

MINUTES OF COUNCIL

MEETING DATE Wednesday, 21 March 2018

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

OFFICERS: Heather McManus (Chief Executive), Dave Whelan (Legal Services Manager/Interim Monitoring Officer) and Andy Houliker (Senior Democratic Services Officer)

PUBLIC: 45 (including 1 Press)

99 Apologies for absence

Apologies for absence was received from Councillors Peter Mullineaux, Jacqui Mort, Rebecca Noblet and Ian Watkinson.

100 Minutes of Previous Meetings

100 Minutes of the Meeting of Council held on Wednesday 28 February 2018

a

It was proposed by Councillor Paul Foster and seconded by Councillor David Howarth that a couple of slight amendments be made to the minutes of the meeting held on 28 February 2018. This was debated and lost.

RESOLVED: (For: 19, Against: 21, Abstain: 1):

That the minutes of the Council meeting held on 28 February 2018 be approved as a correct record.

100 Minutes of the Meeting of Council held on Wednesday 14 March 2018

b

RESOLVED: (Unanimously):

That the minutes of the Extraordinary Council meeting held on 14 March 2018 be approved as a correct record.

101 Declarations of Interest

The Interim Monitoring Officer declared a prejudicial interest in the final item on the agenda (Item 21 - Shared Services) as his post was included in the report and stated he would leave the meeting when this was to be discussed.

102 Mayors Announcements

The Mayor provided an update on the events he had recently attended and his forthcoming engagements.

103 Report of Cabinet and Committees

103 Minutes of Cabinet meeting held on 1 March 2018

a

The Council considered the draft minutes of the Cabinet meeting held on 1 March 2018.

It was moved by Councillor Colin Clark, seconded by Councillor Phil Smith.

RESOLVED:

That the draft minutes of the Cabinet meeting held on 1 March 2018 be noted.

103 Minutes of Scrutiny Committee meeting held on 8 March 2018

b

The Council considered the draft minutes of the Scrutiny Committee meeting held on 8 March 2018.

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

RESOLVED:

That the draft minutes of the Scrutiny Committee meeting held on 8 March 2018 be noted.

104 Nomination of Mayor Elect and Deputy Mayor Elect 2018/19

Further to Minute No. 86 of the Cabinet meeting held on 1 March 2018, the Council considered the report of the Scrutiny and Performance Manager seeking nominations for the Mayor Elect and Deputy Mayor Elect 2018/19.

It was moved by Councillor Colin Clark, seconded by Councillor Phil Smith:

That the recommendations set out in the report be approved.

During the debate, there was a discussion around the Mayoralty and the selection process for the Deputy Mayor.

RESOLVED: (For: 24, Against: 3, Abstain: 16):

That

- (1) Councillor John Rainsbury be nominated as the Mayor Elect for 2018/19; and
- (2) Councillor Carol Chisholm be nominated as the Deputy Mayor Elect for 2018/19.

105 Change to Committee Membership 2017/18

The Council considered the report of the Scrutiny and Performance Manager which indicated that Councillor David Bird had resigned from the Conservative Group and wished to be known as a Penwortham Independent with effect from 19 February 2018.

The report informed the Council that the reduction of one member on the Conservative Group had changed the political balance on the Council and a recalculation of the entitlement to formal Committee Places had been undertaken. This had resulted in the Conservative Group losing one Committee Place on the Standards Committee and the Labour Group gaining one place on the Standards Committee for the remainder of the Council Year 2017/18. The Conservative Group was still entitled to four places on the Governance Committee and they would need to appoint a Member to fill the place on that Committee previously occupied by Councillor Bird.

It was moved by Councillor Colin Clark, seconded by Councillor Phil Smith:

That the recommendations set out in the report be approved.

During the debate, there was a discussion on the Council's committee proportionality.

Councillor Colin Clark proposed that Councillor John Rainsbury be removed from the membership of the Standards Committee and that Councillor Caroline Moon be appointed onto the Governance Committee in place of Councillor John Bird.

Councillor Paul Foster proposed that Councillor Mick Higgins be appointed on to the Standards Committee.

