

COUNCIL

WEDNESDAY, 15TH MAY, 2019, 6.00 PM

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

AGENDA

1 Apologies for absence

2 Minutes of meeting Wednesday, 27 February 2019 of Council

(Pages 5 - 14)

3 Declarations of Interest

Members are requested to notify Democratic Services, by 4.00pm on the day of the meeting, of any items on the agenda in which they have an interest and the nature of the interest. They should do so by email to democraticservices@southribble.gov.uk.

Members are reminded that if the interest is a Disclosable Pecuniary Interest (as defined in the Members' Code of Conduct) they must leave the room for the whole of the item.

Where the interest is not a Disclosable Pecuniary Interest, but is such that a member of the public could reasonably regard it as being so significant that it is likely that it would prejudice a Member's judgment of the public interest (as explained in the Code of Conduct) then they may stay in the meeting to make representations, answer questions or give evidence relating to the item but then must withdraw from the meeting for the remainder of that item. Where such an interest is in an item to be discussed in exempt session, members are reminded that they must withdraw from the meeting for the whole of that item.

4 Returning Officer Report

To receive the report of the Returning Officer (to follow).

5 Proposals for the Election of the Mayor for 2019/20

To formally elect the Mayor of the Borough for 2019/20.

The motion will be proposed, seconded and voted upon.

6 Proposals for the Election of the Deputy Mayor for 2019/20

To formally elect the Deputy Mayor of the Borough for 2019/20.

The motion will be proposed, seconded and voted upon.

THERE WILL BE A SHORT ADJOURNMENT WHILST THE MAYORAL PARTY EXCHANGE ROBES AND CHAINS OF OFFICE

7 Tributes to the retiring Mayor and Presentation of Commemorative Badges

The Retiring Mayor will receive tributes following his year in office.

8 Election of the Leader of the Council (for a four year term)

To appoint the Leader of the Council for a four year term until the Annual Council meeting of the Municipal Year 2023/24

9 Appointment of the Deputy Leader and Members of Cabinet

To note the appointment of the Deputy Leader and Members of Cabinet appointed by the Leader of the Council (to follow).

10 Appointment of Committee's for 2019/20

To approve the appointment of Members of the Council to Committee's Working Groups, etc and to note shadow appointments for 2019/20 (to follow)

11 Appointment of My Neighbourhood Areas Chairs and Vice Chairs for 2019/20

To approve the appointment of the My Neighbourhood Areas Chairs and Vice Chairs for 2019/20 (to follow).

12 Appointment to outside bodies for 2019/20

To appoint Members of the Council to represent the Authority on outside bodies in 2019/20 (to follow)

13 Council Meetings 2019/20

To note the programme of Council Meetings for 2019/20:

- Wednesday 31 July 2019
- Wednesday 25 September 2019
- Wednesday 27 November 2019
- Wednesday 29 January 2020
- Wednesday 26 February 2020
- Wednesday 15 April 2020
- Wednesday 13 May 2020

THE MEETING WILL BE FOLLOWED BY A RECEPTION AND BUFFET FOR THE MAYOR, MAYOR'S GUESTS AND ALL COUNCILLORS.

Heather McManus
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Council Councillors

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

Forthcoming Meetings

6.00 pm Wednesday, 31 July 2019 - Shield Room, Civic Centre, West Paddock, Leyland, PR25 1DH

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MINUTES OF COUNCIL

MEETING DATE **Wednesday, 27 February 2019**

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

OFFICERS: Heather McManus (Chief Executive), Tim Povall (Deputy Chief Executive of Resources and Transformation (Section 151 Officer)), Gregg Stott (Deputy Chief Executive of Regeneration and Growth), Paul Hussey (Director of Customer and Digital), Jennifer Mullin (Director of Neighbourhoods and Development), Jonathan Noad (Director of Planning and Property) and Dave Whelan (Legal Services Manager/Interim Monitoring Officer)

PUBLIC: 11

103 Minutes Silence

Council observed a minutes silence as a mark of respect for former Councillor Peter McClelland who had recently passed away.

