

COUNCIL

WEDNESDAY, 22ND JULY, 2020, 6.00 PM

HYBRID MEETING ACCESSIBLE VIA MICROSOFT TEAMS AND
YOUTUBE

AGENDA

- | | |
|---|-----------------|
| 1 Apologies for absence | |
| 2 Minutes of meeting Wednesday, 26 February 2020 of Council

To be signed as a correct record by the Chair. | (Pages 5 - 16) |
| 3 Declarations of Interest

Members are requested to indicate at this stage in the proceedings any items on the agenda in which they intend to declare an interest. 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 that item. If 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 their judgment of the public interest (as explained in the Code of Conduct) then they may make representations, but then must leave the meeting for the remainder of the item. | |
| 4 Cabinet

To receive and consider the report of the Cabinet held on Wednesday, 24 June 2020 attached. | (Pages 17 - 18) |
| 5 Governance Committee

To receive and consider the reports of the Governance Committee held on Tuesday, 16 June and Wednesday, 8 July attached. | (Pages 19 - 22) |
| 6 Scrutiny Committee

To receive and consider the report of the Scrutiny Committee and Scrutiny Budget and Performance Panel held on 22 June, 2 July and 9 July 2020 attached. | (Pages 23 - 28) |

7	Urgent Decisions Taken Due to COVID-19 Pandemic	(Pages 29 - 32)
	Report of the Assistant Director of Scrutiny and Democratic Services attached.	
8	Shared Services Agreement	(Pages 33 - 88)
	Report of the Shared Service Lead for Legal attached.	
9	Annual Governance Statement 2019/2020	(Pages 89 - 154)
	Report of the Director of Governance attached.	
10	Standards Annual Report	(Pages 155 - 162)
	Report of the Shared Services Lead for Legal attached.	
11	Combined Authority Update	(Pages 163 - 166)
	Report of the Deputy Chief Executive attached.	
12	Coach House Lottery Project	(To Follow)
	Report of the Director of Neighbourhoods and Development to follow.	
13	Adoption of the Climate Emergency Strategy	(Pages 167 - 234)
	Report of the Director of Neighbourhoods and Development attached.	
14	Updates to the Constitution	
14a	Constitution - Public Participation	(Pages 235 - 240)
	Report of the Director of Governance attached.	
14b	Constitution - My Neighbourhoods	(Pages 241 - 250)
	Report of the Director of Governance attached.	
14c	Constitution - Appointment and Employment Panel	(Pages 251 - 262)
	Report of the Director of Governance attached.	
15	Questions to the Leader of the Council	
16	Questions to Members of the Cabinet	
17	Questions to Chairs of Committees and My Neighbourhood Areas	

18 Questions to Member Champions and Representatives on Outside Bodies

19 Exclusion of Press and Public

To consider the exclusion of the press and public for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph(s) 4 of Part 1 of Schedule 12A to the Local Government Act 1972.

Paragraph 4: Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

20 Shared Services Terms and Conditions Review

(Pages 263 - 330)

Report of the Deputy Chief Executive attached.

Gary Hall
INTERIM CHIEF EXECUTIVE

Electronic agendas sent to Members of the Council

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

Forthcoming Meetings

6.00 pm Wednesday, 30 September 2020 - Shield Room, Civic Centre, West Paddock, Leyland, PR25 1DH

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MINUTES OF COUNCIL

MEETING DATE **Wednesday, 26 February 2020**

MEMBERS PRESENT: Councillors Harry Hancock (Mayor), Jane Bell (Deputy Mayor), Carol Chisholm, Will Adams, Jacky Alty, Renee Blow, Damian Bretherton, Aniela Bylinski Gelder, Matt Campbell, Colin Coulton, Malcolm Donoghue, Bill Evans, James Flannery, Derek Forrest, Paul Foster, Mary Green, Michael Green, Jon Hesketh, Mick Higgins, David Howarth, Cliff Hughes, Susan Jones, Chris Lomax, Jim Marsh, Keith Martin, Christine Melia, Caroline Moon, Peter Mullineaux, Alan Ogilvie, Colin Sharples, David Shaw, Margaret Smith, Phil Smith, David Suthers, Michael Titherington, Caleb Tomlinson, Matthew Tomlinson, Matthew Trafford, Angela Turner, Karen Walton, Ian Watkinson, Gareth Watson, Carol Wooldridge and Barrie Yates

OFFICERS: Gary Hall (Interim Chief Executive), Jane Blundell (Interim Section 151 Officer), Dave Whelan (Shared Services Lead - Legal & Deputy Monitoring Officer), Paul Hussey (Director of Customer and Digital), Jennifer Mullin (Director of Neighbourhoods and Development), Jonathan Noad (Director of Planning and Property) and Nina Neisser (Democratic and Member Services Officer)

PUBLIC: 23

1 Minutes Silence

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

Councillors Paul Foster, Alan Ogilvie and David Howarth paid tribute to their former friend and colleague and sent their condolences to Councillor Susan Jones and her family at this sad time.

2 Apologies for absence

Apologies were received from Councillors Colin Clark, Jacqui Mort, John Rainsbury, Stephen Thurlborn and Paul Wharton-Hardman.

3 Declarations of Interest

Councillors Michael Green and Mary Green declared a personal interest on Item 15 – Notice of Motion. On behalf of the Labour Group, Councillor Paul Foster declared a personal interest on Item 15 – Notice of Motion for their involvement in the campaign.

4 Minutes of meeting Wednesday, 29 January 2020 of Council

Minute 94 to be amended to reflect that Councillor Aniela Bylinski-Gelder stated that if Councillor Paul Wharton-Hardman put his question to her in writing, she would respond via email.

RESOLVED (Unanimously):

That subject to the above amendment, the minutes of the Council meeting held on 29 January 2020 be approved as a correct record for signing by the Mayor.

5 Mayoral Announcements

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

6 Member Champion Appointment

Council considered a proposal requested by the Armed Forces Champion, Councillor Derek Forrest, for Councillor Alan Ogilvie to be appointed as Deputy Armed Forces Champion.

RESOLVED (Unanimously):

That Councillor Alan Ogilvie be appointed as Deputy Armed Forces Champion.

7 Cabinet

Members considered the general report of the Cabinet meeting held on 12 February 2020.

The Leader of the Council, Councillor Paul Foster, advised that the Redundancy Policy, Pay Policy and 2020/21 Budget papers considered at the Cabinet meeting would be discussed later in the meeting. It was reported that Cabinet also considered the Quarter 3 Performance Monitoring Report that provided an update on the first period of performance against the objectives of the Corporate Plan 2019-23. Cabinet were pleased to note that the majority of projects were on track, in particular the improvements made to call waiting times in Gateway.

With regard to the budget monitoring for quarter 3, the Leader reported that an underspend was expected. The Cabinet approved that a Credit Union reserve be created to ensure the most vulnerable residents have access to credit. A proposed cost of £150,000 would be required to set up the Reserve for the first three years.

The Leader of the Council reported that Cabinet were also pleased to approve the capital and revenue costs to bring Worden Hall back into use with the aim to generate annual operational surplus. This was subject to the approval of the capital programme as part of the budget approval process. The submission of a planning application was also approved.

It was proposed by the Leader of the Council, Councillor Paul Foster, seconded by the Deputy Leader, Councillor Mick Titherington, and subsequently

RESOLVED that the report be noted.

8 Governance Committee

Members considered a general report of the Governance Committee meeting held on 28 January 2020.

The Chair of the Committee, Councillor Ian Watkinson reported that audit work was still ongoing. Assurances were provided that good progress was being made in relation to the Internal Audit, Performance Management and GDPR where work was being undertaken in relation to compliance.

It was proposed by the Chair of Governance Committee, Councillor Ian Watkinson, seconded by the Vice-Chair Councillor Colin Sharples, and subsequently

RESOLVED that the report be noted.

9 Scrutiny Committee

Members considered the general reports of the Scrutiny Budget and Performance Panel meeting held on 10 February and the Scrutiny Committee meetings held on 11 February (Call-in) and 13 February 2020.

The Chair of the Scrutiny Committee, Councillor David Howarth, reported that the budget and performance panel were pleased to note that 43 out of 46 projects had been met or were ongoing within the agreed targets. Members of the Committee were satisfied with the significant improvements, including the performance of the Council's business and conference centre and commended the reduction in the call waiting times at Gateway.

With regards to the budget monitoring 2019/20, an underspend of £272,000 was forecast. In response to Members' queries around the forecasted staffing underspend, the Chair reported that the Council were actively trying to fill vacancies and there had been an increase in staff recruitment.

A special meeting was held on 11 February following receipt of a call-in request, relating to the Cabinet decision to implement the recommendations of the Strategic Review of Community Involvement, including My Neighbourhoods Final Report. Following discussion, upon taking the vote, the motion was lost and the request for call-in was dismissed.

The Chair of the Scrutiny Committee advised that discussion regarding Worden Hall, and the 2020/21 Budget and Medium-Term Financial Strategy 2020/21 to 2023/24 was undertaken at the Scrutiny meeting on 13 February.

Councillor Derek Forrest advised that he had attended the call-in meeting as an observer. In response to his query about a signatory of the call-in being sat on the panel Councillor David Howarth proposed that the constitution be reviewed in relation to this. Councillor Michael Green advised that the current standing orders permit that a signatory can sit on the panel although suggested that these be looked at in the future.

It was proposed by the Chair of the Scrutiny Committee, Councillor David Howarth, seconded by the Vice-Chair Councillor Michael Green, and subsequently

RESOLVED that the report be noted.

10 Member Development

The Leader of the Council, Councillor Paul Foster provided a verbal update on the work of the Member Development Steering Group and gave an appraisal of the training and development opportunities that have recently been delivered. The Leader asked that all Members be sent a copy of the update.

It was reported that Personal Development Plans were being rolled out to all Members over the coming weeks. Following the final Mandatory GDPR training session, there were still eight members who hadn't completed the training. It was asked that a push be made on this to ensure 100% attendance by the next council meeting in April.

The Member Induction consultation had been reissued to groups via Members of the Steering Group for completion. The Leader of the Council thanked officers for delivering the Budget briefing for Members on Saturday, 22 February.

Councillor Margaret Smith queried why the Member Development Update had become a verbal update and suggested that a report received in advance on the agenda would be of greater benefit to Members. The Leader advised that this was simply an update for Members at the meeting with detailed feedback to be provided via the groups. The Annual Report would be going to Council later in the year.

It was proposed by the Leader of the Council, Councillor Paul Foster, seconded by the Vice-Chair, Councillor Carol Wooldridge, and subsequently

RESOLVED that the report be noted.

11 Redundancy Policy

Council considered a report of the Interim Chief Executive that informed members of the revised Redundancy Policy.

The council's redundancy policy was last reviewed in 2014, at this time the number of weeks payable increased by a multiplier of 2.2. This was incrementally removed over two years and the policy now only pays redundancy compensation for both Compulsory and Voluntary redundancy on the statutory number of weeks entitlement.

The Leader of the Council commended the report which proposed to reintroduce the multiplier of 2.2 for compulsory redundancies and give the Head of Paid Service delegated authority, for those seeking voluntary redundancy, to enhance the compensation payment up to equivalent of 2.2. Reassurances were made that there were no redundancies planned.

Mike Shaw, Unison Branch Representative for South Ribble, thanked the Leader for bringing forward the proposals and advised how much it would mean to staff if approved.

It was moved by the Leader of the Council, Councillor Paul Foster, seconded by the Deputy Leader, Councillor Mick Titherington and subsequently

RESOLVED (Yes: 27 No:17):

That Council approve the inclusion of the revised redundancy policy in the Pay Policy.

12 Pay Policy 2020/21

Council considered the Pay Policy report which informed Members of the Annual Pay Policy Statement for 2020/21 so that it could be agreed and published to allow the Council to comply with legislative requirements.

The Leader of the Council, Councillor Paul Foster commended the Pay Policy which included changes for apprentices and South Ribble becoming a Living Wage Employer. It was explained that the changes will ensure that with effect from 1 April 2020, an apprentice will receive the National Minimum Wage for the upper age band of 25 and over, regardless of the age of the apprentice (currently £8.72 per hour). Subject to satisfactory performance in the workplace and satisfactory progress on qualification, the apprentice will move onto the Living Wage hourly rate for the second year of the apprenticeship.

It was proposed by the Leader of the Council, Councillor Paul Foster, seconded by the Deputy Leader of the Council, Councillor Mick Titherington and subsequently

RESOLVED (Unanimously):

That Council approve the Pay Policy Statement 2020/21.

13 2020/21 Budget and Medium-Term Financial Strategy 2020/21 to 2023/24

The Deputy Monitoring Officer outlined the procedure for how the budget would be considered at the meeting, including the Council Tax vote being included within the budget. Councillor Margaret Smith requested that vote on Council Tax be taken separately as this was an individual statutory item. Members agreed that the vote be taken separately.

Councillor Matthew Tomlinson, Cabinet Member (Finance, Property and Assets) presented the Cabinet's 2020/21 Revenue Budget for the Council and the Medium-Term Financial Strategy for the next four years. This was the financial plan 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.

Councillor David Howarth, the Leader of the Liberal Democrats Group commended the budget proposals and stated the Group's support.

It was moved by Councillor Matthew Tomlinson, seconded by Councillor Paul Foster that:

1. Council approve the revenue budget for 2020/21 as set out in Appendix A.
2. Council approve that 4-year Medium Term Financial Strategy (MTFS) 2020/21 to 2023/24

3. Council approve a Council Tax increase of 1.99%
4. Council approve the Capital Strategy, Prudential Indicators and the Annual Investment Strategy as attached at Appendix D
5. Council approve the Investment Property Strategy attached at Appendix E
6. Council note the outcome of the budget consultation process
7. To approve in principle a community loan to Hoole Village Hall for £150,000, subject to completion of a due diligence process. There will be a further report to Cabinet setting out the details and making recommendations once this process is concluded.

Councillor Damian Bretherton advised that although the opposition supported most of the budget proposals, they did not support the Capital Strategy or Investment Property Strategy.

Due to potential risk, it was suggested that the Investment Property Strategy be considered as a separate paper by the Governance Committee. It was also proposed that the McKenzie Arms Scheme be revisited. The Conservative Group also identified seven Capital Schemes which they considered a priority and therefore proposed that they be added to the Capital Programme.

An amendment to the Motion was moved by Councillor Damian Bretherton, seconded by Councillor Alan Ogilvie to:

Approve the proposals for seven new capital schemes, as set out in the amended report, totalling £585,000 to the 2020/21 capital programme.

In accordance with Rule 14.12 in Part 4 of the Constitution, the Cabinet Member for Finance, Property and Assets released the closure motion and proposed the vote on the amendment be taken. This was seconded by Councillor Paul Foster.

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

FOR THE AMENDED MOTION:

Councillors Damian Bretherton, Matt Campbell, Carol Chisholm, Colin Coulton, Mary Green, Michael Green, Jon Hesketh, Cliff Hughes, Jim Marsh, Caroline Moon, Peter Mullineaux, Alan Ogilvie, Margaret Smith, Phil Smith, David Suthers, Karen Walton, Gareth Watson, Barrie Yates.

AGAINST THE AMENDED MOTION:

Councillors Will Adams, Jackie Alty, Jane Bell, Renee Blow, Aniela Bylinski Gelder, Mal Donoghue, Bill Evans, James Flannery, Derek Forrest, Paul Foster, Harold Hancock, Mick Higgins, David Howarth, Susan Jones, Chris Lomax, Keith Martin, Christine Melia, Colin Sharples, David Shaw, Mick Titherington, Caleb Tomlinson, Matthew Tomlinson, Matthew Trafford, Angela Turner, Ian Watkinson, Carol Wooldridge.

The Mayor declared that the **Amended Motion was lost** by 18 votes for and 26 votes against, with no abstentions.

Councillor David Suthers left the meeting and did not vote on the substantive motion.

Following debate, 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 Will Adams, Jackie Alty, Jane Bell, Renee Blow, Aniela Bylinski Gelder, Mal Donoghue, Bill Evans, James Flannery, Derek Forrest, Paul Foster, Harold Hancock, Mick Higgins, David Howarth, Susan Jones, Chris Lomax, Keith Martin, Christine Melia, Colin Sharples, David Shaw, Mick Titherington, Caleb Tomlinson, Matthew Tomlinson, Matthew Trafford, Angela Turner, Ian Watkinson, Carol Wooldridge

AGAINST THE SUBSTANTIVE MOTION:

Councillors Damian Bretherton, Matt Campbell, Carol Chisholm, Colin Coulton, Mary Green, Michael Green, Jon Hesketh, Cliff Hughes, Jim Marsh, Caroline Moon, Peter Mullineaux, Alan Ogilvie, Margaret Smith, Phil Smith, Karen Walton, Gareth Watson, Barrie Yates

The Mayor declared that the **Substantive Motion was carried** by 26 votes for and 17 votes against, with no abstentions.

Councillor David Suthers returned.

14 Council Tax Setting 2020-21

Councillor Matthew Tomlinson, Cabinet Member for Finance, Property and Assets presented the report to enable the Council to calculate and set the Council Tax for 2020/21. 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 2020/21.

It was moved by Councillor Matthew Tomlinson, seconded by Councillor Paul Foster:

That the formal Council Tax Resolution for 2020/21 as set out in the report be approved.

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

FOR THE MOTION:

Councillors Will Adams, Jackie Alty, Jane Bell, Renee Blow, Damian Bretherton, Aniela Bylinski-Gelder, Matt Campbell, Carol Chisholm, Colin Coulton, Mal Donoghue, Bills Evans, James Flannery, Derek Forrest, Paul Foster, Mary Green, Michael Green, Harold Hancock, Jon Hesketh, Mick Higgins, David Howarth, Cliff Hughes, Susan Jones, Chris Lomax, Jim Marsh, Keith Martin, Christine Melia, Caroline Moon, Peter Mullineaux, Alan Ogilvie, Colin Sharples, David Shaw, Margaret Smith, Phil Smith, David Suthers, Mick Titherington, Caleb Tomlinson,

Matthew Trafford, Angela Turner, Karen Walton, Ian Watkinson, Gareth Watson, Carol Wooldridge, Barrie Yates

AGAINST THE MOTION:

None

The Mayor declared that the **Motion was carried** unanimously, and it was

RESOLVED:

That the formal Council Tax Resolution for 2020/21 as set out in the report be approved.

15 Central Lancashire Memorandum of Understanding on Housing Provision and Distribution

Council considered a report of the Director of Planning and Property which recommended that Council approve the Memorandum of Understanding and Statement of Co-operation (Relating to the Provision and Distribution of Housing Land) which had been subject to consultation.

The Cabinet Member for Planning, Regeneration and City Deal, Councillor Bill Evans reminded Members that the draft MoU was considered by Full Council in November 2019. For the sake of consistency with the other two Central Lancashire authorities, the final MoU and report of consultation were being referred back to Full Council at this time.

It was reported that 27 responses had been received over the 2-week consultation period between 4 November 2019 and 15 November 2019. Feedback from this initial consultation suggested that the consultation period was too short and therefore the consultation was reopened for further a 5-week period between 9 December 2019 and 13 January 2020. A further 10 responses were received during this time.

The Cabinet Member confirmed that final housing figures meant a distribution of 32.5% or 334 Homes to be built as a minimum per annum in South Ribble. Councillor Bill Evans also highlighted an amendment to recommendation 2 which recommended that authority would be delegated to the Director of Planning and Property, not the Deputy Chief Executive as stated in the report.

Councillor Alan Ogilvie requested reassurances in regard to the potential risks associated with the MoU, the legal position with the MoU not using the Standard Housing Figures, and the consequences for South Ribble if Preston and Chorley failed to meet their minimum housing figures.

The Cabinet Member responded to state that the risks had been considered. The total number of dwellings shared between the three authorities was 1026 per annum. If one authority under-delivered this would be picked up by the remaining authorities and vice versa.

With regard to the Government's Standard Housing Method figures, the figures were constantly changing and therefore any specific questions should be directed at relevant officers.

It was proposed by Councillor Bill Evans, seconded by Councillor Paul Foster and subsequently

RESOLVED (Unanimously)

1. That Council approves the Memorandum of Understanding and Statement of Co-operation between the Central Lancashire authorities as set out in Appendix 2 of the report, to take effect immediately following the approval by Preston City Council, South Ribble Borough Council and Chorley Council;
2. That Council delegates authority to the Director of Planning and Property to amend the revised Memorandum of Understanding and Statement of Co-operation by way of minor alterations which do not effect the substance or general content of the said document prior to it taking effect;
3. That Council note that on the date of effect, the Memorandum of Understanding and Statement of Co-operation will be implemented for Development Management purposes in the determination of planning applications;
4. That Council agree the preparation of a single five-year housing land supply for the purposed of determining planning applications and appeals which will include sharing information about specific sites.

16 Notice of Motion

Councillor Chris Lomax thanked Councillor Michael Green for suggesting the friendly amendment in advance of the meeting in line with the Lancashire County Council's recent Notice of Motion and outlined the need for a 24-hour A&E at Chorley and South Ribble District Hospital.

Councillor Michael Green thanked Councillor Chris Lomax for accepting the friendly amendment and reiterated the need to Members to stand united on this issue for the residents of South Ribble and Chorley.

The agreed amended motion was moved by Councillor Chris Lomax, seconded by Councillor Will Adams.

The agreed amended motion stated:

"South Ribble Borough Council notes the recent statement published by Our Health, Our Care regarding the future of Accident & Emergency services at Chorley & South Ribble Hospital. The report indicates that A&E provision at Chorley & South Ribble Hospital would not be viable in the long term. The Council is concerned by any proposal to close Chorley & South Ribble Hospital's Accident and Emergency department.

The Council is concerned such a proposal could have a detrimental impact on the quality of health care for the local population and health care for our residents Lancashire wide and even further. South Ribble Borough Council believes that patients who previously used the A&E Department at Chorley & South Ribble Hospital need access to a sustainable and viable 24-hour Accident & Emergency department.

This Council resolves:

- To oppose any closure or downgrading of Chorley and South Ribble Hospital A&E services and A&E services across the County of Lancashire without clear truly independent clinical justification and a thorough public consultation.
- To instruct the Chief Executive to write to the Secretary of State for Health asking for them to commit to, and invest in, strengthening and enhancing all current A&E provision across Lancashire.
- To write to the Chief Executive and Board of Lancashire Teaching Hospitals Trust asking them to exhaust all possible avenues in evaluating and addressing the reasons why the A&E at Chorley & South Ribble Hospital is not deemed viable rather than simply propose to close the unit."

The motion was debated across the Chamber, with Councillors, Michael Green, David Howarth, Matthew Trafford and Will Adams speaking in favour.

Members discussed the negative impact the closure was having on local residents as well as the A&E Departments at neighbouring hospitals. Members recognised the hard work of the campaign team who had campaigned tirelessly, and special thanks were extended to those, including the late Councillor Ken Jones, who had campaigned every Saturday outside the hospital since the A&E's closure.

The vote on the motion was taken and was subsequently

RESOLVED (Unanimously):

The **motion was carried.**

17 Questions to the Leader of the Council

No questions were received.

18 Questions to Members of the Cabinet

Questions to the Deputy Leader and Cabinet Member (Health, Wellbeing and Leisure).

Following the approved Notice of Motion, Councillor Matthew Trafford asked if the Cabinet Member for Health, Wellbeing and Leisure would write to the South Ribble MP to publicly endorse the decision. Councillor Mick Titherington undertook to do so.

In response to a question from a Member of the Public regarding the felling of trees at Shruggs Wood and the removal of the fence at the biological heritage site, the Cabinet Member advised that a full detailed written response had been provided to the resident in advance of the meeting addressing their concerns.

Councillor Mick Titherington explained that a full consultation had previously taken place and himself and Councillor Matthew Tomlinson, as ward Councillors, had met with residents to discuss the work being undertaken. Reassurances were given that any health and safety issues at the site would be addressed and over 200 additional trees would be planted. Due process had been considered throughout the works and Members would continue to engage with residents going forward.

Questions to the Cabinet Member (Community Engagement, Social Justice and Wealth Building).

No questions were received.

Questions to the Cabinet Member (Finance, Property and Assets).

No questions were received.

Questions to the Cabinet Member (Environment).