RESOLVED: (For: 39, Against: 1):

That:

- (1) it be noted that the change in proportionality results in an increase in the Labour Group entitlement of one Committee Place on the Standards Committee and a corresponding decrease in the Conservative Group entitlement; and
- (2) the following changes to the membership of Committees be approved:

Standards Committee

Councillor Mick Higgins (Labour) to replace Councillor John Rainsbury (Conservative)

Governance Committee

Councillor Caroline Moon (Conservative) to replace Councillor John Bird (Penwortham Independent)

106 Pay Policy 2018-19

Further to Minute No. 84 of the Cabinet meeting held on 1 March 2018, the Council considered the report of the Interim HR Manager on the Pay Policy for 2018/19. This had been produced in accordance with the provisions in the Localism Act 2011, to ensure that there was transparency on how pay and remuneration was set by the Council for all its employees and particularly for its most senior posts.

It was moved by Councillor Colin Clark, seconded by Councillor Phil Smith:

That the recommendations set out in the report be approved.

During the debate, there was a suggestion that the policy could be improved with more detail on the Council's Interim Posts. In respect of a question from a member of the public regarding performance, Councillor Clark indicated the Council did not use this method and performance was measured through the Personal Development Review process which included objectives in line with the Corporate Plan.

RESOLVED: (Unanimous):

That the Pay Policy for 2018/18, as set out in the report be approved.

107 Member and Officer Protocol

Further to Minute No. 47 of the Governance Committee meeting held on 31 January 2018, the Council considered the report of the Interim Corporate Improvement Officer on the draft Member and Officer Protocol which would apply to all members and officers of the Council and set out the respective roles of members and officers, and the behaviours expected of them, in order to ensure mutual trust and respect and effective working relationships.

The report indicated that the Local Government Association had commissioned a consultant to work with members and officers to develop the protocol and once approved, it would form an integral part of the Council's Constitution.

It was moved by Councillor Colin Clark, seconded by Councillor Phil Smith:

That the recommendations set out in the report be approved.

During the debate, it was accepted that the Council needed such a Protocol which could be annually reviewed by the Standards Committee and all councillors were encouraged to sign up to the Protocol.

RESOLVED: (Unanimously):

That:

- (1) the Member and Officer Protocol as set out in Appendix 1 to the report be approved;
- (2) the Council accepts the recommendation of the Governance Committee that all members of the Council, all Tier 1 – 4 officers and any other officers whose posts are politically restricted be required to sign the Protocol to signify their acceptance of its contents and their commitment to their adherence to the Protocol; and
- (3) the Council accepts the recommendation of the Governance Committee that the Member and Officer Protocol becomes a formal part of the Council's Constitution.

108 Appeals Committee - Terms of Reference

Further to Minute No. 49 of the Governance Committee meeting held on 31 January 2018, the Council considered the report of Interim Monitoring Officer / Legal Services Manager on the proposed terms of reference for the Appeals Committee.

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

RESOLVED: (Unanimously):

That the draft terms of reference for the Appeals Committee, as set out in Appendix A to the report be approved.

109 My Neighbourhood Area Procedure Rules & Terms of Reference

Further to Minute No. 50 of the Governance Committee meeting held on 31 January 2018, the Council considered the report of the Interim Monitoring Officer / Legal Services Manager on the proposed My Neighbourhood Area procedure rules and terms of reference.

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

RESOLVED: (For: 41, Abstain: 2):

That the My Neighbourhood Area procedure rules and terms of reference, as set out in the report be approved.

110 Proposed Changes to the Licensing Policy

Further to Minute No. 61 of the General Licensing Committee meeting held on 23 January 2018, the Council considered the report of the Revenues Manager on the outcome of recent consultation carried out on three proposed revisions to the Council's existing Licensing Policy in relation to vaping devices / e-cigarettes, relevant signage for same and, all operators' dispatch staff undertaking appropriate Safeguarding training.

It was moved by Councillor John Rainsbury, seconded by Councillor Harry Hancock and

RESOLVED: (Unanimously):

That approval be given to the formal adoption of the three revisions to the Council's Licensing Policy as set out in paragraph 4.1 of the report.

111 Residential Caravan Sites - Proposed Adoption of: (1) Model Standards 2008; (2) Draft Mobile Home Fee Policy; and (3) Associated Documentation

Further to Minute No. 69 of the General Licensing Committee meeting held on 20 February 2018, the Council considered the report of the Revenues Manager on the outcome of recent consultation and equalities impact assessments on the model standards for residential caravan sites, the draft Mobile Homes Fee Policy and association documentation.

It was moved by Councillor John Rainsbury, seconded by Councillor Mary Green and

RESOLVED: (Unanimously):

That:

- (1) with regard to future applications for a residential caravan site licence, the Model Standards 2008 (Appendix 1 to the report) and the draft application form (Appendix 4 to the report) be formally adopted; and
- (2) with regard to both the existing holders of and future applicants for a site licence, the draft Mobile Homes Fee Policy (Appendix 2 to the report) and the associated methodology for determination of fees (Appendix 3 to the report) be formally adopted.