104 Apologies for absence

No formal apologies were received.

105 Declarations of Interest

There were no declarations of any interests.

106 Minutes of meeting Wednesday, 6 February 2019 of Council

Minute 98 to be amended to reflect that members of staff who are reservists in the army, get an additional 10 days leave for training.

RESOLVED (Unanimously):

That subject to the above amendment, the minutes of the Council meeting on 6 February 2019 be approved as a correct record for signing by the Mayor.

107 Mayors Announcements

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

108 Long Service Awards

The following Long Service Awards were presented by the Mayor:

Commemorative Badge for 12 years' service:

Councillor Warren Bennett
Councillor Paul Foster
Councillor Mary Green
Councillor Harry Hancock
Councillor Phil Smith
Councillor Graham Walton
Councillor Linda Woollard

Commemorative Plaque for 20 years' service.

Councillor Colin Clark
Councillor William Evans
Councillor Jim Patten
Councillor David Suthers
Councillor Matthew Tomlinson

Commemorative Gold Bar for 32 years' service.

Councillor Cliff Hughes

The Deputy Mayor, Councillor Carol Chisholm also presented the Mayor, Councillor John Rainsbury with a commemorative badge for 12 years long service.

The Leader congratulated everyone on behalf of the Council and commented that it was a privilege to see such dedication amongst her colleagues and wonderful to see so many long service awards being received.

109 Corporate Plan 2019/2024 and Risk Registers

Councillor Margaret Smith, Leader of the Council, presented the report that sought approval of the Council's Corporate Plan for 2019/20 and acknowledgement of the Corporate Plan Risk Registers and Corporate Risk Register for 2019/20.

The updated 2019/20 Corporate Plan responded to the findings of the Community Strategy consultation that had been carried out by the South Ribble Partnership and brought forward specific programmes and projects that would be delivered by the Council through 2019 to 2020.

The Leader drew Members attention to the inclusion of a new risk that had been identified as high in the Corporate Risk Register. Reputational Damage to the Council due to confidential reports being leaked. The Leader asked all Members to respect the confidentiality of Council reports.

It was moved by the Leader of the Council, Councillor Margaret Smith, seconded by Councillor Caroline Moon and

RESOLVED (Unanimously):

1. That the Corporate Plan for 2019/20 be approved.
2. That the Corporate Plan Risk Register and Corporate Risk Register for 2019/20, in addition to the Equality Impact Assessments be noted.

110 2019/20 Budget and Medium Term Financial Strategy 2019/20 to 2022/23

Before consideration of this item, the Deputy Chief Executive for Resources and Transformation provided a verbal report on the outcomes of the recent budget consultation that had been undertaken. The Council had received a good response to the consultation with 2:1 in favour of a rise in Council Tax and overwhelming support for the Green Links proposals.

Councillor Susan Snape, Cabinet Member (Finance) presented the Cabinet's 2019/20 Revenue Budget for the Council and it's Medium Term Financial Strategy for the next four years. This was the financial plan for the Council for the next four years, which was aligned to and supported the Corporate Plan and in delivering the Council's ambitions and services for residents.

It was moved by Councillor Susan Snape, seconded by Councillor Margaret Smith that:

1. the revenue budget for 2019/20 as set out in Appendix B of the report be approved;
2. the 4 year Medium Term Financial Strategy (MTFS) 2019/20 to 2022/23, summarised at Appendix B of the report be approved;
3. the Asset Management Plan, Capital and Investment Strategy, Capital Programme and Treasury Management policy statement as set out in Appendices D to G of the report be approved; and
4. a Council Tax increase of 1.99% be approved.

Councillor Matthew Tomlinson commented that although the opposition supported everything that the Council were trying to achieve, they considered that the current administration had an appalling track for delivery and an **amendment to the Motion** was moved by Councillor Matthew Tomlinson, seconded by Councillor Paul Foster:

"That the budget proposals set out in the report be amended by the implementation of the following measures:

- Zero increase in Council Tax in 2019/20;
- Include an additional £150k per year in the Capital Programme for the provision of playground refurbishments over the next 5 years;

- Include an additional £10k per year for Community Safety initiatives;
- Increase shared services savings by £60,000;
- Increase the target for transformation savings by £100,00; and
- Seek additional income of £100,000 in 2019/20.”