No questions were received.

Questions to the Cabinet Member (Planning, Regeneration and City Deal).

Councillor Phil Smith asked the Cabinet Member if there was an update on the Leyland Board. The Cabinet Member, Councillor Bill Evans responded that another meeting had taken place to discuss projects including the Town Centre Masterplan. The meeting was well attended by Partners including Runshaw College and local businesses who were working together with the support of the MP. The appointment of Chair was still outstanding, and as this was critical to the community led process, it was hoped a Chair would soon be appointed.

19 Questions to Chairs of Committees and My Neighbourhood Areas

Questions to the Chairs of Committees

No questions were received.

Questions to the Chairs of My Neighbourhood Areas

No questions were received.

20 Questions to Member Champions and Representatives on Outside Bodies

Questions to Member Champions.

As newly appointed Deputy Armed Forces Champion, Councillor Alan Ogilvie asked the Armed forces Champion, Councillor Derek Forrest if a meeting could be set up as soon as possible with themselves and relevant officers. Councillor Derek Forrest agreed to undertake this request.

Questions to representatives of Outside Bodies.

No questions were received.

Chair

Date

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Report of Cabinet

1. Any Cabinet recommendations on the reports that require a decision by full Council appear as separate items on the agenda.

GENERAL REPORT OF THE MEETING HELD ON WEDNESDAY 24 JUNE 2020

Annual and Period 2 (Jan-Mar 2020) Performance Monitoring Report 2019/20

2. The Leader of the Council presented the report of the Interim Chief Executive which provided a summary of performance against the Corporate Plan during quarter 4 ending 31 March 2020 (period 2).
3. It was reported that overall performance during quarter 4 of 2019/2020 had been good with a number of key successes and objectives completed and the majority of projects and activities on track. 4% of projects were completed, 9% succeeding, 70% on track, 15% off track and 2% yet to start.
4. Reference was made to the impact of the COVID-19 pandemic and steps now being taken to move to the recovery phase. Cabinet had commenced work reviewing the Council's corporate priorities and re-freshing the corporate plan in light of COVID-19. The acceleration of the Digital to Improve programme to facilitate homeworking for employees was commended. Cabinet Members praised employees across the Council for maintaining services and also working on the community and business hubs.
5. The Leader reported on the recommendations of the Scrutiny Budget and Performance Panel which had considered the report the previous Monday. The Leader confirmed that he accepted all the recommendations made by the Scrutiny Panel.

Urgent Decisions Taken Due to COVID19 Pandemic

6. The Leader of the Council presented a report of the Assistant Director of Scrutiny and Democratic Services outlining the urgent decision taken due to the COVID-19 pandemic in accordance with the Council's constitution.

Implementation of Community Involvement Recommendations

7. The Cabinet Member for Community Engagement, Social Justice and Wealth Building presented a joint report of the Director of Neighbourhoods and Development and the Assistant Director of Scrutiny and Democratic Services. The report outlined how the recommendations from the cross-party review of community involvement, including My Neighbourhoods considered by the Cabinet on 22 January 2020 are to be implemented. The report also included proposed criteria for Cabinet to use when evaluating the success of the new

My Neighbourhood model trails in each of the five areas.

8. Reference was made to the successful community hub approach which had been adopted to support residents and communities as part of the COVID-19 pandemic, which would be useful learning for the Council's future approach to placing communities at the heart of everything we do.

Transfer of Land and Potential Homes at Penwortham Mills Development Site

9. The Cabinet Member for Finance, Property and Assets presented a report of the Director of Planning and Property on land at Penwortham Mills Development Site.
10. Cabinet approved the recommendations contained within the confidential report.

South Ribble Museum and Exhibition Centre

11. The Deputy Leader and Cabinet Member for Health, Wellbeing and Leisure presented a confidential report of the Deputy Chief Executive updating Cabinet on proposals for the South Ribble Museum and Exhibition centre.
12. Cabinet paid tribute to Dr David Hunt who had recently retired as Curator of South Ribble Museum and Exhibition Centre after 38 years' service to the Council and wished him well for the future.

Recommendation

13. To note the report.

COUNCILLOR PAUL FOSTER
LEADER OF THE COUNCIL

CA

Report of the Governance Committee

1. Any Governance recommendations on the reports that require a decision by full Council appear as separate items on the agenda.

GENERAL REPORT OF THE MEETING HELD ON TUESDAY 16 JUNE 2020

Draft Annual Governance Statement 2018/2019 and 2019/2020

2. The Director of Governance/Monitoring Officer presented the draft Annual Governance Statement covering the financial years 2018/2019 and 2019/2020.
3. The Annual Governance Statement for 2018/2019 was not signed off as significant governance failings that predated the submission of the Annual Governance Committee in May 2019 were identified. As a result, it was clear that the statements within the Annual Governance Statement as presented were incorrect and did not accurately reflect the position of the Council as regards the maintenance of and compliance with a robust governance framework. Following discussions with the Council's external auditor and because the Annual Governance Statement is supposed to reflect the point at which it is agreed, the statement covers the 2018/2019 and 2019/2020 financial years.
4. A number of significant governance failings were identified and follow the statutory section 24 report issued by the external auditors in 2018. The key issues were grouped around the themes of: leadership, culture, process and monitoring and review.
5. The Governance Committee approved the Annual Governance Statement in draft form for consideration by External Audit.

Internal Audit Progress Report – Audit Reports with Limited Assurance Opinion

6. It was reported that there had been 5 audit reviews where the opinion of the control environment had determined that only limited assurance could be placed on the controls in place and substantive control weaknesses existed in those areas.
7. In addition to reviews with limited assurance, a further 2 reviews in the opinion of internal audit were given a rating of no assurance.
8. The purpose of reporting on the internal audit reports was to allow the Committee to consider and note the reports. The reports feed into the Annual Governance Statement, which will be presented to Council and that would be the opportunity for Members debate any issues, such as the Health and Wellbeing Campus.

Internal Audit – Head of Audit Annual Report

9. The Committee considered the Annual Report from the Interim Head of Shared Assurance Services which covered the period 1 April 2019 to 31 March 2020. The report also provided the Head of Internal Audit's overall opinion on the adequacy and effectiveness of the Council's framework of governance, risk and control.
10. During the year 92.54% of the planned internal audit work had been completed (based on the original audit plan for 2019/2020). Internal Audit achieved a 100% acceptance rate for its recommendations/agreed management actions relating to the reports completed and management actions agreed.
11. The committee were advised that overall the Council has a sound governance framework in place and in general has appropriate policies, rules, regulations and procedures in place. However, there have been failings in regards to management controls, fundamental failures and weakness of internal controls and the disregarding of existing policies in some circumstances.

Update of Closure of Accounts 2019/20

12. The deadlines for the closure of the Council's accounts have been amended by the Government in response to the COVID-19 pandemic. The audited financial statements for 2019/2020 are to be published by 30 November 2020. A meeting of the Governance Committee has been arranged for 24 August 2020 to consider the draft financial statements.
13. It was noted that the Council was on track to deliver the financial statements in accordance with the revised timescales.

COUNCILLOR IAN WATKINSON
CHAIR OF THE GOVERNANCE COMMITTEE

CA

Report of the Governance Committee

1. Any Governance recommendations on the reports that require a decision by full Council appear as separate items on the agenda.

GENERAL REPORT OF THE MEETING HELD ON WEDNESDAY 8 JULY 2020

Appointment and Employment Panel

2. The committee considered a report which proposed updating the Council's constitution in relation to the terms of reference for the Appointment and Employment Panel.
3. Currently, the constitution does not contain any written terms of reference for the Council's Appointment and Employment Panel. The role of the Panel was approved by Full Council in October 2016 and the proposed terms of reference have been drafted to take into account the report presented at the time.
4. Committee approved the proposed terms of reference for the Appointment and Employment Panel for submission to Full Council, subject to the inclusion of deputies for key roles in the process.

My Neighbourhoods

5. The Committee was presented with a report that proposed amended wording to the Council's constitution relating to My Neighbourhood Procedure Rules (Standing Orders)
6. The report proposed to rename My Neighbourhood areas as "My Neighbourhood Community Hubs", building on the success of South Ribble Together and other ancillary changes around streamlining decision making.
7. Committee approved the proposed amended wording to the My Neighbourhood Area Procedure Rules (Standing Order) be approved for submission to Full Council.

Public Participation

8. The Shared Services Lead – Legal and Deputy Monitoring Officer presented a report proposing changes to procedures in council meetings whilst restrictions due to the coronavirus pandemic continue.
9. The report proposed that for Planning Committee 3 members of the public for an application and 3 people against who register in advance are allowed to speak for up to 4 minutes each. A similar approach was proposed for Licensing Committee. For all other committees, including Full Council, the public would not have the right to speak. Committee Member views were sought on the approach to be taken with regards the participation of

councillors not on committee.

10. The proposals outlined within the report for public participation were approved for submission to Full Council.

COUNCILLOR IAN WATKINSON
CHAIR OF THE GOVERNANCE COMMITTEE

CA

Report of Scrutiny Committee

1. This report summarises the business considered at the meetings of the Scrutiny Budget and Performance Panel held on 22 June and 2 July 2020 and the meeting of the Scrutiny Committee held on 9 July 2020.

SCRUTINY BUDGET AND PERFORMANCE PANEL – 22 JUNE

Year End and Quarter 4 (Jan - Mar 2020) Performance Monitoring Report 2019/20

2. The Leader of the Council, Councillor Paul Foster, and the Interim Chief Executive, Gary Hall, presented a report on the performance of the Corporate Plan at the end of Quarter 4.
3. The report set out the performance between January and March 2020 against the delivery of the Corporate Plan projects and objectives.
4. We were pleased that the current timescales of 36 out of 43 projects have been met or are within the agreed targets.
5. Given recent issues surrounding the council's Annual Governance Statement, we welcomed assurances that the data provided in the report was robust.
6. We mainly considered the impact of the COVID-19 pandemic on the Council's performance and were pleased that, although a significant financial impact was anticipated in the next year, the pandemic had a minimal impact on performance in Quarter 4.
7. We noted that a member working group on business recovery post-COVID-19 had been established to look at how the Council could provide local businesses with support and access to funding.
8. We were satisfied that some of the targets within the Corporate Plan would be reviewed as a result of COVID-19 and as part of a refresh of the Corporate Plan in September 2020 and that we would receive further information on this.
9. In response to our queries around the surplus site review, which was off-track, we were pleased that an additional staff member had commenced work on the project and that this was identified as a priority by the Leader and the Interim Chief Executive.
10. We also requested further information on the cost breakdown for the implementation of Tempo time credits and look forward to receiving a copy of the ICT Benefit Realisation Plan once finalised.
11. We noted the report, commended the Council's response to the COVID-19 pandemic and the recovery plans and thanked the Leader and Interim Chief Executive for their attendance.

SCRUTINY BUDGET AND PERFORMANCE PANEL – 2 JULY 2020

Coach House Lottery Project

12. The Cabinet Member for Health, Leisure and Wellbeing, Councillor Mick Titherington, presented a report on the costs of the restoration of the Coach House building in

Hurst Grange Park, Penwortham. We were also joined by the Leader of the Council, Interim Chief Executive, the Director and Assistant Director of Neighbourhoods and Development, the Assistant Director of Projects and Development and the council's Landscape Officer

13. We considered the report as a result of members' concerns regarding an increase in expenditure on the project.
14. We queried the level of involvement of the Cabinet Member in the project and were informed in response that the Cabinet Member was aware of the project prior to his appointment as portfolio holder and that he had been taken part in a Full Council vote to approve the application for National Lottery funding.
15. Whilst we acknowledged that the council had not yet accepted the funding offer by the National Lottery as this would be a decision for Full Council, it was suggested that the council could accept a portion of the offered funding, but this was unlikely due to the significance of the achievements in being offered the funding. We urged the Cabinet Member to re-visit the project and scale it down to make it more affordable whilst restoring the existing Coach House structure.
16. We queried why the project had not been included in the council's Corporate Plan and the impact that this would have on monitoring the project. Consequently, we asked that future reports agreeing the capital programme provide greater details of each project to ensure Members are making informed decisions.
17. Discussion focused on the lack of transparency around the increase in costs of the project. Although the increased costs had been reported to Full Council in February 2019 and February 2020 and to Cabinet in June and October 2019, this was not readily identifiable and we asked that any items committing the Council to significant costs or expenditure be approved by Cabinet or Council as appropriate.
18. We also requested that the Council reviews its scheme of delegation to Members and Officers to clarify roles and responsibilities for decision-making, including documenting decisions and ensuring they are open and transparent, and that the Project Management Framework is reviewed with a view to strengthening project approvals, monitoring and dealing with any deviations.
19. Similarly, we queried the level of stakeholder engagement in the project including ward members, Penwortham Neighbourhood Forums and Penwortham Town Council. We recommended that greater links are established between the new My Neighbourhood Forums model and key projects as part of the Council's commitment to putting communities at the heart of everything we do and that members are briefed and engaged in key the projects and activities taking place in their ward and local area.
20. It was suggested that further consultation could be undertaken prior to a decision being taken by Full Council and we were receptive to this.
21. In response to queries around the evidence base for the project considering the number of similar venues in South Ribble, we were assured that officers were confident that there is a need for and interest in the building. The impact on Hurst Grange Park and the wider community had also been considered.

22. Concern was expressed that the implication contained in the report that a rejection of the grant by Full Council '*could generate negative publicity for the council*' was unwarranted given the lack of engagement with members. It was agreed that this comment would be revised.
23. As a result of concern that the tender process for works to the Coach House did not mention commercial category pricing for bidding contractors, which would protect the council's financial liability, we requested a review of the process for bidding for and accepting external funding takes place to ensure that approvals are in place and risks are effectively managed.
24. We queried the lessons learnt as a result of the meeting and a lack of transparency and stakeholder engagement was acknowledged. Commitment to improvements in these areas was provided.
25. We noted the report and I thanked those in attendance and commended the Friends of Hurst Grange Park, Councillor Mick Titherington and Greg Clark for their work.

SCRUTINY COMMITTEE – 9 JULY 2020

South Ribble Partnership Update

26. The Leader of the Council, Councillor Paul Foster, the Interim Chief Executive, Gary Hall, and the South Ribble Partnership Manager, Howard Anthony, presented an update on the work of the Partnership.
27. We queried the collaborative approach of the Partnership and were informed that prior to the COVID-19 outbreak, partnerships with other agencies and organisations were still in development but the common goals of partners had been strengthened by work during the pandemic and greater cooperation was now possible.
28. We requested a progress update on implementation of the Refernet service and were informed that 30 organisations had signed up to participate to date, including KEY and Preston Community Transport, and that this would help with the 'one front door' approach to accessing support services.
29. We welcomed greater links between the Partnership and Chorley Public Service Reform Board as this is a similar model to the Partnership and works with similar partners in Chorley.
30. We queried the resources provided by partners and it was emphasised that the Partnership is reliant on collaboration and cross-sector working, as opposed to financial contribution.
31. The method for measuring success of the Partnership's action plan was also questioned and we were advised that metrics for this are still in development and could change as a result of the COVID-19 pandemic. Further information would be provided once known.
32. A further update on the work of the Partnership will be provided to the Scrutiny Committee in January 2021 and we look forward to receiving this.

33. We noted the report and I thanked those in attendance and commended the work of the Partnership in supporting our communities during the COVID-19 pandemic.

Worden Hall Progress Update

34. The Cabinet Member for Finance, Property and Assets, Councillor Matthew Tomlinson, and the Director of Planning and Property (Jonathan Noad) presented a report on the progress of the Worden Hall project.
35. We queried the budget and forecast expenditure for the employment of Purcell and requested that these figures be provided.
36. We expressed interest in how the project would meet the Council's aim to be carbon neutral by 2030 and supported the commitment to reducing the carbon footprint of the Hall.
37. We queried what progress could be expected by the next meeting and requested a further update on the procurement process.
38. We welcomed the offer of regular updates from the Council's consultants on the project.
39. We noted the report and I thanked the Cabinet Member and Director for their attendance.

Scrutiny Portfolio Update: Planning, Regeneration and City Deal

40. The Cabinet Member for Planning, Regeneration and City Deal, Councillor Bill Evans, and the Director of Planning and Property, Jonathan Noad, presented an update on the work of the portfolio since May 2019.
41. We were interested to note the key priorities for the portfolio, and we wish the Cabinet Member well with these over the next 12-18 months.
42. We were informed that the portfolio had been involved in the relief efforts against COVID-19, with the council's Investment and Skills team providing general support to businesses within South Ribble, including authorising grants. Potential impact on the housing market was also acknowledged.
43. We requested an update on the Penwortham and Bamber Bridge Masterplans and were informed that work on the Penwortham Masterplan would begin within the current financial year. We look forward to progress being made on all masterplans.
44. We queried the membership of the Town Deal Board and were provided with a comprehensive list of members. Although we questioned why an elected member for the County Council was not on the Board, we were advised that an officer was nominated to represent the County Council.
45. In light of recent approval of a hot food takeaway by the Planning Committee and recent advice by the Director of Public Health, we requested that consideration be given to a planning policy on hot food takeaways.
46. We asked that an update on the homelessness strategy be provided to members.

47. Progress on the extra care facility project was queried and we were informed that the Cabinet Member had visited a similar facility in Chorley and that two potential sites in South Ribble had been identified for the facility. A report would be provided to Cabinet in September 2020 and we welcomed the offer of visiting the facility in Chorley.
48. An update on progress in unlocking the Pickering's Farm site for development was requested and we were advised, in response, that the masterplan was due to be presented to the Planning Committee and applications would soon be submitted for the cross-borough link road and the development.
49. We noted the report and I thanked the Cabinet Member and Director of Planning and Property for their attendance.

Registered Providers (Housing Associations) Report

50. We received a report identifying the registered housing providers in operation across South Ribble, which the committee had previously requested.
51. We felt it would be beneficial to invite Progress Housing and Accent Housing to a meeting to gain further insight into their work and stock.
52. However, it was felt that this meeting should be deferred until such a time where normal meetings can resume following the outbreak of COVID-19, to enable and encourage greater public participation.

Recommendations

That Council note the report.

COUNCILLOR DAVID HOWARTH
CHAIR OF THE SCRUTINY COMMITTEE
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REPORT TO	ON
COUNCIL	Wednesday, 22 July 2020



TITLE	PORTFOLIO	REPORT OF
Urgent Decisions Taken Due to COVID-19 Pandemic	Leader of the Council	Assistant Director of Scrutiny and Democratic Services

Is this report confidential?	No
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PURPOSE OF THE REPORT

1. To formally report to Council on the urgent decisions taken in accordance with the Council's constitution due to the COVID-19 pandemic.

PORTFOLIO RECOMMENDATIONS

2. Council is asked to note the report.

REASONS FOR THE DECISION

3. To ensure the Council is made aware of the urgent decisions taken in accordance with the Council's constitution.

CORPORATE OUTCOMES

4. The report relates to the following corporate priorities: (tick all those applicable):

Excellence, Investment and Financial Sustainability	✓
Health, Wellbeing and Safety	
Place, Homes and Environment	

Projects relating to People in the Corporate Plan:

Our People and Communities	
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BACKGROUND TO THE REPORT

5. Due to the COVID-19 pandemic the Council was required to cancel all Member meetings. It was therefore necessary to use the urgent decision procedure in accordance with section 35 of the Council's constitution.
6. The constitution allows for urgent decisions to be taken by the Chief Executive in consultation with the Leader/relevant Cabinet Member.
7. Additionally it was decided that the Scrutiny Chair should confirm that he was satisfied that there was genuine urgency before any urgent decision was taken (rather than just where decisions might be outside the budget or policy framework as required in the constitution).
8. Urgent decisions were only taken where this was absolutely necessary and where possible advance notice was provided that the decision was to be taken in the weekly update sent to all Members.
9. In order to provide full transparency the decision reports and notices were published on the Council's website.

PROPOSALS

10. Council is asked to note the following urgent decisions, which were taken in accordance with the Council's constitution:

18 March 2020	Designation of Section 151 Officer
20 March 2020	Station Road, Bamber Bridge Site Conversion to Affordable Rented Accommodation
23 March 2020	Green Links Capital Programme
23 March 2020	Works to Civic Conference and Business Centre – phase 2
25 March 2020	Rent Relief on Council owned tenancies, including Leyland Market during the COVID-19 event
1 April 2020	COVID19 response business grants of £10,000 and £25,000
7 April 2020	Expanded Retail Discount 2020/2021
17 April 2020	Adoption of the proposed Licensing Act 2003 statement of policy
19 May 2020	COVID-19 Response Budget
21 May 2020	Council Tax S13A(1)(c) Hardship Policy
21 May 2020	Procurement and appointment of specialist disabled facilities equipment
27 May 2020	COVID19 Response Discretionary Business Grants

10 June 2020	Mobile Phone Contract Renewal
16 June 2020	Appointment of Independent Persons and Independent Panel
25 June 2020	ERDF Reopening High Streets Funding
10 July 2020	Holiday Hunger Scheme – Summer 2020

A copy of the reports and decision notices were published when the urgent decisions were taken and are available by following this weblink:

<https://southribble.moderngov.co.uk/ecCatDisplay.aspx?sch=doc&cat=13240>

CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

11. Consultation details were included in the individual urgent decision reports considered.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

12. Not applicable to this report. Alternative options were included in the individual urgent decision reports considered.

AIR QUALITY IMPLICATIONS

13. None as a result of this report. Implications were included in the individual urgent decision reports considered.

RISK MANAGEMENT

14. None as a result of this report. Risk issues were included in the individual urgent decision reports considered.

EQUALITY AND DIVERSITY IMPACT

15. None as a result of this report. Equality and diversity impact was included in the individual urgent decision reports considered.

COMMENTS OF THE STATUTORY FINANCE OFFICER

16. This report informs Council of the urgent decisions taken. Statutory Finance Officer comments were provided on each of the urgent decisions taken.

COMMENTS OF THE MONITORING OFFICER

17. We are satisfied that the decisions that have been made are in accordance with the relevant provisions of the Constitution. Clearly the exceptional circumstances we were confronted with required a more extensive use of urgency powers than would normally be the case.

BACKGROUND DOCUMENTS

Individual urgent decisions reports listed above are available by following this weblink:

<https://southribble.moderngov.co.uk/ecCatDisplay.aspx?sch=doc&cat=13240>

APPENDICES

There are no appendices to this report.

Darren Cranshaw
Assistant Director of Scrutiny and Democratic Services

Report Author:	Telephone:	Date:
Darren Cranshaw (Assistant Director of Scrutiny & Democratic Services)	01772 626612	10/07/20

REPORT TO	ON
COUNCIL	22 July 2020



TITLE	PORTFOLIO	REPORT OF
Shared Services Agreement	The Leader	Shared Services Lead - Legal

Is this report confidential?	No
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PURPOSE OF THE REPORT

1. To inform members of proposed changes to the Shared Services Agreement which has been redrafted to reflect the changes to the shared services provision and improvements based on experiences.

PORTFOLIO RECOMMENDATIONS

2. That the draft Shared Services Agreement at Appendix 1 be approved for signing.

REASONS FOR THE DECISION

3. There is a need to update the existing Shared Services agreement with Chorley Borough Council to reflect the greater scope of services shared and to effect some desired improvements based in practice.

EXECUTIVE SUMMARY

4. The original shared services agreement was completed in 2007. Since that date there has been a significant extension to the services being shared with a greater part of both South Ribble and Chorley Council's staff being shared.
5. There has also been some learning in relation to the operation of the shared services agreement and it is clear that the document itself would no longer meet the needs of the councils. As a result, the Shared Services Joint Committee instructed that a new agreement be prepared.

6. The new agreement is presented with this report.

CORPORATE OUTCOMES

7. The report relates to the following corporate priorities:

Excellence, Investment and Financial Sustainability	X
Health, Wellbeing and Safety	
Place, Homes and Environment	

Projects relating to People in the Corporate Plan:

Our People and Communities	
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BACKGROUND TO THE REPORT

8. Shared Services was established between SRBC and CBC in 2007 and the councils adopted an agreement which met the needs of them at the time. The agreement on the whole has worked well and served its purpose; however, its content has not been reviewed or amended since the inception.
9. There are two drivers to update the agreement: -
- The extension of the scope of shared services; and
Issues that have arisen during the period of shared services which are not specifically addressed by terms within the agreement.
10. The extension of shared services significantly increases the number of staff shared by the councils and therefore requires more significant governance arrangements to account for this. In addition, both councils have committed to the further extension of shared services between them and the changes provide a mechanism for this.
11. The final issue relates to the deficiencies in the current agreement in particular in relation to the non-employing council's responsibilities to staff within the shared service, and indeed given the intentions around closer working between the councils, the wider staff establishment.

