides an introduction to this Part of the Constitution

	<p>from all of the participating authorities to manage the functions in question. The participating authorities all then delegate the necessary powers to the joint committee who will make decisions on behalf of them all. This may involve using the officers of one or more of them to deliver services for them all, or jointly entering into contracts with third parties to deliver services for them all.</p> <p>Local authorities (either alone or with other local authorities) can also do any or all of the following to promote the economic, social or environmental well-being of their area(s):</p> <p>(a) enter into arrangements or agreements with any person or body</p> <p>(b) co-operate with, or facilitate or co-ordinate the activities of, any person or body</p> <p>(c) exercise on behalf of that person or body any functions of that person or body</p>	
<p>Paragraph 3(e)</p>	<p>(e) Full Council shall be responsible for appointments to the Shared Services Committee and the political balance requirements shall apply.</p>	<p>New paragraph which clarifies that Full Council retain responsibility for appointments to the Shared Services Committee</p>

6.1 Comments of the Statutory Finance Officer

There are no financial implications arising directly from this report.

6.2 Comments of the Monitoring Officer

Every Council is required to have a written Constitution which is regularly reviewed and kept up to date.

Other implications:	
▶ Risk	There are no specific risk implications arising from this report
▶ Equality & Diversity	There are no specific equality implications arising from this report
▶ HR & Organisational Development	There are no specific HR implications arising from this report
▶ Property & Asset Management	There are no specific Property or asset management implications arising from this report
▶ ICT / Technology	There are no specific ICT implications arising from this report

7. BACKGROUND PAPERS

None

David Whelan
Monitoring Officer

Report Author:	Telephone:	Date:
David Whelan	01772 625247	14 June 2018

Appendix A

Article 12 – Joint Arrangements

12.01 Arrangements to promote well being

In order to promote the economic, social or environmental well-being of its area, the Council or the Cabinet, as applicable, may:

- (a) enter into arrangements or agreements with any person or body;
- (b) co-operate with, or facilitate or co-ordinate the activities of, any person or body; and
- (c) exercise on behalf of that person or body any functions of that person or body.

12.02 Joint arrangements

(a) The Council may establish joint arrangements with one or more local authorities and/or their Cabinets to exercise functions which are not functions of the Cabinet in any of the participating authorities, or advise the Council. Such arrangements may involve the appointment of a joint committee with these other local authorities.

(b) The Cabinet may establish joint arrangements with one or more local authorities to exercise functions which are Cabinet functions. Such arrangements may involve the appointment of joint committees with these other local authorities.

(c) Except as set out below, the Cabinet may only appoint Cabinet members to a joint committee and those members need not reflect the political composition of the local authority as a whole.

(d) The Cabinet may appoint members to a joint committee from outside the Cabinet in the following circumstances:

- the joint committee has functions for only part of the area of the authority, and that area is smaller than two-fifths of the authority by area or population. In such cases, the Cabinet may appoint to the joint committee any councillor who is a member for a ward which is wholly or partly contained within the area;
- the joint committee is between a county council and a single district council and relates to functions of the Cabinet of the county council. In such cases, the Cabinet of the county council may appoint to the joint committee any councillor who is a member for an electoral division which is wholly or partly contained within the area.

In both of these cases the political balance requirements need not apply to such appointments.

12.03 Access to information

(a) The Access to Information Procedure Rules in [Part 4C](#) of this constitution should apply to joint arrangements.

(b) If all the members of a joint committee are members of the Cabinet in each of the participating authorities then its access to information regime is the same as that applied to the Cabinet.

(c) If the joint committee contains members who are not on the Cabinet of any participating authority then the access to information rules in Part VA of the Local Government Act 1972 will apply.

12.04 Delegation to and from other local authorities

- (a) The Council may delegate non-Cabinet functions to another local authority or, in certain circumstances, the Cabinet of another local authority.
- (b) The Cabinet may delegate Cabinet functions to another local authority or the Cabinet of another local authority in certain circumstances.
- (c) The decision whether or not to accept such a delegation from another local authority shall be reserved to the Council meeting.