Councillor David Howarth commented that the Liberal Democrat Group were against the budget proposals of the administration and thought that more could be done to generation income for the Council.

Following debate the vote on the Amended Motion was For: 19, Against 24 and the Mayor declared that the Amended Motion was lost.

In accordance with Rule 16.5 in Part 4 of the Constitution, the voting on the **Substantive Motion** was recorded and the Members of the Council present at the time, voted as follows:

FOR THE SUBSTANTIVE MOTION:

Councillors Carol Chisholm, Colin Clark, Colin Coulton, Mary Green, Michael Green, Jon Hesketh, Cliff Hughes, Jim Marsh, Caroline Moon, Jacqui Mort, Peter Mullineaux, Mike Nelson, Rebecca Noblet, Alan Ogilvie, John Rainsbury, Margaret Smith, Phil Smith, Susan Snape, David Suthers, Graham Walton, Karen Walton, Paul Wharton, Linda Woollard, Barrie Yates.

AGAINST THE SUBSTANTIVE MOTION:

Councillors Jane Bell, David Bird, Renee Blow, Mal Donoghue, William Evans, Derek Forrest, Paul Foster, Harold Hancock, Mick Higgins, David Howarth, Kenneth Jones, Susan Jones, Keith Martin, Jim Patten, Mick Titherington, Caleb Tomlinson, Matthew Tomlinson, Ian Watkinson, Jonathan Woodcock

The Mayor declared that **Substantive Motion was carried** by 24 votes for and 19 votes against, with no abstentions.

111 Council Tax Setting 2019/20

Councillor Susan Snape, Cabinet Member (Finance) presented the report to enable the Council to calculate and set the Council Tax for 2019/20. The report provided details of the precepts set by the Parish and Town Councils, Lancashire County Council, the Police and Crime Commissioner for Lancashire and Lancashire Combined Fire Authority for 2019/20.

It was moved by Councillor Susan Snape, seconded by Councillor Margaret Smith:

That the formal Council Tax resolution for 2019/20 as set out in the report be approved.

Members were reminded that in the previous item (Minute 110) Council had approved a 1.99% increase as part of the budget. Members were also reminded that they had a legal duty to set a Council Tax.

In accordance with Rule 16.5 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 David Bird, Carol Chisholm, Colin Clark, Colin Coulton, Mary Green, Michael Green, Jon Hesketh, Cliff Hughes, Jim Marsh, Caroline Moon, Jacqui Mort, Peter Mullineaux, Mike Nelson, Rebecca Noblet, Alan Ogilvie, John Rainsbury, Margaret Smith, Phil Smith, Susan Snape, David Suthers, Graham Walton, Karen Walton, Paul Wharton, Linda Woollard, Barrie Yates.

AGAINST THE MOTION:

Councillors Jane Bell, Renee Blow, Mal Donoghue, William Evans, Derek Forrest, Paul Foster, Harold Hancock, Mick Higgins, David Howarth, Kenneth Jones, Susan Jones, Keith Martin, Jim Patten, Mick Titherington, Caleb Tomlinson, Matthew Tomlinson, Ian Watkinson, Jonathan Woodcock.

RESOLVED:

That the formal Council Tax resolution as set out in the report be approved.

112 Nomination of Mayor Elect and Deputy Mayor Elect 2019/20

Councillor Margaret Smith, Leader of the Council presented the report to agree nominations for the Mayor Elect and Deputy Mayor Elect 2019/20.

It was proposed by Councillor Margaret Smith, seconded by Councillor Graham Walton, that:

1. The current Deputy Mayor, Councillor Carol Chisholm be appointed as the Mayor Elect for 2019/20; and
2. That Councillor Peter Mullineaux be appointed as the Deputy Mayor Elect for 2019/20.