PROPOSALS

12. Members will note that the agreement is split into a main body and schedules. It is not intended to go through the whole detail of the document but to identify key changes within it to the existing document and to explain and seek agreement to the principles used and approaches identified. Sections of this report will relate to the format of the proposed agreement.

THE AGREEMENT (MAIN BODY)

13. This is essentially the terms of the contract between the councils. Many of these contractual terms follow those that exist within the current shared services agreement. The main points to note for change are: -
 - 13.1 Paragraph 4 Financial Arrangements. At present this mirrors the existing agreement referencing shared services on a purely financial basis, considering a monetary cost of service delivery only, a balancing payment mechanism. The intention is to amend this provision to reflect the desire to extend shared services in a planned way. It is proposed to replace the Resources Plan requirement with a wider Business Plan which Joint Committee will have overall responsibility for. This will still contain a resources plan looking at current financial need for the services, but will allow for resources to be allocated to the planning of the extension and subsequent implementation of any changes to shared services.
 - 13.2 Paragraph 10 Standing Orders. Members will note (and this will be addressed later in the report) that the proposed Agreement gives a greater role to the Joint Committee in the management and oversight of the Shared Services. It is therefore necessary to have clear governance arrangements for the meetings of this Committee. The clause introduces the proposed Standing Orders and these will be considered in more detail under Schedule 1.
 - 13.3 Paragraph 12 Liabilities. This clause is specifically amended, with the councils agreeing to indemnify each other in the event of a third party claim being brought as a result of their conduct. As stated above this was to specifically address the situation where the conduct or actions of a non-employing council have led to a claim being brought.
 - 13.4 Paragraph 14 Staffing. Although not an amendment it ensures that the employing council retains authority over their posts whilst meeting shared services obligations over co-operation.
 - 13.5 Paragraphs 15 and 16 Costs and Liabilities in respect of the Joint Committee and Funding in relation to the Joint Committee. These are clauses which are to provide for the development of the role of the Joint Committee and may not have immediate effect but will enable the Joint Committee to

receive funding directly if they are to lead on development of future shared services work.

13.6 Paragraph 22 Data Processing. This has been substantially updated to reflect the requirements introduced by the General Data Protection Regulations.

13.7 Paragraph 25 Scrutiny and Audit. At the request of the councils' respective leaders each council will set up their own scrutiny and audit functions which will oversee the operation of the Joint Committee.

Schedule 1 – Constitution of the Joint Committee

14. To recognise that the function and scope of the Joint Committee is proposed to be extended a proper constitution has been prepared which provides a governance framework for the work and decision making of the Joint Committee. This largely mirrors the standing orders of the Partner Authorities. Whilst this may appear formal, the rules can of course be waived but will provide a strong decision-making framework that is both robust and transparent.
15. As part of the extension of the scope of responsibilities for the Joint Committee they are being asked to oversee performance of the existing shared services but also consider through a business plan proposal for the extension of shared services. It is important that the partner authorities have some ability to call in decisions of the Joint Committee for consideration by their own Executive. This is specifically addressed by this paragraph. This helps to maintain the sovereignty of each council.

Schedule 2 – Functions and Scope of Responsibility

16. This extends the scope of responsibility of the Joint Committee to include not only the existing and new services but also for:
 - a. Management and Performance
 - b. Preparation and delivery of a Shared Services Business Plan
 - c. Development of proposals for the extension of shared services.
17. This extension recognises that formerly, the decision making processes were cumbersome and actually discouraged the further development of shared services with it being unclear who was driving any works. There was no single body authorised to do this or to receive proposals which would then be perceived as coming from one authority or the other undermining the shared approach. By extending the function of the Shared Services Joint Committee, to place this work within its scope, any proposals developed are immediately “shared”.
18. It is still the intention that all proposed changes should be approved by the respective Councils as can be seen within the Constitution at Schedule 1.

19. This provision is not making the Joint Committee wholly autonomous, and they will have to work within the parameters set by the 2 councils, however, by having a single decision making body to develop these proposals this will simplify and speed up the process, whilst ensuring that the councils themselves actually make the decision on implementation.

Schedule 3 – Shared Services

20. To reflect that there has been a significant change to the content of the teams within shared services they are listed in their respective tables.

Schedule 4 – Support Services

21. Confirms which authorities will provide support to the Joint Committee.

Schedule 5 – Relevant Employees

22. This is a list of newly established posts who were in place prior to the 1 April, as opposed to the employees in Schedule 3 who are in existing posts.

Schedule 6 – Exit Management Plan

23. This was absent from the existing shared services agreement and whilst it is not expected to be used it is good practice to have this in place.

Schedule 7 – Address for Service

24. This is a standard provision providing clarity for the parties on service of documents.

CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

25. The draft agreement was considered by the Shared Services Joint Committee

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

26. Given both councils formally decided to extend shared services it was necessary to amend and update the agreement – on a practical level that was an inevitable step.

AIR QUALITY IMPLICATIONS

27. There are no direct air quality implications arising from the report.

RISK MANAGEMENT

28. One of the principal purposes of the new Shared Services arrangements is to make teams more robust and resilient – thus reducing the risks faced by both

councils. This includes a number of key corporate functions such as Human Resources, Finance, Democratic Services and Legal.

EQUALITY AND DIVERSITY IMPACT

29. There are no adverse implications on equality and diversity as a consequence of these proposals.

COMMENTS OF THE STATUTORY FINANCE OFFICER

30. No Comment

COMMENTS OF THE MONITORING OFFICER

31. The legal implications in respect of the updated shared services agreement are contained within the body of the report.

There are no background papers to this report

APPENDIX

Shared Services Agreement

LT Member's Name – David Whelan – Shared Services Lead - Legal

Report Author:	Telephone:	Date:
Dave Whelan	01772 625247	06/07/20

Dated 2020

Joint Committee Agreement
relating to the provision of shared services

between

- (1) Chorley Borough Council
- (2) South Ribble Borough Council

2020

BETWEEN

- (1) **CHORLEY BOROUGH COUNCIL** of Civic Offices, Union Street, Chorley, Lancashire PR7 1AL ("Chorley"); and
- (2) **SOUTH RIBBLE BOROUGH COUNCIL** of Civic Centre, West Paddock, Leyland PR25 1DH ("South Ribble") (together, "the Partner Authorities").

BACKGROUND

- (A) The Partner Authorities are local authorities for the purposes of the Local Government Act 1972 and best value authorities for the purposes of the Local Government Act 1999.
- (B) In 2008, the Partner Authorities wished to collaborate in the provision of certain services across the respective administrative areas of both the Partner Authorities and so entered into an Administrative Collaboration Agreement dated 23rd December 2008. The Partner Authorities established and participated in a joint committee (Joint Committee) under sections 101(5) and 102 of the Local Government Act 1972 to jointly deliver certain of their functions with a view to their more economical, efficient and effective discharge (Partnership).
- (C) The Partner Authorities have now agreed to extend and develop the services they share and have entered into this Agreement in reliance on the exclusive rights given to local authorities to undertake administrative arrangements of this nature in section 101, 102, 112 and 113 of the 1972 Act and the regulations made under the 1972 Act together with the general power within section 1 of the Localism Act 2011.

OPERATIVE PROVISIONS

1. DEFINITIONS AND INTERPRETATION

In this Agreement:

- 1.1 the following expressions have the following meanings unless inconsistent with the context:

"Additional Funding

Requirement”

shall have the meaning set out in clause 4.7

"Additional Payment"

an additional payment required to be paid by a Partner Authority as a result of a Reconciliation

"Annual Meeting"

the annual meeting of the Joint Committee

"Agreed Functions"	Those functions set out in Schedule 2 which have been delegated to the Joint Committee in the matter described in Schedule 1
"Assets"	all and any assets used by the Joint Committee including all items of furniture, information technology (including Software) and all other equipment supplied by the Partner Authorities for use by the Joint Committee
"Asset Register"	an inventory of all of the Assets used by the Joint Committee in the delivery of the Shared Services
"Business Day"	any day other than a Saturday or Sunday or a public or bank holiday in England
"Chief Executive"	the head of paid service at each Partner Authority for the purposes of Section 4 of the Local Government and Housing Act 1989
"Commencement Date"	the date of this agreement
"Continuing Costs"	all costs (excluding the Set Up Costs) reasonably and properly incurred by the Joint Committee in carrying out the Shared Services
"Controller"	as defined in the Data Protection Legislation
"Data Protection Legislation"	the UK Data Protection Legislation and any other European Union legislation relating to personal data and all other legislation and regulatory requirements in force from time to time which apply to a party relating to the use of Personal Data (including, without limitation, the privacy of electronic communications) and the guidance and codes of practice issued by the relevant data protection or supervisory authority and applicable to a party.
"Data Subject"	as defined in the Data Protection Legislation.
"Employing Partner Authority"	the Partner Authority employing each Relevant Employee
"European Economic Area"	the economic area encompassing all of the member states of the European Union and the European Free Trade Association with the exception of Switzerland
"Exempt Information"	any information or class of information relating to this Agreement which may fall within an exemption to disclosure under FOI Legislation
"Exit Management Plan"	the plan referred to in Schedule 6

"Financial Year"	means each twelve month period from 1st April to 31st March
"FOI Legislation"	the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 and any subordinate legislation
"Force Majeure Event"	the occurrence of: (a) war, civil war, armed conflict or terrorism, or (b) nuclear, chemical or biological contamination unless the source or cause of the contamination is the result of actions of the Affected Party, (c) pressure waves caused by devices travelling at supersonic speeds (d) strike, lock-out or civil unrest (in each case whether involving the workforce of the Affected Party or any other party) which directly causes any party ('the Affected Party') to be unable to comply with all or a material part of its obligations under this Agreement
"Information Request"	a request for information under FOI Legislation
"Insurer"	for the purposes of clause 13, an insurer of Chorley or South Ribble as the case may be
"Intellectual Property Rights"	rights in the Partner Authority Data and Joint Committee Data and any and all patents, trademarks, service marks, design rights (whether registrable or otherwise), applications for any of the foregoing, copyright (including rights in Software or any Assets), database rights, know-how, trade secrets, confidential business information, trade or business names and any similar or analogous rights to any of the above, whether arising or granted under Legislation of any jurisdiction
"Joint Assets"	as defined in clause 9
"Joint Committee"	the Joint Committee already established and referred to in clause 3 of this Agreement and known as the Chorley and South Ribble Shared Services Joint Committee
"Joint Committee Constitution"	the constitution of the Joint Committee set out at Schedule 1 of this Agreement
"Joint Committee Data"	all materials, documents or data howsoever arising and acquired brought into existence or used by the Joint Committee in relation to the discharge of the Shared Services but excluding Partner Authority Data

"Legislation"	any statute, statutory instrument, subordinate legislation, standard, law, proclamation, order, resolution, notice, rule of court, bye-law, directive, code of conduct or other instrument or requirement having the force of Law within any national or local jurisdiction issued, declared, passed or given effect to in any manner by HM Parliament, the legislation making institutions of the European Union, any court or other judicial forum, any Commission of Inquiry, local authority, statutory undertaking or relevant authority or any other body or person having such power
"LGPS Regulations"	the Local Government Pensions Scheme Regulations 1977 (as amended)
"Member"	a member of a Council elected pursuant to the Local Government Act 1972 and Part I of the Representation of the People Act 1983
"Partner Authority Data"	all materials, documents or data howsoever arising and acquired brought into existence or used in relation to the discharge of the Shared Services relating solely to one Partner Authority
"Partnership leader"	the Shared Deputy Chief Executive being the officer with responsibility for managing the Shared Services on behalf of the Partner Authorities
"Pension Scheme"	the Local Government Pension Scheme
"Personal Data"	personal data as defined in the Data Protection Legislation.
"Personal Data Breach"	as defined in the Data Protection Legislation.
"Political Group Leader"	a person designated as the leader of a political group in accordance with the Local Government (Committees and political Groups) Regulations 1990
"Processor"	as defined in the Data Protection Legislation
"Receiving Authority"	the Partner Authority receiving employees as a result of a Relevant Transfer
"Reconciliation"	the calculation to be performed every six months from the date of this Agreement to determine whether: <ul style="list-style-type: none"> (a) the Continuing Costs incurred have been incurred equally by the Partner Authorities; or

	(b) the Continuing Costs have been incurred unequally by the Partner Authorities and an Additional Payment and/or Reimbursement is required
"Regulations"	the Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended or modified from time to time
"Reimbursement"	a reimbursement of Continuing Costs required to be paid to a Partner Authority as a result of a Reconciliation
"Relevant Employee"	as at the Commencement Date those staff holding services and related posts as set out in Schedule 5 and any member of staff who on a Relevant Transfer would transfer to a new employer
"Relevant Transfer"	a relevant transfer for the purpose of the Regulations
"Resource Plan"	a budget in such form as may from time to time be directed by the Joint Committee
"Scrutiny"	Shall mean the functions referred to in section 21(2) of the Local Government Act 2000
"Secretary"	the Shared Director of Governance for the Partner Authorities or such Officer performing similar duties as the Partner Authorities shall nominate to the Joint Committee from time to time
"Service Level Agreement"	a formal agreement entered into by the Partner Authorities that describes the services to be delivered and defines and governs service delivery standards and the respective responsibilities of those Partner Authorities and any annual review.
"Services Specification"	the services set out at Schedule 3
"Set Up Costs"	the costs jointly incurred and the budget approved by each Partner Authority by way of financial contribution to the establishment of the Shared Services
"Shared Deputy Chief Executive"	means the Deputy Chief Executive shared by the Partner Authorities
"Shared Chief Finance Officer"	the officer designated by the Partner Authorities as the person responsible for the proper administration of its financial affairs, as required by section 151 of the Local Government Act 1972, as notified to the Joint Committee from time to time;

"Shared Personal Data"	those Personal Data shared between the Partner Authorities in connection with the Shared Services.
"Shared Services:	those services which are detailed in Schedule 3, insofar as these are Agreed Functions which have been delegated to the Joint Committee; to include such additional services as are agreed to by the Partner Authorities and delegated to the Joint Committee
"Software"	any and all computer programs in both source and object code form, including all -modules, routines and sub-routines of such programs and all source and other preparatory materials relating to them, including user requirements, functional specifications and' programming specifications, ideas, principles, programming languages, algorithms, flow charges, logic, logic diagrams, orthographic representations, file structures, coding sheets, coding and any manuals or other documentation relating to them and computer generated works
"Support Services"	those services detailed in schedule 4, or any additional support services added in accordance with clause 8.2, which are required to assist the Joint Committee in the discharge of the Agreed Functions
"Transferring Authority"	the Partner Authority employing any or all of the Relevant Employees immediately prior to a Relevant Transfer
"Treasurer"	the Shared Chief Finance Officer
"UK Data Protection Legislation"	all applicable data protection and privacy legislation in force from time to time in the UK including the General Data Protection Regulation ((EU) 2016/679) ('GDPR'), the Data Protection Act 2018, the Privacy and Electronic Communications Directive 2002/58/EC (as updated by Directive 2009/136/EC) and the Privacy and Electronic Communications Regulations 2003 (SI 2003/2426) as amended

- 1.2 A reference to any statute or statutory provision shall, unless the context otherwise requires, be construed as including references to any earlier statute or the corresponding provisions of any earlier statute, whether repealed or not, directly or indirectly amended, consolidated, extended or replaced by such statute or provision, or re-enacted in any such

statute or provision, and to any subsequent statute or the corresponding provisions of any subsequent statute directly or indirectly amending, consolidating, extending, replacing or re-enacting the same, and will include any orders, regulations, instruments or other subordinate legislation made under the relevant statute or statutory provision.

- 1.3 Clause, schedule and paragraph headings shall not affect the construction and interpretation of this Agreement.
- 1.4 The schedules form part of this agreement and shall have effect as if set out in full in the body of this agreement and any reference to this agreement includes the schedules.
- 1.5 A reference to one gender shall include a reference to other genders and words in the singular shall include the plural and vice versa,
- 1.5 A reference in this Agreement to any clause, paragraph or Schedule is, except where it is expressly stated to the contrary, a reference to a clause or paragraph of or Schedule to this Agreement.
- 1.6 Any reference to this Agreement or to any other document unless otherwise specified shall include any variation, amendment or supplements to such document expressly permitted by this Agreement or otherwise agreed in writing between the relevant Partner Authorities.
- 1.7 Words preceding "include", "includes", "including" and "included" shall be construed without limitation by the words which follow those words unless inconsistent with the context, and the rule of interpretation known as ejusdem generis shall not apply.
- 1.8 A reference to writing or written does not include faxes

Any obligation in this agreement not to do something includes an obligation not to agree or allow that thing to be done.
- 1.9 In the event of any inconsistency between the provisions of the body of this Agreement and the Schedules, the body of this Agreement shall take precedence.

2. COMMENCEMENT AND DURATION

- 2.1 This Agreement shall come into force on the Commencement Date and shall continue until terminated in accordance with the provisions of this Agreement.

3. DISCHARGE OF FUNCTIONS

- 3.1 In exercise of their powers under sections 101(5) and 102 of the Local Government Act 1972, sections 19 and 20 of the Local Government Act 2000 and all other enabling powers, the Partner Authorities agree to establish and participate in the Shared Services to be delivered with effect from the Commencement Date through the Joint Committee which is already constituted and will conduct its business and discharge its functions in accordance with this agreement, and the Joint Committee Constitution.
- 3.2 The Partner Authorities shall each delegate and empower the Joint Committee to discharge on its behalf the Agreed Functions as set out in Schedule 2 and empowers the Joint Committee to arrange for the discharge of the Agreed Functions or any part or parts of

them by any sub-committee or by any officer of the Partner Authorities so appointed and section 102(2) of the 1972 Act shall apply in relation to the Agreed Functions of the Partnership as it applies in relation to the functions of the Partner Authorities.

- 3.3 From the Commencement Date the Joint Committee shall undertake the Shared Services function together with any other functions as may be agreed between the Partner Authorities to the levels set out in the Services Specification.

4. FINANCIAL ARRANGEMENTS

- 4.1 The Joint Committee shall by 31st October of each Financial Year determine a Resource Plan for the next Financial Year and:

4.1.1 to assist the Joint Committee in preparing the Resource Plan, the Partner Authorities shall consult with each other and shall each propose to the Joint Committee in writing their respective contributions to the Continuing Costs in the forthcoming Financial Year;

4.1.2 the Joint Committee shall within 15 Business Days of receipt of proposals made in accordance with clause 4.1.1 either:

- (i) approve the Partner Authorities' proposed contributions to the Continuing Costs and allocate funding equally between the Partner Authorities;
- (ii) not approve the Partner Authority's proposed contributions and follow the procedure set out in clause 4.2.

- 4.2 Subject to clause 4.3, in the event that:

4.2.1 the Partner Authorities fail to make a proposal in accordance with clause 4.1.1; or

4.2.2 the Joint Committee does not approve the Partner Authorities' proposals in accordance with clause 4.1.2 (ii);

the Joint Committee shall no later than 31st December, prior to the commencement of the forthcoming Financial Year, provide written notice to each Partner Authority of the contribution recommended by the Joint Committee to be paid by both Partner Authorities as their contributions to the Continuing Costs and the Partner Authorities shall then agree their respective contributions having regard to the recommendations of the Joint Committee.

- 4.3 In the event that:

4.3.1 the Joint Committee fails to make a recommendation in accordance with clause 4.2; or

4.3.2 the Partner Authorities fail to agree the amount of their respective contributions within 10 Business Days of receipt of notice served pursuant to clause 4.2;

then either Partner Authority may refer the matter to Arbitration in accordance with clause 20.

- 4.4 The Partner Authorities agree:

- 4.4.1 subject to clause 4.4.2, to pay their respective contributions to the Continuing Costs at such time as shall be determined by the Joint Committee or as otherwise agreed between them in writing;
- 4.4.2 that the Joint Committee shall:
 - (i) at least once every six months or;
 - (ii) at the written request of either Partner Authority or;
 - (iii) if it deems it necessaryperform a Reconciliation of the Continuing Costs, and if required as a result of such Reconciliation each Partner Authority shall make an Additional Payment or be entitled to a Reimbursement (as the case may be);
- 4.4.3 all Additional Payments and/or Reimbursements shall be payable by or to each Partner Authority (as the case may be) within 30 days from the date of the Reconciliation.
- 4.5 If in the reasonable opinion of the Shared Chief Finance Officer a further funding contribution is required or is likely to be required from the Partner Authorities during the then current Financial Year ("Additional Funding Requirement"):
 - 4.5.1 the Shared Chief Finance Officer shall provide notice in writing of the Additional Funding Requirement to the Joint Committee;
 - 4.5.2 if the Joint Committee in its sole discretion deems the Additional Funding Requirement to be reasonable and justified/ it shall provide notice in writing of the Additional Funding Requirement to the Partner Authorities;
- 4.6 In carrying out its obligations pursuant to clauses 4.1 and 4.2, the Joint Committee shall take account of:
 - 4.6.1 current and future liabilities;
 - 4.6.2 desirable service developments; and
 - 4.6.3 unforeseen revenue or capital requirements, and, a reserve or contingency may be sought from the Partner Authorities and included in the calculation each year to cover such requirements.
 - 4.6.4 An annual account detailing the expenditure and income relating to this Agreement shall be supplied by the Joint Committee to the parties by no later than 31st August in each year in respect of the previous Financial Year.
- 4.7 The Shared Deputy Chief Executive or other authorised officers of the Partner Authorities and the Joint Committee shall have access at all reasonable times and with due notice to the financial records relating to this Agreement and shall be entitled to seek explanations concerning queries relating thereto.
- 4.8 The Partner Authorities shall keep all information, including but not limited to, financial costs and expenses in relation to the Joint Committee and this Agreement and provide it to the Shared Deputy Chief Executive or other authorised officers of the Partner Authorities and the Joint Committee on reasonable request.

5 SHARED SERVICES POSTS

- 5.1 In respect of those posts referred to in Schedule 5 such posts shall be appointed to by the Partner Authorities in accordance with an appointments procedure agreed between them from time to time and shall administer the Shared Services functions on behalf of both of the Partner Authorities.
- 5.2 The Shared Deputy Chief Executive shall provide such reports as frequently as reasonably required by the Partner Authorities in order to monitor the performance of the shared financial, assurance, Legal & Democratic, Communications and visitor economy and Transformation, HR and Partnerships Services functions and the first report shall be provided within two calendar months of the Commencement Date.
- 5.4 The reports given by the Shared Deputy Chief Executive shall relate to such operational and performance issues as may be identified by each Partner Authority.

6 OFFICES FOR SHARED SERVICES

Each Partner Authority shall provide suitable working accommodation for each of the Relevant Employees as may be determined by the structure established by the Joint Committee for the performance of each of the Shared Services from time to time.

7. SUPPORT SERVICES

- 7.1 The Support Services shall be provided by the Partner Authorities as may be necessary to support the Joint Committee in the discharge of the Shared Services in accordance at all times with the Services Specification. The costs of providing such services shall be Continuing Costs.
- 7.2 If either Partner Authority believes that additional Support Services may be required for the effective discharge of the Agreed Functions, this should be reflected in the services plan and resource plan for the Shared Services and it shall consult the other Partner Authority to reach agreement as to the appropriate way of providing the additional Support Services. If the Partner Authorities are unable to agree the appropriate way of providing the additional Support Services, the matter shall be dealt with in accordance with the dispute resolution set out at clause 19.
- 7.3 The Shared Chief Finance Officer for the Partner Authorities shall be responsible for providing professional advice/guidance to the relevant officers in respect of the Shared Services to be provided, unless the Shared Chief Finance Officer has a conflict of interest. Where it is considered that there is such a conflict, the Partner Authorities shall obtain independent professional advice and guidance relating to the Shared Services to be provided.