112 Questions to the Leader of the Council

In the absence of the Leader (Councillor Peter Mullineaux), Councillor Colin Clark (Deputy Leader) answered questions and enquiries.

In response to Councillor David Howarth's concerning the alleged inappropriate use of social media and behaviour of members, the Deputy Leader stated that if there was any such evidence there was an existing procedure in place to deal with any possible issues of misconduct.

Two representatives from the Leyland Sports Association Bowling Club referred to the current situation whereby local bowlers were not able to access the bowling greens. Councillor Colin Clark was asked if the Council could assist in re-gaining access to the bowling greens and, if there was a re-development of the site whether it would be possible through the planning process for the Council to include in any potential planning permission a requirement that provision be made for bowling at the site. The Deputy Leader expressed the Council's empathy with the bowling club and its position. However, as the Council was not a landowner at this location, its powers were limited. That said the Council aimed to protect and improve leisure facilities and it would look further into this matter and help where it could and support the club's endeavours to retain the bowling facilities. In respect of planning and the possible re-development of the site, Councillor Colin Clark agreed that he and

Councillor Cliff Hughes (Cabinet member for Strategic Planning and Housing) were happy to meet with representatives of the club.

113 Questions to Members of the Cabinet

Corporate Support & Assets

Councillor Colin Clark responding to Councillor Paul Wharton referred to the Council's current review of the Civic Suite area which not only included improved access to and capacity of wifi but also investment in improved facilities and a digital vision was part of this. A report was being prepared for Cabinet and Councillor Clark was happy to discuss this further with Councillor Wharton.

Finance

Councillor Susan Snape did not have the information on the final costs associated with the licensing investigation to hand but would provide Councillor Rene Blow (and all other Councillors) with a detailed reply.

Neighbourhoods & Street Scene

Councillor Graham Walton informed Councillor Harry Hancock that the Council had received subscriptions for the collection of garden waste from 16,400 households which was well above the first year target. He also advised Councillor David Howarth that the Council had not re-negotiated its current waste collection contract.

Public Health, Safety & Wellbeing

In the absence of Councillor Jacqui Mort, Councillor Colin Clark responded to enquiries by Councillor Ken Jones and members of the public. These related the Chorley and South Ribble Hospital Campaign and the Leyland Air Control Management Action Plan. Councillor Clark indicated that he could contact the portfolio holder to ascertain the current position on both issues. He added that the Council took air quality very seriously. However, it had to work with the Lancashire County Council and the Environment Agency, to produce a plan to improve air quality.

Regeneration & Leisure

No questions were asked.

Strategic Planning & Housing

No questions were asked.

114 Questions to Chairmen of Committees and My Neighbourhood Areas

Councillor John Rainsbury (Chair, General Licensing Committee) informed Councillor Ken Jones that the minutes of the recent meeting of the Licensing Panel regarding the Railway Public House were on the Council's website.

In respect of potential In-Cab CCTV in taxis, Councillor John Rainsbury was not aware of an ability for the system to be switched off on request but would find out.

Councillor Ogilvie (Chair, Governance Committee) responding to Councillor Ken Jones, informed him that the suggested change to the Constitution relating to amendments to Notices of Motion was to be considered by the Committee at its next meeting.

115 Questions to Member Champions and Representatives on Outside Bodies

No questions were asked.

116 Notice of Motion

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

RESOLVED: (Unanimously):

Reducing single use plastic (SUP) use in the Borough of South Ribble

Recent research shows, eight million metric tonnes of plastic ends up in the world's oceans each year, endangering marine life. There is also a growing understanding of the risks posed to human health by toxic chemicals present in plastics.

Six months after the introduction of the 5p bag charge, use of single-use plastics bags had already dropped by 85%. 300 million tons of plastic are produced around the globe each year. Of this, 50% is for disposable applications such as packaging.

The Government has announced a consultation into a possible tax on single use plastics, but this Council believes that we should eliminate their use as soon as possible.