Councillor Paul Foster spoke against the proposals, commenting that 13 out of the last 14 Mayors had been Conservative Members, with only one Liberal Democrat Mayor being appointed in 2005/06. Many senior Councillors with many years' service were not getting the chance to become the Mayor and this was unfair. He added that this was something that the Labour Group would look to change if they gained power in May.

Councillor Paul Foster proposed an amendment to the Motion, seconded by Councillor Mick Titherington, that:

1. Councillor David Howarth be appointed as the Mayor Elect for 2019/20; and
2. Councillor Jane Bell be appointed as the Deputy Mayor Elect for 2019/20.

After further debate, the vote on the **Amended Motion** was taken, with 18 voting for and 24 voting against. The Mayor declared that the **Amended Motion was lost**.

The vote on the **Substantive Motion** was then taken, with 24 voting for and 18 voting against. The Mayor declared that the **Substantive Motion was carried**.

113 Cabinet Minutes - 13 February 2019

Councillor Margaret Smith, Leader of the Council moved to note the draft minutes of the Cabinet meeting, seconded by Councillor Caroline Moon.

Council noted the draft minutes of the Cabinet meeting held on 13 February 2019.

114 Scrutiny Committee - 14 February 2019

Councillor Matthew Tomlinson, Chair of Scrutiny moved the draft minutes of the Scrutiny Committee meeting, seconded by Councillor Colin Coulton.

Council noted the draft minutes of the Scrutiny Committee meeting held on 14 February 2019.

115 Questions to the Leader of the Council

Councillor David Howarth asked the Leader of the Council the following question:

“Could the Leader advise the Council as to the cost of production, circulation and staff time in delivering the leaflet entitled ‘Budget Proposals – Have your say?’

Given that the decision was taken at Cabinet on 13 February, in what way was this genuine consultation as opposed to statement of intent by your administration at the council tax payer’s expense?”

The Leader provided the following response:

The cost of production and delivery of the recent Green Links and Budget consultation has an estimated cost of £13,600 split equally between the two consultations to cover 49,000 properties at a cost of 27p per property, with final costs to be confirmed on invoicing. Our committed staff delivered the leaflets in their own time as per our election canvassing. The comparable cost to have enveloped and delivery by Royal Mail would have exceeded £18,000 and whereas it would take weeks to coordinate with external provider we were able to mobilise our staff within two days.

The budget is not set by Cabinet, the decision taken at that meeting was a recommendation from Cabinet to Full Council with that decision being made this evening. The consultation continued right up the day of this meeting and was reported prior to the report being presented. The Council will continue to take on board the views of its residents and evidence that the budget aligns with the priorities set in the Community Strategy and Corporate Plan.

In response to a question by a member of the public about the working definition of anti-Semitism. The Leader responded to say that she had looked into the International Holocaust Remembrance Alliance’s working definition of anti-Semitism and felt that we should treat everyone with respect and tolerance no matter what their religious background. South Ribble is a welcoming and diverse place and the Council would continue to work hard to ensure that continues.

The Leader confirmed that it was a Conservative Government that introduced the Police and Crime Commissioner's Office.

116 Questions to Members of the Cabinet

- (a) Questions to the Deputy Leader and Cabinet Member (Neighbourhoods and Streetscene)

Councillor David Howarth submitted a written question to Councillor Caroline Moon as follows:

At the meeting of the council held on 26th September 2018, you were asked about the life expectancy of a recycling bin and whether there is a rolling programme to replace stock across the borough.

In answer you gave a commitment to investigate and report back. As no answer has been forthcoming, could you now advise council -