8. VARIATION

- 8.1 Either of the Partner Authorities may request a variation to this Agreement by referring such a request to the Joint Committee
- 8.2 If the Joint Committee deems the change requested to be reasonable then the Joint Committee shall circulate the request to the other Partner Authority as soon as reasonably practicable for consideration and approval.
- 8.3 If the Partner Authorities approve the variation requested then the Joint Committee shall arrange for the preparation of an appropriate Deed of Variation to this Agreement to be prepared for execution by both Partner Authorities and such change shall only take effect upon completion of that Deed and the costs associated with the preparation of such Deed of Variation (if any) shall be shared equally between the Partner Authorities.
- 8.4 If one of the Partner Authorities does not approve the change requested then the change to this Agreement shall not occur
- 8.5 Notwithstanding the provisions of this clause 8, following a recommendation from the Joint Committee the Partner Authorities may agree that this Agreement shall be varied upon terms agreed and signed by the Partner Authorities in writing.

9. INFORMATION TECHNOLOGY AND OTHER ASSETS

- 9.1 The Partner Authorities agree that within 14 days of the Commencement Date they will each draw an Asset Register which will be kept regularly updated by each Partner Authority
- 9.2 The Partner Authorities agree to allow the Joint Committee to use all Assets which are being used to provide the Shared Services prior to the Commencement Date. Such Assets shall remain within the ownership and shall be maintained at all times by the Partner Authority which provided that Asset for the duration of this Agreement and the ownership of the Asset shall be recorded on the Asset Register.
- 9.3 In determining the future Information Technology requirements the Partner Authorities will at all times have regard to the needs of each Partner Authority and will consider all representations made by each Partner Authority in good faith.
- 9.4 The Partner Authorities agree that each Partner Authority shall be responsible for maintaining their own Asset Register at all times for the duration of this Agreement.
- 9.5 Where Assets are acquired after the Commencement Date ("Joint Assets") for use by the Joint Committee, the Partner Authorities shall record such Assets on their Asset Register as Joint Assets.

10. STANDING ORDERS

- 10.1 Each Partner Authority shall ensure that it reflects any required changes in its own constitution and standing orders as may be required to facilitate the use of the Joint Committee.

- 10.2 So far as lawful the Partner Authorities agree when purchasing goods or services on behalf of the Joint Committee the Partner Authority responsible for the procurement shall follow its own Standing Orders
- 10.3 Each Partner Authority acknowledges that it has the relevant approvals and requisite authority to enter into this Agreement and warrants to the other that the entering into of this Agreement is intra vires.
- 10.4 Any matters arising in relation to the employment of staff including matters arising pursuant to clause 14 shall be dealt with pursuant to the policies and procedures of the then Employing Partner Authority.

11. INTELLECTUAL PROPERTY

- 11.1 The Partner Authorities intend that, notwithstanding any secondment, any Intellectual property Rights created in the course of the Shared Services shall vest in the Partner Authority whose employee created them.
- 11.2 Where any Intellectual Property Rights vest in either Partner Authority in accordance with the intention set out in clause 11.1 above, that Partner Authority shall grant an irrevocable licence to the other Partner Authority to use those Intellectual property Rights for the purposes of the applicable Shared Service.
- 11.3 Any Intellectual Property Rights created in any Joint Committee Data prior to during or after the expiry of this Agreement shall vest in the Partner Authority which created those rights and shall be held on behalf of all of the Partner Authorities for the duration of this Agreement.
- 11.4 Both Partner Authorities shall make available to the Joint Committee and each other free of charge (and hereby irrevocably licences the Joint Committee and the other Partner Authority to use) all Joint Committee Data that might reasonably be required by the Joint Committee or that Partner Authority and each Partner Authority shall ensure that it can make and will continue to make the Joint Committee Data available to the Joint Committee and the other Partner Authority throughout the term of this Agreement.
- 11.5 For the avoidance of doubt all Partner Authority Data shall belong to the Partner Authority on whose behalf it was created or acquired.

12. LIABILITIES

- 12.1 The Partner Authorities agree that it is their intention that neither Partner Authority should be in a better or worse position in respect of their own losses arising out of or in connection with or in the course of or as a result of it being a party to this Agreement than the Partner Authority would have been prior to this Agreement being entered.
- 12.2 Subject to the following sub-clauses neither Partner Authority or any of their officers shall be liable to the other Partner Authority whether in contract, tort negligence, breach of statutory duty or otherwise in connection with the performance of services under this agreement

- 12.3 The Partner Authorities agree to indemnify each other in respect of any third party claims (including claims made by the Officers, servants or agents of either Partner Authority) to the extent that they arise as a result of a breach of duty ; negligent act or omission or breach of any statutory obligation owed by the other Partner Authority and the Partner Authority or its officers, servants or agents that has or have committed the breach of duty; negligent act or omission or breach of statutory obligation will give the indemnity PROVIDED THAT such indemnity shall not extend to liabilities claims costs or expenses:
- 12.3.1 arising from any negligent act or omission of any Partner Authority in relation to the provision of the Shared Services prior to the Commencement Date of this Agreement. Any such liability shall remain the responsibility of the Partner Authority which had responsibility for the function at the time of the negligent act or omission
 - 12.3.2 arising from an act or omission of the Partner Authority against whom the indemnity is being sought following the specific instructions of the Partner Authority seeking the indemnity
 - 12.3.3 to the extent that it arises as a result of a breach of duty by the Partner Authority seeking the indemnity
 - 12.3.4 to the extent that the claim is not covered by the insurances required by clause 13.
- 12.4 Where any claim is made in respect of a direction or instruction given to a Relevant Employee the Partner Authorities agree that such claims shall at all times be the responsibility of, the Employing Partner Authority provided always that the other Partner Authority shall provide such reasonable assistance to deal with the claim as may be necessary in the sole opinion of the Employing Partner Authority.
- 12.5 Each Partner Authority agrees to provide the other with such reasonable assistance to deal with any claim as may be appropriate.
- 12.6 For the avoidance of doubt, the indemnity given by the Partner Authorities pursuant to this Agreement shall not include matters relating to employment matters which occurred with the transfer of staff prior to the commencement of this Agreement.
- 12.7 This clause 12 shall survive the expiry or determination of this Agreement.

13. INSURANCE

- 13.1 Each Partner Authority shall ensure that:
- 13.1.1 prior to the Commencement Date it takes out and maintains throughout the duration of this Agreement (or procures the taking out and maintenance of) adequate insurance to the levels set out in clause 13.2 and any other such insurances which may be required by Legislation;
 - 13.1.2 the insurance obtained is effective no later than the date on which the relevant risk commences;
 - 13.1.3 it is responsible for meeting and promptly pays all costs of all insurance premiums for the insurances referred to in clause 13.2; and

- 13.1.4 upon written request it provides to the other Partner Authority making the written request:
- (i) copies of all insurance policies required under this clause;
 - (ii) evidence that the all of the premiums payable under such insurance policies have been paid in full; and
 - (iii) evidence that the insurances remain in full force and effect.
- 13.2 Each Partner Authority shall ensure that at all times an adequate level of insurance is maintained by it from the Commencement Date and throughout the duration of the Agreement in respect of the provision of the Shared Services and in particular, as a minimum the following levels of cover:
- 13.2.1 public liability insurance with a limit of indemnity of not less than £10,000,000.00 (ten million pounds) in relation to any one claim or series of claims and
- 13.2.2 employer's liability insurance with a limit of indemnity of not less than £10,000,000.00 (ten million pounds) in relation to any one claim or series of claims; and
- 13.2.3 adequate Public Official's Liability indemnity insurance to cover claims made by third parties for financial loss resulting from any negligent act, error, omission committed by its staff whilst carrying out their duties with a limit of indemnity of not less than £5,000,000.00 (five million pounds) in relation to any one claim or series of claims and
- 13.2.4 adequate professional negligence/indemnity insurance to indemnify third parties for breach of professional duty due to negligent act, error or omission by its staff whilst carrying out their duties with a limit of indemnity of not less than £5,000,000.00 (five million pounds) in relation to any one claim or series of claims
- 13.3 Where either Partner Authority allows its premises to be used to allow Relevant Employees to work on matters relating to this Agreement, that Partner Authority shall ensure that adequate insurance cover is effected and maintained to cover employee, public liability and any other Insurance requirements which may accord with good practice.
- 13.4 Each Partner Authority warrants to the other that as at the date of this Agreement:
- 13.4.1 it has provided a copy of this Agreement to its insurer (in this clause 13, the "Insurer");
- 13.4.2 the Insurer has confirmed in writing to the relevant Partner Authority that it agrees to the Partner Authority entering into this Agreement and that the Insurer is content with the terms therein; and
- 13.4.3 upon receipt of a notice from an Insurer to a Partner Authority that the terms of the insurances required under this clause 13 have changed or that the Insurer withdraws its confirmation under clause 13.4.2 that Partner Authority shall promptly notify the other Partner Authorities and use its best endeavours to forthwith obtain replacement insurance at the levels as required under this clause 13.

14 STAFFING

- 14.1 As from the Commencement Date the Relevant Employees shall be:
- 14.1.1 appointed to posts in the structure approved by the Partner Authorities and the Joint Committee;
 - 14.1.2 retained in the employment of the employer stated in Schedule 5 ;
 - 14.1.3 may be seconded to the other Partner Authority to carry out the Shared Services; and
 - 14.1.4 employed on terms and conditions set by their transferring Partner Authority save as notified to employees under the TUPE transfer.
- 14.2 Where a Relevant Employee leaves any post, or a new post is created, that post shall be filled by the employing Partner Authority, of the relevant Shared Service post and any newly appointed member of staff shall be employed by the Partner Authority which employed the original Relevant Employee unless otherwise agreed by the Joint Committee in consultation with the relevant Partnership Authority.
- 14.3 The Employing Partner Authority shall be responsible for the day to day management of the Relevant Employees allocated to the Shared Service, including but not limited to performance management, allocation of holiday, training, personal development reviews and sickness absence issues all of which shall be in accordance at all times with all of the relevant employing Partner Authority's applicable policies, procedures and local agreements.
- 14.4 In respect of instances of long term sickness absence by a Relevant Employee and/or where disciplinary action may lead to dismissal of Relevant Employee, then that action shall be administered by the Partner Authority which is his/her employer.
- 14.5 Each Partner Authority shall ensure that all Relevant Employees are provided with appropriate authorisation to undertake work within the administrative areas of all of the Partner Authorities.
- 14.6 The Partner Authorities agree that the following events:
- 14.6.1 the Commencement Date; and
 - 14.6.2 where the identity of the provider of the Shared Services is changed whether in anticipation of changes pursuant to this Agreement or not,
- shall constitute a Relevant Transfer and that the contracts of employment of any Relevant Employees shall have effect (subject to Regulation 4(7) and (8) of the Regulations) thereafter as if originally made between those employees and the new provider.
- For the avoidance of doubt, on the Commencement Date, the contracts of employment of the Relevant Employees shall have effect (subject to Regulation 4(7) and (8) of the Regulations) as if originally made between those employees and the Receiving Authority The Transferring Authority shall be responsible for all remuneration, benefits, entitlements and outgoings in respect of the Relevant Employees transferring at the Commencement Date including without limitation all wages, holiday pay, bonuses, commissions, payments of

PAYE, national insurance contributions, pension contributions and otherwise, up to the Commencement Date.

- 14.7 The Receiving Authority shall be responsible for all remuneration, benefits, entitlements and outgoings in respect of the Relevant Employees and any other person who is or will be employed or engaged by the Receiving Authority in connection with the provision of the Shared Services, including without limitation all wages, holiday pay, bonuses, commission, payment of PAYE, national insurance contributions, pension contributions and otherwise, from and including the Commencement Date and the costs incurred shall be a Continuing Cost
- 14.8 The parties agree that where differing rates of Employers' Superannuation contributions apply to each of them such contributions shall only be treated as a Continuing Cost at whichever rate is the lower.
- 14.9 The Transferring Authorities confirm that they have supplied each other as Receiving Authorities with information, as at the date of this Agreement regarding the identity, number, age, sex, length of service, job title, grade, and terms and conditions of employment of those employees of the Transferring Authorities who are Relevant Employees as at the Commencement Date. The Transferring Authorities also confirm that they have supplied to each other as the Receiving Authorities details of any disciplinary or grievance proceedings initiated by or in relation to the Relevant Employees in the two years preceding the date of this Agreement and details of any actual or threatened legal proceedings (of whatever nature) brought by the Relevant Employees in the same period.
- 14.10 The Transferring Authorities shall indemnify and keep indemnified in full each other as Receiving Authorities against all costs, claims, demands or losses incurred by them as Receiving Authorities in connection with or as a result of:
- 14.10.1 a breach by one or more of the Transferring Authorities of their obligations under clause 14.6, 14.7, 14.8 or 14.9 above;
- 14.10.2 any claim or demand by the Relevant Employees arising out of the employment of any such employee provided that this arises from any act, fault or omission of the Transferring Authorities prior to the Commencement Date.
- 14.10.3 The parties agree that any claim or demand made by a Relevant Employee after the transfer date arising out of the employment of any such employee (which for the avoidance of doubt shall exclude any claim for personal injury) shall be a liability of the of the Partner Authority responsible for employing the employee as set out in this Agreement except where there is any act or omission by the other Partner Authority which has caused or contributed to the claim or demand they shall indemnify the other in accordance with 12.
- 14.11 The Transferring Authorities shall comply with their obligations (including without limitation the obligation under Regulation - 13 of the Regulations) under the Regulations in respect of each Relevant Transfer pursuant to this Agreement and the Receiving Authority shall comply with its obligations (including without limitation the obligation Under Regulation 13 of the Regulations) under the Regulations in respect of each Relevant Transfer pursuant to this Agreement and each of the Receiving Authorities and the Transferring: Authorities shall indemnify the other against all losses sustained as a result of any breach of this clause 14 by

the party in default save where such losses occur as a result of a party implementing arrangements which have been jointly agreed prior to the Commencement Date in which case the parties will share the cost equally.

- 14.12 The Receiving Authorities agree to recognise in accordance with the Regulations the trade unions representing Relevant Employees after the Commencement Date to the same extent as they were recognised by the Transferring Authorities before the Commencement Date,
- 14.13 On the termination of this Agreement, the Partner Authorities agree that it is their intention that the Regulations shall apply in respect of the Shared Services or the provision thereafter of any service equivalent to the Shared Services but the position shall be determined in accordance with the Regulations and relevant law and any subsequent agreement between the parties at the date of termination as the case may be
- 14.14 If the Regulations do not apply on termination of this Agreement, the Partner Authorities shall ensure that any new provider or new providers of the Shared Services or any service equivalent to the Shared Services (including by either of the Partner Authorities which may take back that part of the Shared Services which applies to them) shall offer employment to the persons employed by the Receiving Authority in the provision of the Shared Services immediately before the date of termination of this Agreement. If an offer of employment is made in accordance with clause 14 the employment shall be on the same terms and conditions as applied immediately before the termination of this Agreement including full continuity of employment, and in accordance with the Transfer of Employment (Pension Protection) Regulations 2005.
- 14.15 The Partner Authorities acknowledge and undertake to ensure that the Relevant Employees will, on completion of a Relevant Transfer, as contemplated by this Agreement, retain membership of, or retain the right to join, the Pension Scheme and that the Relevant Employees will, where permitted by the I-GPS Regulations, have continuity of service for the purposes of entitlement to pension under the Pension Scheme. The Transferring Authorities further acknowledge and undertake to each other as Receiving Authorities that the Receiving Authorities will not be required to contribute to any deficit in funding of the Pension Scheme in respect of the accrued rights of the Relevant Employees up to the Commencement Date
- 14.16 The Partner Authorities agree that on an ongoing basis they will keep each other fully informed of any disciplinary or grievance proceedings relating to any Relevant Employee and shall provide each other with details of any actual or threatened legal proceedings (of whatever nature) brought by such an employee
- 14.17 Each Partner Authority agrees not to compromise any claim made in any such proceedings as mentioned in the preceding sub clause without first consulting with the Shared Chief Finance Officer, or where the Shared Chief Financial Officer has already advised, their deputy, and giving full and proper consideration to any representations made. The consultation required by this sub clause shall not be required if it would not be reasonably practical to undertake such consultation.
- 14.18 No changes to the staffing structure in respect of Relevant Employees shall be made without the agreement of the Shared Deputy Chief Executive of the Partner Authorities. In the absence of such agreement the matter shall be referred to the Chief Executive of each Partner Authority. If they cannot resolve the dispute the matter shall be referred to the Joint

Committee. If the Joint Committee cannot resolve the matter shall be referred to arbitration in accordance with clause 19.

15 COSTS AND LIABILITIES IN RESPECT OF THE JOINT COMMITTEE

- 15.1 All losses, claims, expenses, actions, demands, costs and liabilities incurred by the Joint Committee and in fulfilling obligations under this agreement shall be shared by the Partner Authorities on such terms as may be agreed from time to time between the Partner Authorities.
- 15.2 Each Partner Authority shall (and hereby undertakes with the other Partner Authority to) indemnify the other Partner Authority against and/or contribute to and pay a share of all or any liabilities, claims, costs and/or expenses of or incurred by that Partner Authority arising out of or in connection with or in the course of or as a result of it being a member of the Joint Committee and fulfilling its obligations under this agreement with the intent that the Partner Authority being indemnified and the other Partner Authority shall be jointly liable for all such liability to claims, costs and/or expenses as agreed.
- 15.3 This clause 15 shall be subject to such indemnity on the part of the Partner Authorities, not extending to liabilities or claims arising or costs and/or expenses incurred by reason or in consequence of any of the following on the part of the Partner Authority seeking to be indemnified:
- 15.3.1 breach by the Partner Authority of its obligations under this Agreement;
 - 15.3.2 Gross negligence
 - 15.3.3 Gross misconduct;
 - 15.3.4 Persistent breach of law or duty (that is to say the Partner Authority persisted in the breach of law or duty after the same was drawn to its attention);
 - 15.3.5 Any act or omission known or that should have been known to the relevant Partner Authority to be contrary to proper practice as a local authority or local government law; or
 - 15.3.6 Substantial or persistent failure (after reasonable notice) to redress performance of the duties of the relevant Partner Authority to comply with the requirements or the standards of, or set out in, this Agreement.
- 15.4 For the avoidance of doubt such indemnity as is referred to in this clause 15 shall include but not be limited to matters relating to the employment and transfer of staff, losses, costs, expenses or liabilities arising from contracts with third parties and in relation to assets .

16 FUNDING IN RELATION TO THE JOINT COMMITTEE

- 16.1 The Partner Authorities shall prepare a base budget forecast in relation to the Joint Committee in respect of the next three financial years by reference to the resources approved within the Shared Services service plans and resources plans.

- 16.2 The Joint Committee shall as soon as practicable, but in any event no later than 31st October each year, submit to each Partner Authority the funding requirements to be put aside by each Partner Authority in relation to the Shared Services.
- 16.3 If any Partner Authority disagrees with the amount of their contribution payable in accordance with this clause 16 then they may pursue the dispute resolution procedure set out in clause 19 or may terminate their involvement in the Joint Committee in accordance with clause 18.
- 16.4 Subject to clause 16.3:
- 16.4.1 The Partner Authorities agree that the annual costs of the Joint Committee and the administration of it shall be shared between them ; and
- 16.4.2 The Partner Authorities shall contribute funding in such sums as represents the proportion of the budget for each financial year
- 16.5 in accordance with 16.4, the Partner Authorities will pay such sums, as they shall be liable to contribute to the budget(s) set up by the Shared Chief Finance Officer for each relevant Shared Service by one payment (or a single set of payments) annually.
- 16.6 An annual account detailing the expenditure and income of the Joint Committee, in respect of each Shared Service budget it is responsible for, shall be supplied by the Shared Chief Finance Officer to the Partner Authorities by 30 May or as soon thereafter as is reasonably practicable in each year in respect of the previous financial year.
- 16.7 The section 151 officer of the Partner Authorities, and other officers authorised by the section 151 officer, shall have access at all reasonable times and with due notice to the relevant financial records of the Partner Authorities and shall be entitled to seek explanations concerning queries relating thereto.
- 16.8 In addition to clause 16.7, for the purposes of carrying out an audit appropriately authorised staff of a Partner Authority or third party organisations appointed by a Partner Authority for this purpose, may access all records, assets, personnel and premises, including those of partner organisations and shall have the authority to obtain such information and explanations as they consider necessary to fulfil their auditing responsibilities.

17 WITHDRAWAL FROM THIS AGREEMENT

- 17.1 Either Partner Authority which wishes to withdraw from the Joint Committee shall give not less than twelve calendar months' notice to the other Partner Authority of its intention to withdraw ("**Withdrawal Notice Period**") to be served on or before 1 September in any year.
- 17.2 Upon withdrawal from this Agreement the Partner Authorities agree that the functions delegated by and to the withdrawing Partner Authority shall forthwith be returned to the control and obligation of Chorley and South Ribble (as the case may be).
- 17.3 Any Partner Authority wishing to withdraw from the Joint Committee undertakes as a condition of such withdrawal to make, prior to withdrawal, such reasonable payment or payments which fairly reflect the actual losses caused by or anticipated as a result of the withdrawal as shall be determined by the other Partner Authority pursuant to clauses 15,16

and 17.1 above and a notice under this clause 17 shall take effect unless and until such payment has been made.

- 17.4 The Joint committee reserves the right to recover from any party to this Agreement the costs of any claims, costs, expenses, losses or liabilities of any nature or which have been caused by any act or omission of that party and which are discovered after that party's withdrawal from this Agreement.
- 17.5 Where a party's withdrawal brings about a decision to terminate this Agreement the provisions of clause 18 shall apply.
- 17.6 Where one Partner Authority serves notice to -withdraw from this Agreement, the non-withdrawing Partner Authority shall be entitled to elect:
 - 17.6.1 for this Agreement to continue in force until expiry of the Withdrawal Notice Period (whether to enable the non-withdrawing Partner Authority to seek an alternative partner authority or otherwise) after which this Agreement shall terminate in accordance with clause 18; or
 - 17.6.2 to terminate this Agreement on immediate written notice at any time during the Withdrawal Notice Period in accordance with clause 18.

18 TERMINATION OF THIS AGREEMENT

- 18.1 The Partner Authorities agree that this Agreement may be determined upon terms agreed by all Partner Authorities.
- 18.2 The provisions of schedule 6 shall have effect
- 18.3 In the event of termination of this Agreement:
 - 18.3.1 any Partner Authority shall supply to any other Partner Authority when requested, any information which the other Partner Authority requires for the continued provision by that other party of the Shared Services;
 - 18.3.2 any Intellectual property rights created under this Agreement shall be owned by all of the Partner Authorities in equal proportions; and
 - 18.3.3 each of the Partner Authorities shall undertake to pay such reasonable payment or payments which fairly reflect the obligations of that Partner Authority pursuant to this Agreement on the basis set out in clauses 15, 16 and 17.
- 18.4 In the event of termination of this agreement, all Assets held by any of the Partner Authorities for the purposes of this Agreement shall be dealt with as provided for in the Exit Management Plan or in the absence of such provision:
 - 18.4.1 where reasonably practicable be divided between the Partner Authorities proportionate to the average cost of the relevant Shared Services over the previous year;
 - 18.4.2 be sold by the Partner Authorities for the best consideration possible and the proceeds divided between the Partner Authorities proportionate to the average cost of the Shared Services over the previous year;

- 18.4.3 or where relevant be retained by a Partner Authority for its own use and purposes subject to an equitable financial settlement as agreed between the Partner Authorities; or
- 18.4.4 be dealt with as otherwise agreed between the Partner Authorities; or,
- 18.4.5 in the absence of agreement, in accordance with the dispute resolution procedure in clause 19.
- 18.5 It shall be the duty of both of the Partner Authorities to minimise and mitigate any losses arising from the termination of this Agreement and each Partner Authority shall use their best endeavours to offer priority redeployment to any Relevant Employee then employed in the provision of Shared Services by taking a transfer of any of the staff to provide the Shared Service to provide related services or to be redeployed more generally and by helping to seek alternative employment for them.
- 18.6 The Partner Authorities agree to share equally all costs reasonably incurred by them as a consequence of the termination of the Agreement and to share equally any liabilities which but for the termination of this Agreement would have been Continuing Costs.
- 18.7 This clause 18 shall survive termination of the Agreement.