12.05 Contracting out

The Council may contract out to another body or organisation functions which may be exercised by an officer and which are subject to an order under section 70 of the Deregulation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles, provided there is no delegation of the Council's discretionary decision making.

Appendix B

Part 2N – Joint Arrangements

1. Introduction

Local authorities can establish joint working arrangements with other local authorities, people or organisations. This can happen in a number of different ways. For instance:-

- Local authorities can agree that one (or more) authority(ies) will exercise functions on behalf of another (or other) authority(ies);
- Local authorities can also agree to exercise their functions jointly. This is usually achieved by establishing a joint committee of Members from all of the participating authorities to manage the functions in question. The participating authorities all then delegate the necessary powers to the joint committee who will make decisions on behalf of them all. This may involve using the officers of one or more of them to deliver services for them all, or jointly entering into contracts with third parties to deliver services for them all.

Local authorities (either alone or with other local authorities) can also do any or all of the following to promote the economic, social or environmental well-being of their area(s):

- (a) enter into arrangements or agreements with any person or body
- (b) co-operate with, or facilitate or co-ordinate the activities of, any person or body
- (c) exercise on behalf of that person or body any functions of that person or body

2. Arrangements to promote well being

In order to promote the economic, social or environmental well-being of its area, the Council or the Cabinet, as applicable, may:

- (a) enter into arrangements or agreements with any person or body; and/or
- (b) co-operate with, or facilitate or co-ordinate the activities of, any person or body; and/or
- (c) exercise on behalf of that person or body any functions of that person or body.

3. Joint arrangements

- (a) The Council may establish joint arrangements with one or more local authorities and/or their Cabinets to exercise functions which are not executive functions in any of

the participating authorities, or advise the Council. Such arrangements may involve the appointment of a joint committee with these other local authorities.

(b) The Cabinet may establish joint arrangements with one or more local authorities to exercise functions which are Cabinet functions. Such arrangements may involve the appointment of joint committees with these other local authorities.

(c) Except as set out below, the Cabinet may only appoint Cabinet members to a joint committee and those members need not reflect the political composition of the local authority as a whole.

(d) The Cabinet may appoint members to a joint committee from outside the Cabinet in the following circumstances:

- the joint committee has functions for only part of the area of the authority, and that area is smaller than two-fifths of the authority by area or population. In such cases, the Cabinet may appoint to the joint committee any councillor who is a member for a ward which is wholly or partly contained within the area;
- the joint committee is between a county council and a single district council and relates to functions of the Cabinet of the county council. In such cases, the Cabinet of the county council may appoint to the joint committee any councillor who is a member for an electoral division which is wholly or partly contained within the area;

In both of these cases the political balance requirements need not apply to such appointments.

(e) Full Council shall be responsible for appointments to the Shared Services Committee and the political balance requirements shall apply.

4. Access to information

(a) The Access to Information Procedure Rules in [Part 4C](#) of this constitution should apply to joint arrangements.

(b) If all the members of a joint committee are members of the Cabinet in each of the participating authorities then its access to information regime is the same as that applied to the Cabinet.

(c) If the joint committee contains members who are not on the Cabinet of any participating authority then the access to information rules in Part VA of the Local Government Act 1972 will apply.

5. Delegation to and from other local authorities

- (a) The Council may delegate non-Cabinet functions to another local authority or, in certain circumstances, the Cabinet of another local authority.
- (b) The Cabinet may delegate Cabinet functions to another local authority or the Cabinet of another local authority in certain circumstances
- (c) The decision whether or not to accept such a delegation from another local authority shall be reserved to the Council meeting.

6. Contracting out

The Council may contract out to another body or organisation functions:

- which may be exercised by an officer and which are subject to an order under section 70 of the Deregulation and Contracting Out Act 1994; or
- under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles,

provided there is no delegation of the Council's discretionary decision making.

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