Council therefore resolves to:

- Develop a robust strategy to make South Ribble Council a 'single-use plastic free' authority by the end of 2019 including an end to the purchase and procurement of SUPs through the Council's supply chain;
- End the provision of SUP products such as cups and cutlery in council buildings;
- Investigate the possibility of requiring pop up food and drink vendors at Council run events to avoid SUPs as a condition of contract
- Work with tenants and operators in commercial properties owned by South Ribble Borough Council to encourage the phasing out of SUP cups, bottles, cutlery and straws;
- Encourage the Borough's businesses, organisations and residents to go 'single-use plastic free' working with best practice partners to explore the creation of a 'plastic free network,' that could provide business support, practical guidelines and advice to help local businesses transition from SUPs to sustainable alternatives.

117 Notice of Motion

It was moved by Councillor Alan Ogilvie, seconded by Councillor Caroline Moon and following debate:

RESOLVED: (Unanimously):

Count Them In

As this Council's Armed Forces Champion, I would like to highlight and recommend to you a campaign being run by the Royal British Legion and ask the Council to consider supporting it.

The Count Them In campaign aims to have new questions added to the 2021 census in order to improve understanding of the Armed Forces Community, which includes serving personnel, veterans and their families.

It is estimated that there are currently between 6.5 and 6.7 million members of the Armed Forces community living in the UK, representing about a tenth of the population. However, little is currently known about the exact numbers, location and needs of this significant group. Including new questions on the next census would provide public bodies, local authorities, and charities with valuable information to ensure they are able to deliver the best services they can for our Armed Forces community.

I believe that anyone serving or who has served in HM Forces deserves support and understanding and any initiative which helps deliver this is vital. Having data from the census would enable Councils and their partners to identify and plan services effectively.

I hope that all members across the Council agree with me that this is a laudable campaign.

Council therefore resolves that

The Royal British Legion be informed that this Council confirms it's support for the Count Them In campaign and that new questions should be added to the 2021 Census to improve the understanding of the Armed Forces Community.

118 Exclusion of Press and Public

RESOLVED:

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

119 Shared Services

Further to Minute No. 83 of the Council meeting held on 17 January 2018, the Council considered the report of the Chief Executive which gave details of progress made in developing the operating models for the expansion of shared services and sought approval to the next steps, informed by the recommendations of the Joint Shared Services Committee meeting held on 11 January 2018.

It was moved by Councillor Colin Clark, seconded by Councillor Phil Smith.

That the recommendations set out in the report be approved.

In moving the report Councillor Colin Clark commented that this matter had already been delayed too long which risked the delivery of the Council's Corporate Plan. He indicated that the proposed structure was largely in line with that presented in January 2018. Albeit with the post of Deputy Chief Executive (Resources and Transformation) now not been shared and the posts of two previous Assistant Director had been merged.

However, concerns were expressed by Councillor Paul Foster that the recommendations in the subsequent reports since November 2017 had changed; the changes to the post and job description of the Deputy Chief Executive (Resources and Transformation) and concern with the process. Councillor Colin Clark indicated he had referred to the proposed structure; there had been additional recommendations; the appointment of an Interim Section 151 Officer was to cover until the substantive post was filled and the inclusion of an accountancy qualification was set out in the report.

The Council was advised that the permanent appointment of a Section 151 Officer would be through the Council's Appointment and Employment Panel. However, in respect of the appointment of an Interim Section 151 Officer this could be as set out in the report.

Following the ensuing debate, it was:

RESOLVED: (For: 22, Against: 1, Abstain: 21):

That:

- (1) the operating model recommended by the Joint Shared Services Committee be approved;
- (2) the refreshed shared services senior management structure recommended by the Joint Shared Services Committee be approved;
- (3) the expanded scope of shared services be approved;
- (4) approval be given to the recommendation from the Joint Services Committee that the following four shared service posts are subject to a member appointment process:
 1. Director of Finance and Assurance Services (Section 151 Officer)
 2. Assistant Director of Finance and Assurance Services (Deputy Section 151 Officer)
 3. Director of Legal, Human Resources and Democratic Services (Monitoring Officer)
 4. Assistant Director of Legal and Human Resources (Deputy Monitoring Officer);
- (5) approval be given to the post of Deputy Chief Executive for Resources and Shared Services Transformation being employed solely by South Ribble Borough Council and not being a shared post;
- (6) approval be given to the role of Director of Policy, HR and Communications, previously a shared post, being merged with the Director of Customer and

Digital into a new Director of Communications, Customer, Digital and Policy , which will be employed solely by South Ribble Borough Council and therefore not be a shared post; and

- (7) approval be given to the interim arrangements for the Council's Section 151 Officer, to be allocated to the Deputy Chief Executive position, until the post of Director of Finance and Assurance Services (Section 151 Officer) is permanently recruited to.

Chair

Date