19. DISPUTE RESOLUTION PROCEDURE

- 19.1 The Partner Authorities undertake and agree to pursue a positive approach towards dispute resolution which seeks (in the context of this joint working arrangement) to identify a solution at the lowest operational level that is appropriate to the subject of the dispute and which avoids legal proceedings and maintain a strong working relationship between the parties.
- 19.2 Any dispute or difference arising shall be referred initially to the Shared Deputy Chief Executive. In the event that such matters cannot be resolved within 10 Business Days it shall be referred to the Joint Committee for determination.
- 19.5 In the event of any dispute or difference between the Partner Authorities relating to this Agreement which it has not been possible to resolve through the decision making processes of the Joint Committee (whether this be a matter of interpretation or otherwise), if the Joint Committee is unable to resolve the matter, they shall refer the dispute to arbitration in accordance with clause 20.

20. ARBITRATION

- 20.1 Subject to the provisions of section 103 of the Local Government Act 1972 if at any time any dispute or difference shall arise between the Partner Authorities or any of them which they are not able to resolve in accordance with this Agreement, the same shall be referred to and settled by a single arbitrator to be appointed by agreement between the Partner Authorities or in default of agreement, nominated by application of the Partner Authorities by application of either of the Partner Authorities by the Secretary of State where the dispute relates to costs and expenses arising under this Agreement or by the President of the Law Society of England and Wales in respect of any other matter.

21. NOTICES

21.1 Any demand, notice or other communication given in connection with or required by this Agreement shall be made in writing and shall be delivered to, or sent by pre-paid first class post or email, addressed to the recipient at the address or email address stated in Schedule 8 (or such other address as may be notified in writing from time to time).

21.2 Any such demand, notice or communication shall be deemed to have been duly served if:

21.2.1 delivered by hand, when left at the proper address for service stated in Schedule 8 or;

21.2.2 if delivered by pre-paid first-class post, two Business Days after being posted;

21.2.3 if delivered by email, at the time of sending, provided that a confirming copy is sent by first class post to the other party within 24 hours after sending and no notification informing the sender that the message has not been delivered has been received by the sender;

provided in each case that if the time of such deemed service is either after 4.00 pm on a Business Day or on a day other than a Business Day service shall be deemed to occur 'instead at 10.00 am on the next following Business Day.

22. DATA PROCESSING

22.1 Both Partner Authorities will comply with all applicable requirements of the Data Protection Legislation. This Clause 22 is in addition to, and does not relieve, remove or replace, a party's obligations or rights under the Data Protection Legislation. In this Clause 22, **Applicable Laws** means (for so long as and to the extent that they apply to the Partner Authorities) the law of the European Union, the law of any member state of the European Union and/or Domestic UK law; and **Domestic UK Law** means the UK Data Protection Legislation and any other law that applies in the UK.

22.2 The Partner Authorities agree to share the Shared Personal Data for the purposes of the provision of the Shared Services (the Purpose). A compliant data sharing agreement will be entered into by the two authorities.

22.3 The parties acknowledge that the factual arrangement between them dictates the role of each party in respect of the Data Protection Legislation. Notwithstanding the foregoing, for the purposes of the Data Protection Legislation, the Partner Authorities anticipate that each shall be a Controller. All processing of data shall be carried out in strict conformity with the requirements of Data Protection Legislation.

22.4 In particular, each of the Partner Authorities:

- (a) agrees to share the Shared Personal Data as appropriate, for the Purpose;
- (b) warrants that the Shared Personal Data is processed on the basis of one or more of the legal grounds set out in Article 6 and, where applicable, Article 9 of the GDPR or

the Data Protection Act 2018 or as otherwise provided for in the Data Protection Legislation;

- (c) warrants that it will process the Shared Personal Data in compliance with all Applicable Laws, enactments, regulations, orders, standards and other similar instruments; and
- (d) warrants that it has provided all fair processing notices to all Data Subjects as legally required that are clear and comply with the Data Protection Legislation, in relation to the processing for the Purpose and enable the sharing of the Shared Personal Data with third parties in connection with that Purpose.

22.5 When processing the Shared Personal Data, each Partner Authority shall:

- (a) only process the Shared Personal Data for the Purpose and will not use the Shared Personal Data for any other purpose except to the extent permitted by the Data Protection Legislation;
- (b) ensure that they have in place and maintain appropriate technical and organisational measures (as defined in the Data Protection Legislation), reviewed and approved by the Partner Authorities, to protect against unauthorised or unlawful processing of Shared Personal Data and against accidental loss or destruction of, or damage to, Shared Personal Data, appropriate to the harm that might result from the unauthorised or unlawful processing or accidental loss, destruction or damage and the nature of the data to be protected, having regard to the state of technological development and the cost of implementing any measures (those measures may include, where appropriate, pseudonymising and encrypting Shared Personal Data, ensuring confidentiality, integrity, availability and resilience of its systems and services, ensuring that availability of and access to Shared Personal Data can be restored in a timely manner after an incident, and regularly assessing and evaluating the effectiveness of the technical and organisational measures adopted by it);
- (c) ensure that all personnel who have access to and/or process the Shared Personal Data are obliged to keep the Shared Personal Data confidential;
- (d) not transfer any Shared Personal Data outside of the European Economic Area unless the following conditions are fulfilled:
 - (i) the transfer is to a country approved by the European Commission as providing adequate protection pursuant to Article 45 of the GDPR;
 - (ii) there are appropriate safeguards in place pursuant to Article 46 of the GDPR; or
 - (iii) one of the derogations for specific situations in Article 49 of the GDPR applies to the transfer.
- (e) not appoint a third party Processor to process the Shared Personal Data unless the provisions of Article 28 and Article 30 of the GDPR have been complied with and the Partner Authority appointing the Processor remains liable to the other Partner Authority for the acts and/or omissions of the Processor;

- (f) not retain or process the Shared Personal Data for longer than is necessary to carry out the Purpose unless any statutory, professional or regulatory retention periods apply to the Shared Personal Data; and
- (g) securely dispose of the Shared Personal Data when no longer required for the Purpose or when no longer required to meet any statutory, professional or regulatory obligation.

22.6 Each Partner Authority:

- (a) must have in place their own policies and guidance that must be followed in the event of a Personal Data Breach;
- (b) is under a strict obligation to notify the other without any undue delay of any potential or actual losses of the Shared Personal Data or Personal Data Breach. This clause 22.6 shall also apply to any breaches of security which may compromise the security of the Shared Personal Data;
- (c) shall maintain a complete evidential record of any consents it obtains from Data Subjects relating to the Shared Personal Data (including those collected by a third party on that Partner Authority's behalf) in accordance with the Data Protection Legislation and shall promptly provide to any party receiving the Shared Personal Data (at the receiving party's written request) a copy of those records relating to any consent on which the receiving party relies or intends to rely to receive or otherwise process that Shared Personal Data;
- (d) agrees to provide assistance as is necessary to each other to facilitate the handling of any:
 - (i) complaint, investigation or enforcement by the Information Commissioner's Office;
 - (ii) requests by any Data Subjects exercising rights conferred under the Data Protection Legislation;
 - (iii) data protection impact or lawful basis assessment; and
 - (iv) Personal Data Breach, in each case, in respect of the Shared Personal Data in an expeditious and compliant manner.
- (e) must respond promptly to any enquiries from the Information Commissioner's Office in relation to the Shared Personal Data; and
- (f) must, where applicable, maintain registration with the Information Commissioner's Office register of fee payers, and pay all related fees on or before the date they fall due.

22.7 The Partner Authorities shall indemnify each other against any losses, damages, cost or expenses incurred arising from, or in connection with, any breach of the obligations under this Clause 22 or the Data Protection Legislation.

22.8 The provisions of this clause shall apply during the continuance of the agreement and indefinitely after its expiry or termination

23 FREEDOM OF INFORMATION

- 23.1 The Partner Authorities acknowledge that each is subject to the requirements of the FOIA and the EIRs.
- 23.2 The Partner Authorities shall provide all necessary assistance and cooperation as reasonably requested by one another to enable them to comply with their obligations under the FOIA and EIR s.
- 23.3 The Partner Authorities acknowledge that one or other of them may be required under the FOIA or EIR to disclose information (including Information that may be deemed to be commercially sensitive) without consulting or obtaining consent from the other, The Partner Authorities shall take reasonable steps to notify one another of a Request for Information (in accordance with the Secretary of State's section 45 Code of Practice on the Discharge of Functions of Public Authorities under Part 1 of the FOIA) to the extent that it is permissible and reasonably practical for them to do so but (notwithstanding any other provision in this agreement) the Partner Authority that received the Request for Information shall be responsible for determining in its absolute discretion whether any commercially sensitive information and/or any other information is exempt from disclosure in accordance with the FOIA and/or the EIR.
- 23.4 If a Partner Authority ("the Recipient Partner Authority") receives an Information Request in respect of Partner Authority Data relating to the other Partner Authority the Recipient Partner Authority shall transfer the Information Request to the other Partner Authority as soon as practicable after receipt and in any event within two Business Days
- 23.5 The Partner Authority which owns the Partner Authority Data may at its absolute discretion direct that information should be disclosed in relation to the information request and/or that an exemption should be claimed and the Recipient Partner Authority shall be obliged to comply with any such direction.
- 23.6 A Partner Authority which has given a direction under the preceding clause to claim an exemption shall indemnify the Recipient Partner Authority against all costs reasonably incurred in defending that claim to the Information Commissioner and/or the Information Tribunal
- 23.7 The Partner Authorities shall be entitled to disclose all other information relating to this Agreement and the Shared Services in response to an Information Request, save where any Information Request is in whole or part a request for Exempt Information in which case:
- 23.7.1 The Partner Authority which receives the Information Request shall circulate the Information Request and shall discuss it with the other Partner Authority;
- 23.7.2 the Partner Authority which receives the Information Request shall in good faith consider any representations raised by the other Partner Authority when deciding whether to disclose' Exempt Information; and

23.7.3 the Partner Authority which receives the Information Request shall not disclose any Exempt Information beyond the disclosure required by FOI Legislation without the written consent of the other Partner Authority,

For the purposes of clause 23.7.3 the Partner Authorities acknowledge and agree that any decision made by a Partner Authority which receives an Information Request as to whether to disclose information relating to this Agreement pursuant' to FOI Legislation is solely the decision of that Partner Authority.

A Partner Authority will not be liable to the other Partner Authority for any loss, damage, harm or detrimental effect howsoever arising from or in connection with the disclosure of information in response to an Information Request.

24. INFORMATION AND CONFIDENTIALITY

24.1 The Partner Authorities shall keep confidential all matters relating to this Agreement unless such information is already, in the public domain or both of the Partner Authorities agree that it may be disclosed and shall use all reasonable endeavours to prevent their employees and agents from making any disclosure to any person of any matter relating to this Agreement.

24.2 Clause 24.1 shall not apply to:

24.2.1 any disclosure of information that is reasonably required by persons engaged in the performance of their obligations under this Agreement;

24.2.2 any matter which a party can demonstrate is already generally available and in the public domain otherwise than as a result of a breach of this clause;

24.2.3 any disclosure required to enable a determination to be made;

24.2.4 any disclosure which is required by any Legislation (including any order of a court of competent jurisdiction), any Parliamentary obligation or the rules of any stock exchange or governmental or regulatory authority having the force of Legislation;

24.2.5 any disclosure of information which is already lawfully in the possession of the receiving party prior to its disclosure by the disclosing party;

24.2.6 any disclosure by a party to this Agreement to a department, office or agency of HM Government;

24.2.7 any disclosure for the purpose of the examination and certification of the accounts of a party to this Agreement; and/or

24.2.8 any disclosure required under the FOI Legislation.

24.3 Where disclosure is permitted under clause 24.2, the recipient of the information shall be subject to the same obligation of confidentiality as that placed on the Partner Authority under the provisions of this Agreement.

25. SCRUTINY AND AUDIT

- 25.1 The Partner Authorities agree that Scrutiny relating to this Agreement and the Agreed Functions shall be the responsibility of each Partner Authority.
- 25.2 Each Partner Authority shall have the right to inspect any documents relating to this Agreement and to require the other Partner Authority to answer any reasonable questions raised by them.
- 25.3 The accounts relating to the Shared Services and this Agreement shall be the subject of independent audit, including audit by an external auditor appointed by any of the Partner Authorities and shall be open to inspection by any external auditor appointed by the Audit Commission.
- 25.4 Any increased costs in undertaking any independent audit relating to the Shared Services and this Agreement shall be shared equally between the Partner Authorities.

26. VAT

The Partner Authorities agree that each of them and the Joint Committee shall so far as permitted by law not charge VAT on any amounts payable under the terms of this Agreement as a non-business supply arising out of an administrative event.

27. FORCE MAJEURE

- 27.1 Neither Partner Authority will be deemed to be in breach of this Agreement or otherwise liable to the other Partner Authority in any manner whatsoever for any- failure or delay in performing its obligations under this Agreement due to a Force Majeure Event, provided that it has and continues to comply with its obligations set out in clause 27.2
- 27.2 If a party's performance of its obligations under 'this Agreement is affected by a Force Majeure Event:
- 27.2.1 it will give written notice to the other party, specifying the nature and extent of the Force Majeure Event, immediately on becoming aware of the Force Majeure Event and will at all times use all reasonable endeavours to bring the Force Majeure Event to an end and, whilst the Force Majeure Event is continuing, to mitigate its severity;
- 27.2.2 subject to the provisions of clause 27.3, the date for performance of such obligations will be deemed suspended only for a period equal to the delay caused by such Force Majeure Event;
- 27.2.3 it will not be entitled to payment from the other party in respect of extra costs and expenses incurred by virtue of the -Force Majeure Event.
- 27.3 If the Force Majeure Event in question continues for more than one month the party not subject to the Force Majeure Event may treat the other party as having given notice to withdraw pursuant to clause 18.
- 27.4 If the Agreement is terminated pursuant to clause 27.3, then neither party will have any liability to the other except that rights and liabilities which accrued prior to such termination will continue to exist.

28. SEVERABILITY

- 28.1 If at any time any clause or part of a clause or Schedule or part of a Schedule to this Agreement is found by any court, tribunal or administrative body of competent jurisdiction to be wholly or partly illegal, invalid or unenforceable in any respect:
- 28.1.1 that shall not affect or impair the legality, validity or enforceability of any other provision of this Agreement;
- 28.1.2 the Partner Authorities shall in good faith amend this Agreement- to reflect as nearly as possible the spirit and intention behind that illegal, invalid or unenforceable provision to the extent' that such spirit and intention is consistent with the Legislation of that jurisdiction and so that the amended clause complies with the Legislation of that jurisdiction; and
- 28.1.3 if the Partner Authorities cannot agree upon the terms of any amendment within six calendar months of the date upon which a clause was determined to be wholly or partly illegal, invalid or unenforceable by any court, tribunal or administrative body of competent jurisdiction, the dispute will be determined in accordance with clause 19.

29. SUCCESSORS

This Agreement shall be binding upon and shall endure to the benefit of each party's successors and permitted assigns.

30. RELATIONSHIP OF THE PARTIES

- 30.1 Each of the parties is an independent local authority and nothing contained in this Agreement shall be construed to imply that there is any relationship between the parties of a legal partnership or principal/agent or of employer/employee. Except to the extent expressly permitted by the terms of this Agreement or where otherwise expressly authorised in writing, no party shall have any right or authority to act on behalf of another party or to bind another party by contract or otherwise.

31. ENTIRE AGREEMENT

This Agreement sets out the entire agreement and understanding between the parties and supersedes -all prior agreements, understandings or arrangements (oral or written) in respect of the subject matter of this Agreement.

32. CONTRACTS (RIGHTS OF THIRD PARTIES) ACT 1999

- 32.1 No terms of this Agreement shall be enforceable by virtue of the Contracts (Rights of Third Parties) Act 1999 by any person who is not a party to it.

33. GOVERNING LAW

- 33.1 This Agreement shall be governed by the laws of England and Wales and the Partner Authorities submit to the exclusive jurisdiction of the courts of England.

Schedule 1 – Constitution of the Joint Committee

1. Each of the Partner Authorities shall appoint five members (being elected members of that Partner Authority) as its nominated member of the Joint Committee. The members appointed shall have full voting rights.
2. Each Partner Authority may nominate one or more substitute members to attend any meeting in place of an appointed member from that Partner Authority, subject to notification being given to the relevant Partner Authority in relation to governance and secretarial Support Services before the start of the meeting. The member appointed as substitute shall have full voting rights where the member for whom they are substituting does not attend. If all of a Partner Authority's nominated members attend a meeting of the Joint Committee, any named substitute may also attend as an observer but shall not be entitled to vote.
3. Each member of the Joint Committee shall comply with the Code of Conduct of their Partner Authority when acting as a member of the Joint Committee.
4. Each of the Partner Authorities may remove any of its nominated members or substitute members of the Joint Committee and appoint a different member or substitute to the Joint Committee by giving written notice to the governance and secretarial Support Services.
5. Each Partner Authority shall have five votes. These shall be exercised by the nominated members who are elected members of the Partner Authority. In the absence of a Partner Authority's nominated member, a vote may be exercised by the named substitute who is an elected member of the Partner Authority.
6. Each member of the Joint Committee shall serve upon the Joint Committee for as long as he or she is appointed to the Joint Committee by the relevant Partner Authority but a member shall cease to be a member of the Joint Committee if he or

she ceases to be a member of the Partner Authority appointing him or her as member of the Joint Committee.

7. Any casual vacancies howsoever arising shall be filled by the Partner Authority from which the vacancy arises by notice in writing sent to the governance and secretarial Support Services.
8. Meetings of the Joint Committee shall be held at the offices of each Partner Authority on an alternate basis, unless otherwise agreed by the Joint Committee.
9. The Partner Authority hosting the first meeting shall appoint one of its nominated members as chairperson and that member shall remain chairperson until the first meeting taking place after the elapse of one year from the time of his or her appointment unless he or she ceases to be a member of the Joint Committee. On the expiry of the first chairperson's term of office as chairperson, the Partner Authority which did not appoint the first chairperson shall appoint one of its nominated members as chairperson for a period of one year from the time of his or her appointment. The same procedure shall be followed for the appointment of the chairperson in subsequent years.
10. The Partner Authority which has not appointed the chairperson of the Joint Committee in any year shall appoint one of its nominated members as vice chairperson.
11. The Joint Committee shall meet at least once every quarter unless otherwise determined by the Joint Committee.
12. The governance and secretarial Support Services may call additional meetings by providing at least five clear days' notice to members of the Joint Committee, for the purposes of resolving urgent matters arising between the quarterly meetings of the Joint Committee. Governance and secretarial Support Services must call a meeting of the Joint Committee if at least one member of the Joint Committee from each Partner Authority requests it or the Shared Deputy Chief Executive requests it.
13. Meetings shall be notified to members of the Joint Committee by the governance and secretarial Support Services.
14. Governance and secretarial Support services shall send, electronically, to all members and relevant officers of each Partner Authority, the agenda for each

meeting of the Joint Committee no later than five clear Business Days before the date of the relevant meeting. Those Support Services shall also send, to all members of the Joint Committee, to the Political Group Leaders of each Partner Authority and relevant officers of each Partner Authority, copies of the agenda for each meeting of the Joint Committee no later than five clear Business Days before the date of the relevant meeting.

15. Governance and secretarial Support Services shall arrange for written minutes to be taken of each meeting of the Joint Committee and shall arrange for an officer to present them to the Joint Committee at its next meeting for approval as a correct record. If the Joint Committee confirms that the minutes contain an accurate record of the previous meeting, those minutes shall be signed by the chairperson and vice chairperson.
16. A meeting of the Joint Committee shall require a quorum of five members with at least two members being from each Partner Authority who is entitled to attend and vote. If there is a quorum of members present but neither the chair nor the vice-chair is present, the members present shall designate one member to preside as chair for that meeting.
17. Subject to the provisions of any enactment, all questions coming or arising before the Joint Committee shall be decided by a majority of the Partner Authority members of the Joint Committee immediately present and voting thereon. Subject to the provisions of any enactment, in the case of an equality of votes the chairperson shall have a second or casting vote but, before exercising this, the chairperson shall consider whether it is appropriate to defer the matter to the next meeting of the Joint Committee.
18. Any member of the Joint Committee may request the Joint Committee to record the votes of individual members of the Joint Committee on a matter for decision.
19. A member, when speaking, shall address the chairperson. If two or more members wish to speak the chairperson shall call on one to speak. While a member is speaking all other members shall remain silent.
20. A member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order.

21. Only one amendment to a proposal may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of, providing the chairperson may permit two or more amendments to be discussed (but not voted on) together if circumstances suggest that this course would facilitate the proper conduct of the Joint Committee's business.
22. If an amendment is lost, other amendments may be moved on the original motion. If an amendment is carried, the motion, as amended, shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.
23. The order of business shall be indicated in the agenda for the meeting.
24. When a motion is under debate by the Joint Committee no other motion shall be moved except the following:
 - 24.1 to amend the motion;
 - 24.2 to adjourn the meeting;
 - 24.3 to adjourn the debate;
 - 24.4 to proceed to the next business;
 - 24.5 that the question may now be put;
 - 24.6 that a member shall not be further heard;
 - 24.7 by the chairperson, that a member leave the meeting;
 - 24.8 a motion under section 100(A) (4) of the Local Government Act 1972 to exclude the public; or
 - 24.9 to postpone consideration on an item.
25. A member may move without comment at the conclusion of a speech of another member, "That the Committee proceed to the next business", "That the question may now be put", "That the debate is now adjourned", or "That the Committee now adjourn", on the seconding of which the chair shall proceed as follows:
 - 25.1 on a motion to proceed to next business: unless in his/her opinion the matter before the meeting has been insufficiently discussed to put to the vote, the motion to proceed to next business;

- 25.2 on a motion that the question may now be put: unless in his/her opinion the matter before the meeting has been insufficiently discussed he/she shall first put to the vote the motion that the question may now be put; or
- 25.3 on a motion to adjourn the debate or meeting: if in his/her opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion put the adjournment motion to the vote.

The ruling of the chair shall not be open for discussion.

26. Any member of the Partner Authorities who is not a member of the Joint Committee is entitled to attend the Joint Committee but he/she shall not be entitled to vote, shall not take part in the consideration or discussion of any business, save by leave of the chairperson, and comments will be recorded only on the direction of the chairperson.
27. The following elected representatives are entitled to attend the Joint Committee but they shall not be entitled to vote, shall not take part in the consideration or discussion of any business, save by leave of the chairperson and comments will be recorded only on the direction of the chairperson:
- 27.1 Members of parish councils within the districts of the Partner Authorities;
and
- 27.2 Members of Parliament for the residents of the Partner Authorities.
28. Meetings of the Joint Committee will be open to the public except to the extent that they are excluded under paragraph 30.
29. Members of the public wishing to address the Joint Committee (or a sub-committee of the Joint Committee) on Part I reports contained within the agenda for the meeting shall be given the opportunity to do so subject to:
- 29.1 the opportunity being extended to one person to speak in support of each agenda item and one person to speak against each agenda item when called to do so by the chairperson;
- 29.2 an indication of the desire to speak on the agenda item being made by the person just prior to the meeting and the name supplied to the chairperson (by means of a register), the first person registering to have

- precedence in the event of more than one person wishing to speak either for or against an agenda item;
- 29.3 each person addressing the Joint Committee or sub-committee of the Joint Committee being limited to three minutes' speech;
- 29.4 an opportunity being provided for an expression of a contrary view, even though no prior notice has been given, when a member of the public has spoken for or against an item;
- 29.5 in the event of the person having registered to speak on an agenda item not wishing to take up their right to speak on the agenda item because it was deferred, that person will automatically be given the right to speak on the agenda item at the next meeting of the Joint Committee or sub-committee of the Joint Committee;
- 29.6 the chairperson of the meeting having discretion to rule that a person wishing to address the meeting shall not be heard if, in the chairperson's view, that issue or the organisation or the person wishing to make the representation on that issue has received an adequate hearing; and
- 29.7 the total amount of time allocated for the opportunity to speak for all members of the public will be no longer than 30 minutes.
30. In accordance with the requirements of the 1972 Act and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public or press must be excluded from a meeting by resolution of the Joint Committee during an item of business if that item includes:
- 30.1 confidential information, as defined in section 100A (3) of the 1972 Act; or
- 30.2 exempt information, as defined in section 100I of the 1972 Act.
31. Each Partner Authority may call in any decision of the Joint Committee in accordance with the overview and scrutiny provisions of that Partner Authority's constitution. If any decision of the Joint Committee is subject to call-in by a Partner Authority, the Joint Committee shall take no action to implement that decision unless the call-in process upholds the decision.
32. The Joint Committee may delegate a function to an officer.