- i) Given that recycling bins sit outside in all weathers and in all temperatures and that eventually plastic becomes brittle, what is the life expectancy of our recycling bins?
- ii) What guarantee or warranty is given by the suppliers as to the durability and after what period would they expect them to be replaced?
- iii) What is the unit cost of a bin to the local authority, and how much profit is being made on the recharge to our local council tax payers for a replacement?
- iii) The bin replacement policy states that a householder whose bin has been damaged, lost or stolen, is entering into a contract for a replacement. Given that the bins remain the property of the council, and that there is a statutory duty to empty them, what contract is being entered into as this is neither a purchase or provision of a service, and where can a written copy of the contract be found?
- iv) Why when being charged for a replacement bin, are residents being asked if they want to "waive their rights" to enable them to receive a replacement within five days, after which they will not be entitled to any refund? How does this concur with your "pay first, investigate later" policy where every resident is deemed to be guilty until proven innocent by the council, which states that if it is subsequently found that our crews are at fault you will be refunded?
- v) Why are residents who lodge a complaint being told over the telephone and in writing that if they are not happy, they should contact the "local Councillor for your area, as this was decided by them in 2017?" Something that is patently untrue. Seven members of the cabinet took this decision, which came to council to note.
Forty-three councillors at that time were denied any vote on it, either for or against.
- vi) Who has issued this instruction to Gateway staff, and are you content with the authority giving out incorrect information to members of the public to deflect the blame for what is the policy of your administration?

Councillor Caroline Moon gave the following response:

The Council collects bins from 49,000 properties each week.

The bins were introduced on the following dates,

- brown bins (green waste) were introduced in 3 phases 1999 / 2001 / 2003.
- Green Boxes 2003
- Grey Bins (residual waste) 2006, in conjunction with alternate weekly collections
- Blue bins 2010

During January 2019 FCC reported 5 bins they damaged during collection.

During January 2019 we received 255 requests for new or replacement bins, this does include new builds, 117 relate to contacts reporting damaged, stolen or lost bins.

Residents can opt to waive their rights to a cooling off period when signing up for a new bin. This is to do with the distance selling regulations, when a resident signs up to the scheme they have 14 days to change their mind, which means we don't supply the bin until after 14 days and the payments has cleared, however residents can sign away the right to cancel and this means we can supply the bin usually within 5 days.

Customers reported 5 brown bins damaged due to wear and tear rather than damage caused during collection – no charges made to customers for replacement when signing up to the scheme.

In response to a question asked by Councillor Hancock regarding weekly food collections, Councillor Moon responded by acknowledged that this was an area that was being monitored by the District Council's Network and that district councils were inputting into the discussion. At this stage it was very much a watching brief.

Councillor Renee Blow questioned whether those dogs that are exercise on extendable dog leads were under control in comparison to dogs that were off lead and could be fined up to £1000 for being so. Councillor Caroline Moon accepted that this was a valid point and offered to look into this situation with Councillor Blow outside of the meeting.

(b) Questions to the Cabinet Member (Corporate Support and Assets)

In response to a question from a member of the public, Councillor Colin Clark reiterated that no decision had been made on the use of land at Balcarres Green.

(c) Questions to the Cabinet Member (Public Health, Wellbeing and Environmental)

Councillor Jane Bell mentioned how much she had enjoyed working with Councillor Karen Walton in her role as the Shadow Cabinet Member, which was reciprocated by Councillor Walton.

(d) Questions to the Cabinet Member (Leisure and Regeneration)

In response to a question from Councillor Keith Martin, Councillor Phil Smith said that he would investigate the problems of disrepair to the gateway features across the Borough.

Councillor Matthew Tomlinson asked the Cabinet Member why the consultation on Bent Lane was being facilitated by planningforreal.org who he understood to be owned by Accord, part of the Enterprise Housing Association and asked if it was the Council's plan to build on this land.

Councillor Phil Smith responded to say that he had never heard of Accord, he had been briefed about a workshop that would take place for residents that would be facilitated by officers of the Council.

117 Questions to Chairs of Committees and My Neighbourhood Areas

None were received.

118 Questions to Member Champions and Representatives on Outside Bodies

Question to the Member Champion for the Armed Forces.

Councillor Paul Foster asked the Member Champion to look into allegations of online bullying against Councillor John Woodcock. Councillor Woodcock, is a member of the Armed Forces whose current role takes him away from his home town. Recent social media post have insinuated that Councillor Woodcock is not capable of serving his constituents.

Councillor Alan Ogilvie stated that he was against any form of online bullying and if this was found to be happening, would insist that the matter was dealt with appropriately.

Chair

Date

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