33. Any contractual arrangements that relate to a Shared Service will be undertaken by one of the Partner Authorities and that Partner Authority shall apply its own financial regulations and contract procedure rules to such an arrangement. The Shared Service that is incurring the expenditure will normally determine which of the Partner Authority's financial regulations and contract procedure rules will apply and, in the event of any dispute or uncertainty, the matter should be referred to the Shared Deputy Chief Executive for determination.
34. Governance and secretarial Support Services shall provide administrative support services to the Joint Committee on such terms as may be agreed from time to time between the Partner Authorities. The Partner Authorities shall make available committee officers to provide administrative services at the meetings of the Joint Committee as appropriate and in consideration of where the meetings are being held.
35. Legal Support Services shall provide the Joint Committee with legal advice and support on such terms as may be agreed from time to time between the Partner Authorities.
36. Financial Support Services shall provide the Joint Committee with financial advice and support on such terms as may be agreed from time to time between the Partner Authorities.

Schedule 2 – Functions and Scope of Responsibility

1. The Joint Committee shall be responsible for and shall have delegated to it the following functions of the Partner Authorities:
 - 1.1 all the functions delivered by the Shared Services; and
 - 1.2 such other functions which it is agreed between the Partner Authorities should become a Shared Service.
2. The Joint Committee shall be responsible for:
 - 2.1 The management and performance of the Shared Services;
 - 2.2 The preparation and oversight of the delivery of the Shared Services Business Plan;
 - 2.3 The development of proposals for the extension of shared services for the presentation and approval of the Partner Authorities.
2. The Joint Committee shall act in the manner laid down in the Constitution of the Joint Committee as set out in Schedule 1.
3. The Joint Committee shall act as the ultimate arbiter in the case of unresolved disputes between the Partner Authorities unless such matters are referred to arbitration pursuant to clause 20.
4. It has been agreed that the Shared Services as referred to in paragraph 1 should be delivered in the manner laid down in this Agreement.

Schedule 3 – Shared Services

Part One

SHARED ASSURANCE SERVICES

1. The Services

1.1 The Services delivered by the following teams:

Team	Post	Employing Council
Shared Assurance	Interim Head of Shared Assurance	SRBC
Shared Assurance	Senior Risk and Insurance Officer	
Shared Assurance	Audit and Risk Assistant	
Shared Assurance	Temp Senior Auditor	
Shared Assurance	Auditor	
Shared Assurance	Auditor	

Schedule 3 – Shared Services

Part Two

SHARED FINANCIAL SERVICES

Team	Post	Employing Council
FINANCIAL ACCOUNTANCY	FINANCIAL ACCOUNTANT	CHORLEY COUNCIL
FINANCIAL ACCOUNTANCY	FINANCIAL ACCOUNTANT	
MANAGEMENT ACCOUNTANCY (CHORLEY)	SENIOR FINANCIAL ACCOUNTANT	
MANAGEMENT ACCOUNTANCY (CHORLEY)	SENIOR MANAGEMENT ACCOUNTANT (CHORLEY)	
MANAGEMENT ACCOUNTANCY (CHORLEY)	SHARED MANAGEMENT ACCOUNTANT	
MANAGEMENT ACCOUNTANCY (CHORLEY)	MANAGEMENT ACCOUNTANT	
MANAGEMENT ACCOUNTANCY (SOUTH RIBBLE)	MANAGEMENT ACCOUNTANT (SOUTH RIBBLE)	
MANAGEMENT ACCOUNTANCY (SOUTH RIBBLE)	MANAGEMENT ACCOUNTANT (SOUTH RIBBLE)	
MANAGEMENT ACCOUNTANCY (SOUTH RIBBLE)	PRINCIPAL MANAGEMENT ACCOUNTANT (SOUTH RIBBLE)	
MANAGEMENT ACCOUNTANCY (SOUTH RIBBLE)	MANAGEMENT ACCOUNTANT (SOUTH RIBBLE)	
MANAGEMENT ACCOUNTANCY (SOUTH RIBBLE)	SENIOR MANAGEMENT ACCOUNTANT (SOUTH RIBBLE)	
SYSTEMS DEVELOPMENT/EXCHEQUER	EXCHEQUER SUPPORT OFFICER	
SYSTEMS DEVELOPMENT/EXCHEQUER	SYSTEMS/FINANCIAL SUPPORT ACCOUNTANT	

SYSTEMS DEVELOPMENT/EXCHEQUER	PRINCIPAL SYSTEMS/FINANCIAL ACCOUNTANT	
SYSTEMS DEVELOPMENT/EXCHEQUER	SYSTEMS/FINANCIAL ACCOUNTANT	
SYSTEMS DEVELOPMENT/EXCHEQUER	EXCHEQUER SUPPORT OFFICER	
SYSTEMS DEVELOPMENT/EXCHEQUER	FINANCIAL SYSTEMS MANAGER	
SYSTEMS DEVELOPMENT/EXCHEQUER	EXCHEQUER SUPPORT OFFICER	

Schedule 3 – Shared Services

Part Three

SHARED SERVICES

SHARED LEGAL AND DEMOCRATIC SERVICES

Team	Post	Employing Council
Legal	Legal Services Team Leader	South Ribble BC
Legal	Solicitor	
Legal	Solicitor	
Legal	Solicitor	
Legal	Solicitor	
Legal	Senior Paralegal	
Legal	Senior Legal Executive (Land and Contracts)	
Legal	Senior Solicitor	
Legal	Legal Executive	
Legal	Local Land Charges Registration Clerk	
Legal	Corporate Admin Assistant	
Procurement	Principal Procurement Officer	
Procurement	Procurement Officer	
Procurement	Graduate Trainee Procurement Officer	
Democratic Services and Elections	Assistant Director of Scrutiny and Democratic Services	
Democratic Services and Elections	Democratic and Member Services Team Leader	
Democratic Services and Elections	Trainee Democratic and Member Services Officer	
Democratic Services and Elections	Trainee Democratic and Member Services Officer	
Democratic Services and Elections	Corporate Admin Assistant	
Democratic Services and Elections	Team Leader Electoral Services	
Democratic Services and Elections	Electoral Services Officer	
Democratic Services and Elections	Corporate Admin Assistant	
Democratic Services	Democratic and Members Services Team Leader	
Democratic Services	Democratic and Member Services Officer	
Democratic Services	Democratic and Member Services Officer	

Democratic Services	Civic Attendant Team Leader	
Democratic Services	Civic Attendant	
Democratic Services	Civic Attendant	
Democratic Services	Civic Attendant	
Democratic Services	Civic Attendant	
Corporate Services and Mayoral	PA to CEO and Leader	
Corporate Services and Mayoral	PA to Mayor and Cabinet Members	
Corporate Services and Mayoral	Corporate Support Assistant	
Corporate Services and Mayoral	Chauffeur and Mayoral Attendant	
Democratic Services	Lancastrian and Cleaning Supervisor	
Democratic Services	Cleaner	
Democratic Services	Cleaner	
Democratic Services	Cleaner	
Democratic Services	Cleaner	
Democratic Services	Cleaner	
Democratic Services	Cleaner	
Democratic Services	Cleaner	
Democratic Services	Cleaner	
Democratic Services	Mayors Secretary	
Democratic Services	Executive Officer	
Democratic Services	Executive Officer	
Democratic Services	Executive Assistant	
Democratic Services	Executive Assistant and FOI Co-Ordinator	
Democratic Services	Corporate Support Apprentice	
Elections	Elections and Electoral Services Team Leader	
Elections	Electoral Services Assistant	

Schedule 3 – Shared Services

Part Four

SHARED SERVICES

SHARED COMMUNICATIONS AND VISITOR ECONOMY SERVICES

Team	Post	Employing Council
Communications and Events	Events Team Leader	South Ribble BC
Communications and Events	Communications Officer	
Communications and Events	Events Officer	
Communications and Events	Events Assistant	
Communications and Events	Creative and Design Lead	
Communication and Events	Graphic Designer	
Communications	Communications Manager	
Communications	Communications Officer	
Communications	Digital Communications Officer	
Communications	Digital Marketing Assistant	
Astley Hall	Arts and Heritage Manager	
Astley Hall	Museum Officer (Exhibitions and Events)	
Astley Hall	Heritage and Cultural Development Officer	
Astley Hall	Conservation Assistant	
Astley Hall	Museum Officer (Collections)	
Astley Hall	Museum Officer (Education and Engagement)	
Astley Hall	Events and Tourism Officer	
Astley Hall	Museum Officer (Collections)	
Astley Hall	Astley Attendant	
Astley Hall	Astley Attendant	
Astley Hall	Astley Attendant	
Astley Hall	Astley Attendant	

Schedule 3 – Shared Services

Part five - SHARED SERVICES

SHARED TRANSFORMATION, HR AND PARTNERSHIP SERVICES

Team	Post	Employing Council
Transformation and Partnerships	Performance and Transformation Officer	Chorley Council
Transformation and Partnerships	Performance and Transformation Officer	
Transformation and Partnerships	Policy Officer (Engagement)	
Transformation and Partnerships	Transformation Programme Co-ordinator	
Programme Management	Programme Manager	
OD and Transformation	OD and Transformation Manager	
OD and Transformation	Shared Services Project Co-Ordinator	
OD and Transformation	Project Support Officer	
OD and Transformation	Digital Transformation and Information Officer	
HR Services	HR Manager	
HR Services	Senior HR and OD Consultant	
HR Services	HR and OD Assistant	
HR Services	HR and OD Apprentice	

Schedule 4

Support Services

1. To enable the Partner Authorities partnership to function effectively the Joint Committee shall require the following key Support Services from the Partner Authorities:
 - 1.1 financial support and advice;
 - 1.2 legal support and advice; and
 - 1.3 governance and secretarial support.
2. Each Support Service shall, from the Commencement Date, be provided by the following identified Partner Authority, which may be varied during the term of this Agreement by written agreement between the Partner Authorities

Support Service	Partner Authority
Financial support and advice	Chorley Borough Council
Legal support and advice	South Ribble Borough Council
Governance and secretarial support	South Ribble Borough Council

Schedule 5

Relevant Employees

Partner Authority	Proposed Post	Status
Chorley Council	Deputy Chief Executive	Occupied
Chorley Council	Director of Finance and S151 Officer	Vacant
Chorley Council	Deputy Director of Finance and Deputy S151 Officer	Occupied
South Ribble Borough Council	Director of Governance and Monitoring Officer	Occupied
South Ribble Borough Council	Shared Service Lead - Legal and Deputy Monitoring Officer	Occupied
South Ribble Borough Council	Shared Service Lead - Communications & Visitor Economy	Occupied
Chorley Council	Shared Service Lead - Transformation & Partnerships	Occupied

Schedule 6

Exit Management Plan

1. General obligation

- 1.1 On termination or Expiry of the whole or part of the Agreement the Partner Authorities shall take all reasonable steps to ensure a seamless transfer of the Shared Services (or such part thereof) back to the other Partner Authority and to ensure the orderly cessation of the Shared Services including compliance with the Exit Management Plan

2. Exit Management Plan

- 2.1 Within one year of the Commencement Date the Partner Authorities shall develop an Exit Management Plan.
- 2.2 The Exit Management Plan will be approved by the Joint Committee with or without amendment and will be reviewed by the Joint Committee at least once every two years for as long as this Agreement shall continue.

3. Contents of Plan

- 3.1 The Exit Management Plan shall include (without limitation) the following:
 - 3.1.1 a list of the Relevant Employees used to provide the Shared Services;
 - 3.1.2 a detailed programme of the transfer process that could be used to transfer the Shared Services back to each Partner Authority including details of the means to be used to ensure continuing provision of the Shared Services throughout the transfer process or until the cessation of the Shared Services and of the management structure to be employed during the transfer;
 - 3.1.3 plans for communication with the Relevant Employees and the Partner Authorities suppliers and customers to avoid any detrimental impact on either Partner Authority's operations as a result of undertaking the transfer;
 - 3.1.4 plans for the transfer of Relevant Employees engaged in the undertaking;
 - 3.1.5 plans for the division of Assets, the sharing of Joint Committee Data and the return of Partner Authority Data;
 - 3.1.6 plans for the segregation of any shared networks and other IT resources; and
 - 3.1.7 plans for provision of contingent support by each Partner Authority to the other for a reasonable period after the transfer.
- 3.2 The Exit Management Plan shall contain provisions covering the revisions to the standard plan which would be required were this Agreement to be terminated summarily

4. Duty to Co-operate with New Provider

- 4.1 Each Partner Authority agrees to provide the other with such information and cooperation as may be reasonably practicable to allow selection of and the transfer of the Shared Services to a new provider and to co-operate with such new provider as far as is reasonably practicable to ensure the smooth transition for the Shared Services

Schedule 7

Addresses for Service of Notices

South Ribble Borough Council: Chief Executive
Civic Centre
West Paddock
Leyland
PR25 1DH

Chorley Borough Council: Chief Executive
Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

REPORT TO	DATE
Council	22 July



TITLE	PORTFOLIO	REPORT OF
Annual Governance Statement 2019 and 2020	Leader	Director of Governance

Is this report a key decision? (i.e. more than £100,000 or a significant impact on more than 2 Borough wards)	No
Is this report confidential?	No

PURPOSE OF THE REPORT

1. To present the Annual Governance Statement covering the financial years 2018/19 and 2019/20.

RECOMMENDATIONS

2. That council consider and note the contents of the Annual Governance Statement for the years 2018/19 and 2019/20.
3. That Council receives and supports the improvements contained in the action plan at section 5 of the AGS.

CORPORATE OUTCOMES

4. The report relates to the following corporate outcomes:

Excellence, Investment and Financial Sustainability	✓
Health, Wellbeing and Leisure	
Place, Homes and Environment	

Projects relating to People in the Corporate Plan:

Our People and Communities	
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BACKGROUND TO THE REPORT

5. The council is required to ensure that it has in place a sound system of governance, that it regularly reviews the effectiveness of that system and continuously seeks to

achieve best value in service delivery. As part of that, the council is required to publish an Annual Governance Statement (AGS).

6. The Annual Governance Statement is developed alongside the Statement of Accounts but assesses the governance framework for the whole council and all of its activities. The form of the AGS and the approach taken to its development is based on guidance that is produced by CIPFA and SOLACE.
7. The Annual Governance Statement for 2018/19 was not signed off as significant governance failings that predated the submission of the AGS to Governance Committee in May 2019 were identified. As a result, it was clear that the statements within the AGS as presented were incorrect and did not accurately reflect the position of the council as regards the maintenance of and compliance with a robust governance framework. Following discussions with the council's external auditors, and because the AGS is supposed to reflect the point at which it is agreed, this statement covers the 2018/19 and 2019/20 financial years.
8. The AGS was approved in draft form to be sent to External Audit for review.
9. The AGS detailed a number of serious governance failings which included failings by council committees. In order for the council to demonstrate compliance with the governance framework council committees such as Governance and Scrutiny need to not only receive information but challenge information presented. This is not easy as Officer should feel supported by the organisation. However, appropriate challenge, is key to high performing organisations. It is entirely correct for councillors to test the performance of the organisation at these committees. It is clear that this did not happen in 2018/19 when for example a draft AGS was approved and found to contain a number of incorrect statements.
10. Governance Committee acknowledged the failings identified within the AGS and approved the action plan. Monitoring arrangements will be put into place including the reporting on progress to Governance Committee and through Leadership Team. The Executive Leader requested that the AGS be presented to full Council for debate.

OVERVIEW OF THE ANNUAL GOVERNANCE STATEMENT

11. The guidance from CIPFA and SOLACE sets out that councils are obliged to
 - Develop and maintain an up to date local code of governance consistent with the 'core principles' set out in the framework
 - Review their existing governance arrangements against the framework
 - Prepare a governance statement in order to report publicly on the extent to which the council complies with its own code on an annual basis including how it monitored the effectiveness of its governance arrangements in the year and on any planned changes in the coming period
12. The annual governance statement is required to be signed by the most senior officer (normally the Chief Executive) and the most senior member (normally the Leader), but it is developed and owned collectively by senior officers and members.
13. The guidance states that there should be a review undertaken by a body, such as the Governance Committee, that has not been involved in the production of the AGS.
14. The statement has five sections:

- Section one: the council's responsibility in producing an annual governance statement
- Section two: the purpose of the annual governance statement
- Section three: the governance framework, and how the council complies with its local code
- Section four: how the council reviews the effectiveness of the governance framework
- Section five: the steps that have been taken to test and enhance the council's governance framework, and the actions that need to be taken in the coming period.

15. This report provides an overview of the key elements of the AGS, with the full AGS attached at appendix A.

SUMMARY OF THE ANNUAL GOVERNANCE STATEMENT

16. In addition to the sections identified above, an introduction section has been inserted. This explains why the AGS covers a 2 year period and provides context for the length and context of the document.

17. Sections one and two of the AGS are self explanatory but it is of benefit to address the remaining sections in this covering report.

Section three: our governance framework

18. While the first two sections of the AGS provide a short standard introduction, section three details compliance with the adopted Local Code of Governance. The council continues to have in place some of the key elements of a strong governance framework, which provides a strong foundation for the organisation to work from.

19. Section three highlights some of the key documents, policies and controls that are in place to support good governance. For example:

- Corporate Strategy and performance reporting
- The Constitution and financial regulations
- Policies such as the Whistleblowing policy

20. A number of these documents have changed over the two financial years that the AGS covers, such as the corporate strategy and the medium term financial strategy. For completeness, the evidence used looks across the evidence that has been in place over the period.

21. The table has, in addition to previous years a column titled "comment". It is recognised that whilst some of the framework detailed in this section was in place, it was not effective. This column addresses the failings identified. This is important to acknowledge that the governance framework failed. The Council cannot simply state that the policies or processes were in place as evidence of compliance. Investigations and review have shown that whilst there may have been policies and processes, they were not reviewed or applied adequately.

Section four: How we review effectiveness

22. This section explains the different methods the governance framework is tested and reviewed by the Council.

Section five: Significant governance failings

19. Section 5 is the key part of the AGS for members of the Committee. In the narrative is a explanation as to how different issues contributed to the significant governance failings identified. Members of the Committee may recognise these matters were raised by external audit in the section 24 report from 2018. This is referenced in the narrative. The issues are grouped into 4 themes

- a. Leadership
- b. Culture
- c. Process; and
- d. Monitoring and Review.

It is very important, in order of the Council to be able to demonstrate improvement, that these issues are acknowledged. If any of these themes is not incorporated in any improvement plan then the governance failings will be perpetuated.

20. It is recognised that there have been improvements made and these are detailed in section 5(a) and 5(d). Key improvements have been the implementation of the senior management structure and the progression of shared services. The Monitoring Officer post formerly held on an interim basis is now a permanent appointment and the Deputy Director of Finance has been appointed providing some continuity to that directorate albeit the statutory role remains discharged by a deputy acting up. In addition, senior roles that will support the Council's transformation agenda, organisational development and public engagement have all been recruited to strengthening the corporate centre and assisting in developing a robust governance environment.

21. However, there are a number of governance issues which have been identified in and /or carried over from previous years and these are contained as sections 5(b) and (c).

22. The key actions which remain outstanding are set out below with proposed plan in the table below.

Action	By when	Lead
Undertake a review of the council's corporate governance policies: and Strategies <ul style="list-style-type: none">• Anti-Fraud and Corruption Policy• Anti-Bribery Policy• Whistleblowing Policy• Complaints Policy• Risk Management Policy / Strategy & Framework	August 2020	Chris Moister / Dave Whelan
Deliver governance and ethical awareness training to relevant staff and all members	August 2020	Chris Moister / Dave Whelan
Review the council's constitution, including financial regulations and scheme of delegation	July 2020	Chris Moister / Dave Whelan / James Thomson
Review the structures and processes of the new shared services to ensure they work efficiently, effectively and economically for the council	October 2020	Chris Sinnott

Review and identify any necessary improvements in the council's compliances with the Transparency Code	August 2020	Chris Moister / Dave Whelan / James Thomson
Develop and agree a business planning process for services	Initial works – September 2020	Vicky Willett
Develop a new performance management framework and data quality policy	September 2020	Vicky Willett
Develop an Organisational Development Strategy	December 2020	Vicky Willett
Develop a Communications Strategy	November 2020	Andrew Daniels
Develop a consultation framework and community engagement strategy		
Agree an approach to monitoring and managing the implementation of management actions agreed in internal audit reports	September 2020	Leadership Team
Review and update the council's HR policy framework	September 2020	Vicky Willett
Develop a partnerships framework	March 2021	Vicky Willett

COMMENTS OF THE STATUTORY FINANCE OFFICER

23. No comments.

COMMENTS OF THE MONITORING OFFICER

- 24.** As stated in the body of the report, the Annual Governance Statement makes hard reading. However, some comfort should be taken that these issues are being identified and there is a clear commitment to improvement being demonstrated not only by looking with a critical eye but by the works done and proposed to be done.
- 25.** The significant issue identified by the section 24 report was a lack of progress with an agreed improvement plan. Progress can now be demonstrated and a revised action plan is proposed which identifies works and timescales for completion. This will not be a quick fix but the AGS gives an honest and transparent assessment of the Council's governance framework and this recognition but the council in a better position to make the necessary improvements.
- 26.** The AGS is presented to Council for consideration of the issues raised. Governance Committee has already approved it in draft form for consideration by external audit.

BACKGROUND DOCUMENTS

APPENDICES TO THIS REPORT

Appendix 1 – Draft Annual Governance Statement 2018/19 2019/20

Report Author:	Telephone:	Date:
Chris Moister		7 July 2020

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Annual Governance Statement 2019 and 2020



INTRODUCTION

This, in many respects, is an unusual document. Annual Governance Statements (the “AGS”) are prepared as a point in time assessment of a Council’s governance framework and compliance with it. It normally covers a single year and supports a council’s Statement of Accounts providing comfort to members and the public that the decisions taken to support the financial decisions of the council have been made correctly and lawfully.

It is of course more than this, it addresses all decision-making processes. It provides confidence to the public that officers and councillors are acting with probity, that decisions are made transparently and that the best interests of the public are protected.

This document covers 2 years, the AGS presented to Governance Committee last year could not be signed off or approved. Both Internal Audit and External Audit were unable to accept statements made concerning the governance framework, nor compliance with it. In short there were significant governance failings identified (after the initial production of the draft AGS) that meant the AGS presented was simply not correct.

While some elements of this document will be familiar, following the format used for previous years, the contents of these sections will be significantly different. This will reflect the issues which were identified and have continued to be identified since the start of the municipal year 2019/20. Progress has been made to improve the council’s approach to governance. Section 5 of this AGS not only addresses the governance failings identified but also updates on improvements that have been made. It should also be accepted that the fact there continue to be issues identified is evidence of a more challenging approach to governance which in itself supports a culture of improvement.

However, the purpose of the AGS is to provide a stark and honest position statement of the Council’s approach to governance. This document will not only deliver a realistic assessment of the Council’s position but also provide an action plan for improvement against which progress can be monitored.

1. What we are responsible for

South Ribble Borough Council is responsible for ensuring that its business is conducted in accordance with the law, to high standards and that there is a sound system of governance (incorporating the system of internal control). Public money must be protected and properly accounted for. We also have a duty under the Local Government Act 1999 to continually review and improve the way we work, while at the same time offering value for money and delivering an efficient and effective service.

To meet this responsibility we should put in place proper arrangements for overseeing what we do (this is what we mean by governance). These arrangements are intended to make sure we do the right things, in the right way, for the right people, in a fair, open, honest and accountable way.

South Ribble Borough Council has approved and adopted a code of governance that is consistent with the principles of the CIPFA/SOLACE Framework¹
².

The Council are legally obliged to prepare an Annual Governance Statement which demonstrates how we have complied with the requirements of our code³. Unfortunately, this governance statement details how we failed to follow our local code, how these failings were identified and how we are taking steps to ensure that our governance framework can be improved and our statement of internal controls are complied with.

In May 2019 this document (in a similar form) was presented to Governance Committee for consideration as a draft. This draft stated that, not only is there a robust and comprehensive governance framework but that this framework had sufficient controls to ensure it was complied with. Subsequent to this, important and longstanding governance failings have come to light, highlighting that the AGS was incorrect. Further work undertaken over the last twelve months by the council's internal audit team has identified additional failings.

¹ The CIPFA / SOLACE (Chartered Institute of Public Finance and Accountancy / Society of Local Authority Chief Executives and Senior Managers) framework "Delivering Good Governance in Local Government".

² South Ribble Borough Council has approved and adopted a code of governance that is consistent with the principles of the CIPFA/SOLACE Framework. A copy of the local code is available on line at www.southribble.gov.uk or can be obtained by contacting D Whelan, Deputy Monitoring Officer - Civic Centre, West Paddock, Leyland, Lancs, PR25 1DH

³ Regulation 6(b) of the Accounts and Audit (England) Regulations 2015

2. Purpose of the Governance Framework

The governance framework comprises the systems, processes, culture and values by which we direct and control our activities including those by which we account to, engage with and lead the community. It enables us to monitor how we are achieving our long-term aims and to demonstrate where this has led to improved services that are delivering value for money. The council has responsibility for ensuring that there is a sound system of governance.

The system of internal control is a significant part of the framework and is designed to manage risk to a reasonable level. It cannot remove all risk of failing to achieve our priorities and aims, so it can only offer reasonable protection. It is based on an ongoing process that is designed to:

- Identify and prioritise the risks that could prevent us achieving our aims and objectives
- Assess the likelihood and impact of the risk occurring
- Manage the risks efficiently, effectively and economically.

3. Our Governance Framework

Our Governance Framework, which was adopted by full Council at its meeting on 24 May 2017, promotes and demonstrates our commitment to the principles of good governance and incorporates the council's values that emphasise how we do things at South Ribble Borough Council. It is important to note that a robust governance framework only has value if it is complied with and contains sufficient controls to ensure this. While the governance framework detailed below is correct and is on its face comprehensive some of the detail which would have protected the Council is absent. These identified issues are included in the Comments column. The council approach to improving these defects will be addressed in section 5 of the AGS.

The principal elements of our governance arrangements in 2018/19 and 2019/20 and our commitment to our local code are described below:

Good governance means behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law			
The Council's commitment to Good Governance	How the Council meets these principles	Where you can see Governance in action	Comments
Behaving with integrity	<ul style="list-style-type: none"> The council has a set of Core Values in place which inform everything we do Our values of Integrity, Positive Attitude, Learning Organisation, Teamwork and Excellence are at the core of our business and they influence everything we do. They demonstrate that we are serious not just about what is achieved but also how business is done We communicate our shared values with members, staff, the community and partners Our Core Values are incorporated into role profiles for senior managers and are embedded into our induction programmes for new officers and members. We have a suite of relevant policies in place – i.e. Whistleblowing policy, 	Local Code of Governance Transformation Strategy Corporate Plan Suite of policies available through intranet – See Appendix C Action 6. Member and officer protocol	<p>Whilst throughout this period there were a comprehensive suite of governance policies nevertheless some of those policies were in need of updating</p> <p>2018/19 No Personal Development and Review process in place, 2019/20 PDR process introduced, Induction improved, PDR's in general completed for all staff, 2020/21 process to be further embedded</p> <p>Management Controls require improving in regard to ensuring appropriate induction for individuals are promoted into Management roles, ensure appropriate regulation and rules training is undertaken.</p> <p>Breaches of CPR's and attempts to circumvent Financial Procedure Rules during 2018/19, early 2019/20. Training and review has taken place during 2019/20 and is ongoing.</p> <p>Number of temporary arrangements in 2018/19 re s151 and into 2019/20.</p>

	<p>Antifraud and Corruption Strategy, Fraud Response Plan, Anti Bribery Policy, Anti Money Laundering Policy and Guidance, RIPA</p> <ul style="list-style-type: none"> Contracts and service specifications for the main partnerships are informed by our values 		<p>Assistant Director of Finance post now filled permanently; recruitment to Director of Finance in progress.</p> <p>A number of policies relating to anti-fraud and corruption, whistleblowing etc. require review and update and appropriate training provided for officers.</p>
Demonstrating strong commitment to ethical values	<ul style="list-style-type: none"> We have a robust Members' Code of Conduct in place which was refreshed in 2017 We had a Member and Officer Protocol which was adopted in March 2018 – all members and officers signed up to it for the year 2018 – 2019. For the year 2019 - 2020 (following the election in May) members were again asked to sign up to this protocol. The vast majority of members have signed up to this. We have a robust Employee Code of Conduct in place We are committed to raising the profile of our Standards Committee –the Chair of Standards reports to full Council on an annual basis The Protocol for the Independent Person was formalised and is included in the Constitution We strengthened our standards arrangements by appointing a second Independent Person We have an Investigation and Hearing policy which sets out how we deal with complaints against Members – this was updated and strengthened in 2017 	<p>Members Code of Conduct Constitution (Part 5A) – See Appendix C Action 2.2</p> <p>Code of Conduct for employees Constitution (Part 5B)</p> <p>Standards Committee Terms of Reference.</p> <p>Independent Person Protocol - Constitution (Part 4J)</p> <p>Member and officer protocol</p> <p>Member learning hours – Schedule in place</p> <p>Register of interests</p>	<p>Project Group established to align Code of Conduct across CBC and SRBC as part of shared arrangements, will include taking account of LGA model code as appropriate.</p> <p>Internal Audit Identified that a number of policies relating to the ethical governance of the Council require reviewing and updating.</p> <p>Provision of ethical training for Members and Officers is required</p> <p>Agreed values in partnership working require review and update, align to Corporate Strategy and Corporate Values</p> <p>Partnership Framework identified as out of date, requires review and update</p>

	<ul style="list-style-type: none"> We have Member learning hours as well as tailored training for members on particular committees Following the elections in May 2019 training was provided for all members on Standards issues and additional training was provided to the members of the Standards Committee. We have a register of interests in place for officers and members to declare interests. Members are advised on an annual basis to review their declaration of interest's forms and interests are published online We have a robust Scrutiny Committee 		
Respecting the rule of law	<ul style="list-style-type: none"> Appointment of statutory officers including; Head of Paid Service, Monitoring Officer and S.151 Officer who fulfil their responsibilities within legislative and regulatory requirements Compliance with CIPFA's statement on the Role of the Chief Finance Officer in Local Government (2016) We have an induction programme for new Officers and members We have Financial Regulations and Contract Procedure Rules in place Substantial work has been completed on reviewing and updating our Constitution, this is undertaken on an on-going basis. Legal Officers provide advice on all committee reports and delegated decisions 	Constitution Review of compliance with statement on role of CFO. Financial Regulations and Contract Procedure Rules – See Appendix C Actions 1 & 5 Effective Anti-fraud and corruption policies and procedures Local Assurance testing	<p>It should be pointed out that Internal Audit have identified a number of failings to comply with Contract Procedure Rules for the year up to May 2019. Since then extensive training has been delivered on this issue.</p> <p>Internal Audit reviews identified significant breaches of Contract and Financial Procedure Rules in respect of Contracts and Tender processes. CPR's in relation to High Value Procurement in respect of some Utilities contracts breached. Also breach of European Procurement Rules, failure to achieve and demonstrate Value for Money, also breach of Constitution as appropriate decision-making process not adhered to; contract not agreed and signed by Legal Services.</p> <p>Internal Audit review identified instances of waiver process not complied with; contracts extended without adhering to appropriate decision-making process and without obtaining waivers of CPR's in line with Constitution.</p> <p>There have been instances of legal advice being sought without going through the internal team, Monitoring Officer advice not always followed.</p> <p>Internal audit reviews identified circumvention of Financial Procedure Rules, they are ambiguous and require interpretation,</p>

			<p>not aligned to current operation of services ; - Financial Regulations are in need of updating</p> <p>Fraud & corruption risks for Council require assessment Service Assurance Statements require testing to determine effectiveness of controls</p>
Good governance means ensuring openness and comprehensive stakeholder engagement			
The Council's Commitment to Good Governance	How the Council meets these principles	Where you can see Governance in action	Comments
Ensuring openness	<ul style="list-style-type: none"> Our Local Code of Governance, Constitution and Annual Governance Statement show the Council's commitment to openness Our Corporate Plan in February 2019 provided a focus, setting out the priority objectives, key targets and supporting improvement actions, the plan is reviewed and updated on an annual basis and is communicated through our website. In 2018-19 we undertook extensive consultation on priorities with residents, businesses and partners to inform the development of a new 5-year Corporate plan for 2019-24 Following a change of political administration in May 2019 work commenced on a new Corporate Plan. This was finalised and published in September 2019. It covers the period 	<p>Local Code of Governance Constitution Annual Governance Statement Corporate Plan 2018-2023 New Corporate Plan 2019 - 2023 Compliance with Transparency Code Freedom of Information publication scheme All agendas and minutes are available through the website. Scrutiny Committee Terms of Reference Results of employee survey Results of member survey Results of cultural mapping review Community Engagement Strategy Community Engagement</p>	<p>Internal Audit reviews identified a failure to review and action by Management of outstanding / overview contracts and excess spend levels outlined in the Transparency Register resulting in contracts continuing beyond agreed extensions. Not all spend in excess of £5000 is included in the Transparency register, thus failing to comply with Transparency Code.</p> <p>The Council's Contracts Management system is not up to date and does not contain all contracts;</p> <p>Community Engagement Strategy requires reviewing and updating.</p> <p>Consultation and Engagement toolkit requires developing</p> <p>Review of Internal and external communications required</p>

	<p>2019 – 2023. Extensive consultation was carried out prior to its introduction.</p> <ul style="list-style-type: none"> • Council and Committee agendas and decisions are available to the public through our website except where confidential matters are being disclosed • The culture in the council is that wherever possible all reports should be open to the public; we minimise the number of exempt reports • Wherever possible exempt reports are made public following a six month period upon request • Public participation is encouraged at our council and committee meetings – for example at Planning committee the public have greater rights to speak than is found at many councils • Requirements of the Code of Transparency are generally being complied with but there have been some instances where this has not occurred • The Corporate Plan, financial strategy and governance arrangements are reviewed annually and incorporate the key improvement areas. They ensure that resources are directed towards our priority areas and that our aims are realistic in the context of the funding constraints placed upon us • Scrutiny Committee report to every Council meeting – it meets 6 times a year – Scrutiny Committee have clear terms of reference • Every two years we have an Employee survey 		<p>An approach to the review and updating of the Transparency Register must be developed and adhered to by Leadership Team. Leadership Team members must also ensure the high value spend report is reviewed to ensure spend above £5000 is recorded on the Transparency Register and determine good s/ services identified in the high value suppliers list, have been procured in accordance with the Council Contract & Financial Procedure Rules.</p>
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	<ul style="list-style-type: none"> Staff are consulted on matters through a South Ribble Action Group, CONNECT, and the Leadership Team key messages and briefings. In addition there has been extensive consultation with staff as part of the cultural mapping review The Transformation Strategy and Transformation Programme, progress was reviewed and reported to Cabinet in the year 2018/2019. In the year 2018/2019 In collaboration with North West Employers, we carried out a review of our organisational culture, as part of this we developed a staff engagement measurement tool. 		<p>For reasons explained further on in this document there is no current Transformation Strategy</p> <p>This staff engagement tool has not been properly implemented, developed or embedded</p>
Engaging comprehensively with institutional stakeholders	<ul style="list-style-type: none"> We had a Communications Strategy 2017-19 in place which enabled the establishment of communication task and finish groups on an ad-hoc basis when required There is significant consultation with voluntary, community and faith sector groups via the South Ribble VCFS Network, Neighbourhood Forums and through Partnerships South Ribble Partnership's Community Strategy 2019-2024 was developed allowing partners across the borough to work towards shared objectives in the interests of the local community – extensive consultation was carried out with all partners in developing this Strategy. The Strategy is available through South Ribble Partnership website. Council representation on 	<p>Communications Strategy 2017-19 Customer Feedback Policy Community Strategy 2019-24 My Neighbourhood Plans Schedule of Neighbourhood forum meetings (3 per annum) Greenlinks consultation Corporate Plan 2019-2024 Updated Corporate Plan 2019 – 2023. Equality Impact Assessment</p>	<p>Communications strategy requires updating, Draft version 2019-22 has been developed, however requires updating, to address Communications team is now a shared service with Chorley.</p> <p>The Partnership Framework requires review and update in order to ensure the partnerships reflect the Corporate Plan and the Council's values.</p>

	<p>South Ribble Partnership includes the leader (vice chair) and the Chief Executive. All agenda and minutes are distributed to all partners.</p> <ul style="list-style-type: none"> • The Council has close links with Disability Equality Northwest • Safer Chorley and South Ribble Community Safety Partnership • My Neighbourhoods surveys and My Neighbourhood forums provide opportunities for public involvement, 3 meetings per area are undertaken • Public involvement with any current consultation through website e.g Greenlinks consultation • Collaborative working with a wide range of public sector agencies and businesses to improve outcomes for local people and communities. Key Partnerships support this collaborative working and include; <ul style="list-style-type: none"> • South Ribble Partnership • South Ribble Community Leisure Trust • Central Lancashire health and wellbeing partnership • Lancashire Enterprise Partnership • Preston, South Ribble and Lancashire City Deal • Lancashire County Council • Chorley Borough Council <ul style="list-style-type: none"> • In 2018-19 we undertook extensive consultation with partners from the public sector, business and community to develop a new 5 year Community Strategy this is directly linked to the 		
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	<p>Council's Corporate Plan priorities and sets out how we will work with partners to use our joint resources to provide the services people need.</p> <ul style="list-style-type: none"> In 2017-18 we undertook extensive consultation on priorities with residents, businesses and partners to inform the development of a new 5 year Corporate Plan for 2019 – 24. We also carried out a robust consultation exercise with all relevant parties prior to the development and adoption of a new Corporate Plan (following the change in administration in May 2019) in September 2019 		
Engaging with individual citizens and service users effectively	<ul style="list-style-type: none"> The council uses a range of mechanisms to understand the views and needs of its residents and partners. These include: public meetings, partnerships, multi-agency working, community and voluntary groups The Council's website was developed to improve citizen engagement The council is constantly examining its service delivery arrangements based on feedback in order to achieve best value, Improve customer service and take corrective action as necessary All council/committee agendas, reports and minutes are openly available and can be viewed through the council's website The council produces an Annual Report which provides a clear and concise summary of the council's activity over the previous year, so that residents can see 	<p>LGA Customer Survey Customer Feedback Policy Council website – committee reports and minutes Annual report Quarterly performance reports Records of public consultation Social Media (Facebook, Twitter etc.)</p>	<p>Procedures / processes relating to the Record of public consultations require review and update.</p> <p>Review and Update of Communications Strategy (as above)</p> <p>Review of Internal and external communications.</p> <p>Review and Update Community Strategy</p>

	<p>where money has been spent and what has been achieved</p> <ul style="list-style-type: none"> Customer feedback policy was introduced in 2017 and resident satisfaction measures and proxy measures for customer care have been routinely reported to Scrutiny Committee and Cabinet throughout 2018-19 as part of the quarterly performance report. There is public involvement with any current consultation through the council website e.g. Greenlinks consultation, Town Centre Masterplanning. Consultation is being developed for the budget setting process. 		
Good governance means defining outcomes in terms of sustainable economic, social and environmental benefits			
The Council's Commitment to Good Governance	How the Council meets these principles	Where you can see Governance in action	Comments
Defining outcomes	<ul style="list-style-type: none"> For the year 2018/2019 we had a new Corporate Plan 2019-2024 which was agreed by Council and reflected the council's priorities. The Plan was aimed at maintaining high resident satisfaction with the council and with the services we provide. It was also aimed at ensuring that the council remains financially self-sufficient with a focus on income generation. Regular reporting of progress towards achievement of the Corporate Plan was made to Scrutiny and Cabinet throughout 2018-19. In the year 2019/2020 (following a change of political administration after the local elections in May) a new Corporate Plan was introduced in September 2019. 	<p>Quarterly performance reports Corporate plan 2018-2023 Corporate Plan 2019 - 2023 Transformation Strategy 2017-18 Community Strategy Medium-Term Financial Strategy CPRs – See Appendix C Action 5 AGS action plan Improvement Reference Group Quarterly Performance Reports</p> <p>Risk Management Framework</p>	<p>It has become apparent that performance information previously reported was inaccurate, not evidenced and not properly signed off. During 2019/2020 a great deal of work has been done to address this – see further on.</p> <p>Further work is required to ensure process is embedded, a further review of Performance Management will be undertaken by Internal Audit as part of the 2020/21 Audit Plan work.</p> <p>Risk management inadequately evidenced through use of the Grace system</p> <p>Service Plans have not always been in place.</p> <p>Whilst there is a risk management framework in place, risk is not managed effectively, there is no Risk Strategy in place, a review is required of the Risk Management Strategy and Framework.</p>

	<ul style="list-style-type: none"> • The South Ribble Partnership is made up of a number of organisations which represent each sector from South Ribble – they lead and influence the strategic vision of the Partnership • The South Ribble Partnership's Community Strategy was aligned with countrywide priorities and the council's Corporate Plan. The priorities of partners are also aligned to this • A medium-term financial strategy was in place which set out the financial assumptions and provided a set of goals for financial decision making for the planning period ahead, this is backed up with robust budget monitoring • Contract Procedure Rules and the guidance accompanying them contains advice on the social value dimension of procurement – this is backed up by advice from the council's legal and procurement officers • Regular meetings of the cross-party improvement reference group took place in 2018/19, to consider the actions set out in the Peer review. This will be commented on further later on in the report. • Contracts are in place for our major partnerships covering in particular Waste, Leisure, City Deal, Payroll, Shared Services (the latter with Chorley BC). • Quarterly performance and financial reports are produced and presented to Cabinet and Scrutiny • We have a risk management system (Grace) in place 	<p>Agreed set of quality standard measures Treasury Management update Capital Strategy update</p>	<p>Comments are made further on in this report about the work of the Improvement reference Group. Serious concerns have emerged about the accuracy of data reported to full Council about the completion of necessary work in the relevant Action Plan.</p>
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Sustainable Economic, Social and Environmental Benefits	<ul style="list-style-type: none"> We had a Transformation Strategy for the year 2018/2019 in place and developed a transformation programme that demonstrated our continued commitment to customer centric service improvement and financial savings The council sets out the factors it has taken into consideration when making decisions in reports which are available on our website We have in place a Disaster Recovery Plan, an Emergency Plan and a Business Continuity Plan There is an annual review process resulting in a Governance improvement action plan We have a Customer Feedback Policy in place and is available to view on our website. This informs our customers of their right to complain and we monitor the number of complaints within the quarterly performance report considered by Leadership Team and members 	Transformation Strategy and transformation programme Business Continuity Plan and Disaster Recovery Plan – See Appendix C Action 8 AGS action plan Customer Feedback Policy Quarterly Performance Reports Corporate Plan and priorities MTFS Capital Programme Capital Strategy Record of decision making and supporting materials	<p>In 2019/2020 council elected not to introduce a new updated Transformation strategy. Transformation was considered part and parcel of everyday working. Also a key driver for transformation is shared services – a great deal of progress was made in considerably expanding the scope of shared services during this process.</p> <p>Internal Audit reviews identified insufficient information in budget setting process to ensure Members have appropriate information to make robust decisions; detailed information in respect of key decisions to be included in future budget setting processes.</p> <p>Improvements are required in the area of Customer Feedback.</p> <p>There are no formal procedures in place in any service for incorporating feedback from customers into reviewing/revising policies and delivery of services. Also complaints feedback is dealt outside of the system.</p>
Good Governance means determining the interventions necessary to optimise the achievement of the intended outcomes			
The Council's Commitment to Good Governance	How the Council meets these principles	Where you can see Governance in action	Comment
Determining interventions	<ul style="list-style-type: none"> The Council's constitution governs the way we conduct our business and is based on the principles of accountability, transparency, efficiency and openness 	Constitution Scheme of delegation, Financial Regulations and CPRs – See Appendix C Actions 1 & 57	<p>In terms of the work of the Improvement Reference Group issues have emerged about this – in particular inaccurate information has been reported to cabinet and Council the actions that had been carried out to address the Action Plan.</p>

	<ul style="list-style-type: none"> • The constitution clearly explains how decisions are made; the extent of delegated powers and includes standing orders, contract procedure rules and financial regulations • Our delegated decisions are published and are subject to call in • The Monitoring Officer regularly advises on the correct interpretation of the Scheme of Delegation • Scrutiny Committee has a vital role to play in scrutinising and challenging the decisions of cabinet and individual officers e.g, 3 Scrutiny call-ins of cabinet decisions in 2018/19. During 2019/2020 there was a Scrutiny Committee call in on the cross-party strategic review of community involvement including My Neighbourhoods • The Scrutiny Committee supports citizens in highlighting community matters by holding public inquiries into matters of local concern. • Regular meetings of the cross-party improvement reference group took place in 2018/19, to consider the actions set out in the Peer review • Minutes of Council and Committee minutes are published and available on the Council's website wherever possible the Monitoring Officer discourages exempt committee reports • Reports set out alternative courses of action (to what is proposed) in all appropriate circumstances • We have Neighbourhood Area meetings 	<p>Scrutiny Committee Terms of Reference IRG- Record of decisions, supporting materials, minutes of meetings are all published on website. Performance Management Framework Corporate Plan MTFS</p>	<p>As above – ensure sufficient detail is included in discussions, including options to consider in order that Members can make robust decisions.</p> <p>Ensure risks are outlined and sufficient information is available to demonstrate that best value has been achieved in service delivery.</p> <p>Failings in the operation of the improvement reference group addressed in this document</p>
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<p>Planning interventions</p>	<ul style="list-style-type: none"> We had a Corporate Plan 2019-2024 which had been agreed by Council and reflected the council's priorities. The Plan is aimed at maintaining high resident satisfaction with the council and with the services we provide. It was also aimed at ensuring that the council remained financially self-sufficient with a focus on income generation through integration with the council's Medium -Term Financial Strategy. In the year 2019/2020 (following a change of political administration after the local elections in May) a new Corporate Plan was introduced in September 2019. The council had in place a suite of Key Performance Indicators (KPIs) to monitor service delivery and progress against Corporate Plan activities. Reports are compiled quarterly and are submitted to the Leadership Team, Scrutiny Committee and Cabinet. The South Ribble Partnership is made up of a number of organisations which represent each sector from South Ribble – they lead and influence the strategic vision of the Partnership. Codes of Conduct and protocols help to ensure effective communication between members and Officers We had a Communications Strategy 2017-19 in place - this enabled the establishment of communication task and finish groups on an ad-hoc basis when 	<p>Corporate Plan 2019-2024 (September 2019) Corporate Plan 2019 - 2023 Quarterly Performance Report Code of Conduct for elected members Code of Conduct for Officers Member / Officer protocol – Community Strategy Communication Strategy 2017-18 Council Calendar of meetings Local Plan Use of InPhase for Project Management Project Management Toolkit</p>	<p>As part of a review of Project Management of a significant Council project it was identified by Internal Audit that, governance arrangements were ineffective in that agreed governance arrangements put in place had not been complied with and processes in regard to milestone decisions had not been complied with, demonstrating that project management was ineffective.</p> <p>Internal Audit identified a number of issues relating to Performance Management and reporting, in that data was inaccurately calculated, recorded and reported and there was a lack of compliance with the Council's Data Quality Policy. In 2019/20 significant work was undertaken to address this, Internal Audit will undertake a further review of Performance Management as part of the 2020/21 Audit Plan to ensure revised systems and controls are effective.</p> <p>It was identified from the Service Assurance Statements that improvements are required in regard to follow up processes where corrective action is identified, e.g. outputs of Residents Surveys and complaints etc. as there is currently no formal process for ensuing that feedback is taken account in service delivery improvements.</p>
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	required It is now acknowledged that this needs to be updated.		
Optimising achievement of intended outcomes	<ul style="list-style-type: none"> We had a Financial Strategy in place backed up with robust budget monitoring and the MTFS Delivery Plan was monitored by both the Council's programme Board and Scrutiny committee Contract Procedure Rules and the guidance accompanying them contains advice on the social value dimension of procurement – this is backed up by advice from the council's legal and procurement officers Budget alignment with key priority areas provides capacity and investment A new Capital programme and MTFS for 2019-23 is closely aligned to the Corporate Plan for 2019-24. 	Medium-term Financial Strategy Contract Procedure Rules and Financial Procedures (Constitution) – See Appendix C Actions 1 & 5 Budgeting guidance and protocols Resident Consultation Capital Programme Project Management Toolkit Use of InPhase for project management Budget setting process links to Corporate Plan, Service Plans; engages with officers and members (administration and opposition) MTFS Draft Budget Quarterly budget monitoring reports Review of corporate outcomes and associated capital and revenue projects	
Good governance means developing the council's capacity, including the capability of its leadership and the individuals within it			
The Council's Commitment to Good Governance	How the Council meets these principles	Where you can see Governance in action	Comments
Developing the organisation's capacity	<ul style="list-style-type: none"> The Council's Transformation Strategy focused on building and maintaining leadership and organisational capacity and articulated how we will support staff and members helping them to develop the skills they need for the future. The transformation aims were; 	Transformation Strategy Strong and effective leadership Shared Services – See Appendix C Action 3 Investors in People Medium-Term Financial Strategy Community Strategy	<p>The principles behind the Transformation Strategy were sound but no actions were taken to implement them. Also there was a failure to comply with the governance arrangements that were adopted in this regard.</p> <p>No workforce plan has been in place during these years nor was any Organisation Development undertaken during this period.</p> <p>During 2018/2019 the HR service was not helped by a lack of consistent HR management and use of temporary HR resources</p>

	<ul style="list-style-type: none"> To develop and embed an organisational culture that encourages, empowers and recognises ambition and innovation A highly motivated and flexible workforce Developing a performance culture Encouraging and nurturing talent To reduce the cost of service delivery <ul style="list-style-type: none"> The council has a strong record of investing in its workforce to develop the culture of the organisation and ensure that current and future strategic priorities are met In 2018/2019 in collaboration with North West Employers, we carried out a review of our organisational culture, as part of this we have developed a staff engagement measurement tool. Members and officers work in partnership to deliver the priorities, promote our values and work collaboratively across Lancashire Budget alignment with key priority areas provides capacity and investment ensuring the correct reserve allocation to deliver outcomes. The Council is committed to increasing its capacity by working in partnership with a wide range of organisations including public, private, voluntary and community groups to build and share resources and deliver locally joined up services Private sector partnerships provide investment and enhanced customer service for Leisure and Waste services A long term partnership with Chorley BC to deliver Financial and Assurance services both increases capacity and 		<p>It was identified by Internal Audit as part of discussions in relation to the Service Assurance Statements that whilst some work is undertaken in regard to the review of activities, outputs and planned outcomes, in respect of benchmarking, measuring performance etc., the Service Assurance Statements identified that it is not consistent / formalised across the Council.</p> <p>The Council must develop an agreed approach in respect of clear expected outcomes in order that services can demonstrate the achievement of their service delivery objectives.</p> <p>The development of an agreed approach to benchmarking and assessing services against comparative data should also be undertaken assessing and acting on the outcomes / feedback from surveys and complaints and a reporting mechanism established.</p> <p>Further there is very little work undertaken in regard to the reviewing of partnerships / contract management and the review of expected outcomes / deliveries of these key partnerships / contracts to demonstrate that the partnerships / contracts demonstrate best value in delivery of those services / service areas and that service objectives are being achieved.</p> <p>The Council must develop and agree an approach to reviewing key partnerships / contracts in order to demonstrate / evidence that key partnerships / contracts are delivering effective, efficient and economic services / service areas and demonstrating that these partnerships / contracts evidence best value for the Council.</p> <p>The identification of financial discrepancies within a key partnership / contract arrangement has demonstrated that contract management in that area is ineffective and controls have failed. Appropriate contract management / partnership management processes require development and implementation for each contract / partnership / framework in order to ensure that efficient and effective delivery of services can be demonstrated and failure of delivery can be addressed.</p> <p>Review and update of Organisational Development Plan / Planning</p> <p>Review and update workforce plan / planning</p>
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	<p>skills whilst delivering efficiency savings through the use of appropriate technologies In 2019 – 2020 the council also agreed and implemented an expansion of shared services, including a number of senior posts that will provide resilience, development opportunities and increased capacity.</p> <ul style="list-style-type: none"> • Our values and integrated approach to financial and risk management are key to sustained progress against priorities • The Corporate Plan is supported by financial, risk and other cross cutting strategies and further deployed through service and individual performance plans to ensure that resources are focused on agreed priorities • Success in leadership and workforce related governance has been recognised in the achievement of Investors in People 		
Developing the capability of the organisation's leadership and other individuals	<ul style="list-style-type: none"> • The Council Leader and Chief Executive have clearly defined roles and maintain a shared understanding of roles and objectives. • The constitution clearly explains how decisions are made; the extent of delegated powers and includes standing orders, contract procedure rules and financial regulations. • The Council maintains a Scheme of Delegation setting out which decisions and powers have been delegated to various Committees and Officers. • Protocols ensure that communication between elected members and officers is both effective and appropriate 	<p>Constitution Scheme of delegation, Financial regulations and CPRs – See Appendix C Actions 1 & 5 Codes of Conduct; Member / Officer protocols – See Appendix C Action 2.2 Shared Services – See Appendix C Action 3 Role of Monitoring Officer as detailed in the constitution Committee membership Leadership Team – Compliance with CIPFA statement on the roles of CFO Public Sector Internal Audit Standards</p>	<p>During 2018 -2019 there was no organisation structure chart. The blended approach to working (see further on for more information) failed to identify accountability and responsibility. A review of whole organisational structure will be undertaken as part of the Shared Service review.</p> <p>During 2018/2019 no performance and development reviews were carried out. During 2019/2020 a new procedure was introduced, PDR's in general have been undertaken for all staff, the process requires embedding during 2020/21, Internal Audit will undertake some testing of this area as part of the 2020/21 Service Assurance Statement testing.</p> <p>The Council scheme of delegation is out of date and requires reviewing and updating particularly following the further development of Shared Services.</p> <p>Scheme of delegation has not been reviewed for some time, requires review and updating particularly to include the Shared Service changes.</p>

	<ul style="list-style-type: none"> The role of the section 151 officer is supported by the shared financial and assurance services team – this is a service that we share with Chorley Borough Council The Monitoring Officer is supported by the council's legal services team The Chief Executive is the Head of Paid Service – the role is supported by the Leadership Team Each Cabinet Member has portfolio responsibilities for leading strategic matters and for championing specific services and initiatives Council business is conducted in accordance with the Constitution which governs and controls its business responsibilities and activities. Good practice standards are annually assessed against the CIPFA statements for the roles of the Chief Finance Officer and the Public Sector Internal Audit Standards The Transformation Strategy incorporated Member Development & identified the priority areas for officer development. Monitoring is undertaken by the Leadership Team and the Scrutiny Committee. Staff are consulted on matters through a South Ribble Action Group, CONNECT (Intranet), the Leadership Team. In addition there has been extensive consultation with staff as part of the cultural mapping review and review of organisational culture. 	<p>Transformation Strategy 2017-18 – See Appendix C Actions 1 & 3</p> <p>Performance and Development Reviews – See Appendix C Action 7</p> <p>Cultural Mapping Review – Access to update courses and information briefings for Members</p> <p>Training & Development Plan for Members 2019/20</p> <p>Residents Panel</p> <p>Stakeholder Forums</p> <p>Cabinet in the Community</p> <p>Youth Council</p> <p>Neighbourhood Area meetings</p> <p>Public Consultation</p> <p>Review Individual Member performance regularly</p> <p>Peer reviews</p> <p>Training and PDR's for Staff</p> <p>HR Policies</p>	<p>Breaches of Financial Regulations have been identified in Audit reviews, this is sometimes due to ambiguity of the Financial Procedures Rules, these require review and updating to ensure in accordance with CIPFA / Best Practice and align to Chorley Council as Finance is a Shared Service.</p> <p>In 2019/20, the Administration have developed a number of initiatives in order to ensure public participation during the year including holding Cabinet in the Community, however, due to COVID-19, this implementation has been delayed.</p> <p>A number of HR Policies are out of date and require review and updating, to be undertaken as part of the Shared Services agenda.</p>
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Good governance means managing risks and performance through robust internal control and strong financial management			
The Council's Commitment to Good Governance	How the Council meets these principles	Where you can see Governance in action	Comments
Managing Risk	<ul style="list-style-type: none"> The Council has a Risk Management Framework that outlines the responsibilities for risk The Chief Executive has overall responsibility for risk management; a cabinet member has portfolio responsibility; operationally a Head of Service leads the risk management function and is recognised as the officer champion. Governance, Risk Assessment & Control Evaluation software (GRACE) has been procured which enables continuous risk and control self-assessment by services. In addition Corporate Plan projects and project risks are monitored via InPhase. The Programme Board functions as the corporate risk management group and annually agrees and prioritises the corporate risk register which is aligned with the corporate plan Legal and Finance review all Committee reports and delegated decisions A quarterly review of the Corporate Risk Register is reported to both Scrutiny Committee and Cabinet alongside the quarterly performance reports The council takes a proactive approach to both prevent and detect fraud and this is supported by the Council's Anti-Fraud & Corruption Strategy, Internal Audit programmes, fraud investigations, 	Risk Management Framework Constitution GRACE InPhase Corporate Risk Register Corporate Plan Risk Register Fighting Fraud and Corruption Locally – The Local Government Counter Fraud and Corruption Strategy 2016-2019 Customer Feedback Policy Whistle-Blowing Policy Suite of Anti-fraud policies – See Appendix C Action 6	<p>The use of Inphase needs to be reviewed.</p> <p>A review of the risk management framework is required. There is no risk strategy or policy. Use of Grace / risk system (approach to risk management) needs to be developed further.</p> <p>There is an identified need to review risk management within projects – evidence of inadequate or poor risk registers</p> <p>Business Continuity Plans were identified as being out of date and not in place in some areas; Plans require further review and update following on from the current national crisis and to ensure they reflect the priorities of the Council BCP plans require continuous maintenance, review and testing to ensure they are fit for purpose and up to date.</p> <p>There are a number of significant Emergency Plans in place, these require, review, update and testing to ensure they are fit for purpose; regular exercise should be planned to stress test plans.</p> <p>Risk management is not fully embedded, this is reflected in the lack of up to date risk registers, the framework and management of risk requires review and update to ensure risks are being managed effectively and to ensure risk management is embedded.</p>

	<p>participation in National Fraud Initiative exercises, and publication of proven cases.</p> <ul style="list-style-type: none"> A Complaints Procedure and a Whistle-Blowing Policy are kept under review, providing the opportunity for the public and employees to raise issues for investigation 		
Managing Performance	<ul style="list-style-type: none"> The council has in place a suite of Key Performance Indicators (KPIs) to monitor service delivery and progress against Corporate Plan activities. Reports are compiled quarterly and are submitted to the Leadership Team (Programme Board), Scrutiny Committee and Cabinet We have introduced a Corporate Planning and Delivery Framework which will be used to monitor and manage the delivery of service plans and all corporate plan projects and for reporting progress to members The council has a variety of control mechanisms to ensure compliance with legal requirements, public law and Council policy. These include the roles of the Monitoring Officer; the Chief Financial Officer (Section 151); the assurance work undertaken by both External and Internal Audit; and the Council's committee reporting system The Monitoring Officer is responsible for keeping abreast of all legal requirements and informing relevant officers The Governance Committee is responsible for reviewing and challenging the adequacy of the council's governance 	<p>Quarterly Performance Report Role of Monitoring Officer as detailed in Constitution. Role of S.151 Officer as detailed in Constitution Internal Audit Plan Governance Committee Terms of Reference - Monthly Programme Board meetings Financial Standards and Guidance Financial Regulations and CPR's</p>	<p>Service Assurance Statements identified that Benchmarking and cost performance is not undertaken in all service areas, independent post implementation reviews of service delivery is not undertaken in areas where new processes / systems are developed to determine if project / system objectives are met. A number of audit reports have been classified as providing limited assurance in respect of controls, indicating that there are risks to the effective, efficient and economic delivery of services and their performance.</p> <p>Management actions arising from individual audit reviews must be implemented in a timely manner, managed by the Directors and the implementation reported to Governance the Committee.</p>

	arrangements. It closely monitors progress on control matters including improvement plans, external and internal audit programmes and reports, and risk management.,		
Effective overview and scrutiny	<ul style="list-style-type: none"> Cabinet is supported and challenged by the Scrutiny Committee which plays an active role in scrutinising decisions, monitoring performance, shaping policies and strategies and reviewing the effectiveness of partnerships and external organisations. The agenda, reports and minutes are publicly available on the Council's website 	Scrutiny Terms of Reference and workplan The Role and responsibility for Scrutiny has been established and is clear Training for Members Evidence of improvements as a result of scrutiny	
Robust Internal Control	<ul style="list-style-type: none"> The council maintains a robust Internal Audit service, which annually provides an independent and objective opinion on the internal control environment, verifies compliance with policies, laws and regulations, evaluates and makes recommendations to improve the effectiveness of risk management, value for money and governance processes The Audit Plan is compiled following consultation with Directors and Heads of Service We have a suite of relevant policies in place – i.e. Whistleblowing policy, Anti-fraud and Corruption Strategy, Fraud Response Plan, Anti Bribery Policy, Anti Money Laundering Policy and Guidance The Head of Shared Assurance Services is a member of the Leadership Team and reports directly to Governance Committee and provides an assessment of the overall 	Internal Audit Annual Plan, Internal Audit Strategic Plan Internal Audit Charter Internal Audit Reports Constitution Anti-fraud and corruption strategy - See Appendix C Action 6 AGS process Risk Management Framework Compliance with Code of Practice on Managing the risk of fraud and corruption Compliance with Fighting Fraud locally Effective Internal Audit Service Effective Governance Committee	<p>Last year's AGS process was not completed – significant failings emerged after the preparation of the draft AGS – procedures for the production of an AGS have been toughened and rendered more robust</p> <p>Develop Risk Management Strategy and review and update Risk Management Framework</p> <p>Whilst anti-fraud and corruption policies etc., are in place they require review and update. Further a review of the Council's measures to prevent and detect Fraud and Corruption is required and appropriate training is required.</p> <p>A Strategic Audit Plan is being developed to determine the resource requirements of the Internal Audit Service as part of the review of Shared Services.</p> <p>The Council's Governance Committee membership changed following the Elections in May 2019, CIPFA guidance recommends a review of the effectiveness of the Audit Committee in line with best practice, this independent review will be undertaken by Internal Audit as part of the Audit Plan for 2020/21.</p>

	adequacy and effectiveness of the framework of governance, risk management and control within the Annual Governance Statement (AGS)		
Managing Data	<ul style="list-style-type: none"> The council has a suite of policies, protocols and/or strategies in place dealing with the issue of data management – safe collection, storage, use and sharing of data, They are designed to deal with the requirements of the following: <ul style="list-style-type: none"> The Data Protection Act 2018 The Freedom of Information Act 2000 The Transparency Code 2015 GDPR We launched a dedicated GDPR section on Connect (Intranet) providing regular blogs, information and tips, update of procedures The GDPR officer group met on a fortnightly basis to monitor and review progress of the action plan 	IT Strategy Information Security Policy Records Management Guidance Compliance with DPA and FOI Acceptable Use Policy –	<p>It has become apparent (through the work of the Internal Audit team) that there have been instances of failing to comply with the Transparency Code and with the implementation of GDPR – please see Section 5 infra.</p> <p>Internal Audit identified a number of control issues and non-compliance in regard to Data protection as part of the GDPR review, these have issues have been identified to Governance Committee and a follow up review will be undertaken as part of the 2020/21 Audit Plan.</p> <p>A number of arrangements were still required at the time of the review to ensure the implementation of GDPR was complete, this will be reviewed as part of the follow up.</p>
Strong Public Financial Management	<ul style="list-style-type: none"> A medium-term financial strategy was in place which set out the financial assumptions and provided a set of goals for financial decision making for the planning period ahead, this is backed up with robust budget monitoring Financial regulations and CPRs are detailed within the constitution Legal and Finance review all Committee reports and delegated decisions 	Medium-Term Financial Strategy Financial Regs. And CPRs – See Appendix C Actions 1 & 5 Budget Monitoring Reports CPR's	<p>A complete service review of Shared Financial Services including shared Management Accounts is in progress and will help align the work of the management account service to better support organisational development.</p> <p>As part of an audit review of Creditors a number of issues were identified in respect of payments processed for significantly more than order value and in excess of available budget, this identified a lack of significant controls within the Creditors system and the potential that management controls in regard to the ordering, receipting and payment of goods and services are not applied in accordance with the Council's Financial Procedure Rules. In order to determine the extent of the issue, further work will be</p>

	<ul style="list-style-type: none"> The Section 151 Officer is an experienced Local Government Finance Practitioner at a senior level 		undertaken in respect of the creditors review and a review of budget monitoring / management will be undertaken to determine if any compensatory controls are in place thus mitigating risk..
Good governance means implementing good practices in transparency, reporting and audit to deliver effective accountability			
The Council's Commitment to Good Governance	How the Council meets these principles	Where you can see Governance in action	Comments
Implementing good practice in transparency	<ul style="list-style-type: none"> The Transparency Code has generally speaking been complied with (but there have been some instances of failure in this regard – please see Section 5 of this AGS) The council maintains a user friendly and up to date Website. Information on expenditure, performance and decision making is published and can be accessed quickly and easily. The Corporate Plan is approved by full Council and communicated via our Website The Corporate Plan is communicated to employees via Connect and Team Brief The South Ribble Partnership is made up of a number of organisations which represent each sector from South Ribble My Neighbourhood forums are a key opportunity to communicate directly with the local community 	Local Government Transparency Code 2014 Southribble.gov.uk website Southribblepartnership.org.uk website Schedule of Neighbourhood forum meetings (3 per annum)	There have been some instances of failure to comply with the Code – please see Section 5 of this AGS)
Implementing good practices in reporting	<ul style="list-style-type: none"> The Corporate Plan and Annual Report are published on the Council's website and show detailed progress towards its vision and priorities Annual financial statements are reported and published on the Council's website 	Corporate Plan and Annual report Annual Financial Statement Annual Governance Statement Contracts Transparency Register	Comments elsewhere in this table expose the weaknesses of this element

	<ul style="list-style-type: none"> Assessment of the Council's governance arrangements and the production and publication of An Annual Governance Statement including an action plan identifying the governance challenges it needs to address in the next financial year. Role of Governance Committee and specified in their Terms of Reference within the Constitution. 		
Assurance and effective accountability	<ul style="list-style-type: none"> The Council were subject to a Corporate Peer challenge in March 2017, the findings from which were used in 2017 to inform further improvement work. A re-visit took place in late January and early February 2018. Overall the Peer Review Team found that the Council had made some progress in taking forward a number of the recommendations that the peer review team made in 2017, including the establishment of an Improvement Reference Group, the recruitment of a new Chief Executive and a new organisational structure, albeit that implementation of this was still in the early stages at that point. There was considerable member engagement in 2018/19 in developing a Corporate Plan for the borough. The work of the Improvement Reference Group was brought to an end. The Council though remains fully committed to improving further our governance arrangements wherever possible. There was considerable consultation and member engagement in developing the 	<p>Peer review findings and improvement plan and Report from 2018 re-visit.</p> <p>AGS</p> <p>All recommendations are tracked through Internal Audit follow up processes and progress reported to Governance Committee –An External Peer review of compliance with PSIAS standards was undertaken in 2018 and reported to Governance Committee.</p>	<p>Comments have already been made – and will be made further on – about the issues centred on the work of the Improvement Reference Group</p> <p>2018/19 – Internal Audit reviews identified issues in regard to the apparent circumvention of the Council's Financial Procedure Rules</p> <p>2019/20 Robust financial management procedures have been implemented and whilst there have been 3 different S151 Officers there has been a consistent approach by those officers which has improved controls and management in that area.</p> <p>A number of services are delivered by third party providers, there have been issues identified in a specific contract that could have resulted in significant financial loss to the Council. These issues highlighted a number of concerns in relation to contract management, effective delivery of the service and what assurance the Council has that the services delivered are still being delivered effectively, efficiently and economically. Third parties must provide assurance statements where appropriate.</p>

	<p>new Corporate Plan for the borough following the change of administration after the elections in May 2019</p> <ul style="list-style-type: none"> • All recommended corrective action by either External or Internal Audit is implemented. Assurance reports are presented to Governance Committee summarising the Council's performance in implementing recommendations. • Assessment of the Council's governance arrangements as part of the AGS process • Public Sector Internal Audit Standards (PSIS) set out the standards for internal audit and have been adopted by the Council. 		
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4. How we review effectiveness

This section would usually identify the structures, committees and officer roles which serve to review the appropriateness of the governance arrangements and their application. Those identified are correct. However, it has to be acknowledged that there has been a significant breakdown in governance arrangements at this council. That is not to say that all the individual processes failed, but in order to have a robust system of corporate governance they must all operate complementary. This has not happened. This will be addressed in section 5.

The Council has a responsibility to keep the effectiveness of its governance arrangements under review to ensure continuous improvement. This review is informed by the work of the Governance Committee supported by management, internal and external auditors and other review agencies.

For the sake of clarity the commentary below relates to both the year 2018 – 2019 and 2019 – 2020.

Council committees

A number of committees of the council have responsibilities that relate to the implementation and oversight of the council's governance framework:

Governance Committee - The Governance Committee provides member oversight and scrutiny of the Council's business controls. The Governance committee undertakes all of the core functions of an audit committee as identified in the relevant CIPFA guidance. During the course of the year 2018 - 2019 the committee agreed recommendations arising from a report on its Terms of Reference and Development Plan. The committee is supported by Leadership Team and both contribute to the continuous improvement and strengthening of the governance environment. In 2018/19 and 2019/20 the committee received regular reports on governance, finance and risk. It continues to carry out a major review of the Constitution. In addition Governance Committee has, amongst other things, considered reports on:

- Internal Audit Plan 2018/2019 and Internal Audit Charter
- Risk Management Framework
- Closure of accounts
- Statement of Accounts for the 2017/2018 Financial Year
- Budget Out Turn 2017/2018
- Internal Audit Annual Report
- Treasury Management Annual Report 2017/2018
- Audited Statement of Accounts 2017/2018 and Letter of Representation
- The work of Internal Audit
- The work of External Audit
- Amended Investment Strategy Options 2018-2019



- Treasury Management Activity Mod Year Review 2018/2019
- GDPR Update

During the year 2019/2020 Governance Committee considered reports on:

- Internal Audit Plan 2019/2020
- Internal Audit Annual Report 2018/2019 – summary of the work carried out during that period
- A number of reports from External Audit
- A number of Internal Audit progress reports
- Treasury Management Annual Report 2018/2019
- Treasury Management Activity Mid Year Review 2019/2020
- Review of Contract Procedure Rules
- Consideration of two Internal Audit reports with assurance opinions of limited assurance – namely Performance Management and GDPR
- Further reports that are due to be presented where the assurance opinions are limited include Environmental Health – Food safety, Car Park Management/Enforcement, Tree Inspection and Maintenance, Commercial Properties Follow Up and Creditors

For reasons explained elsewhere in this report it was not possible to sign off the AGS and accounts for 2019.

Shared Services Joint Committee - The Joint Committee monitors service performance of the Shared Assurance and Finance Partnership between South Ribble Borough and Chorley Borough Councils, and is a good example of our effective governance of partnerships.

Standards Committee - the committee's is to promote high ethical standards. Standards Committee reports to full Council on an annual basis on the work that it carried out. During the course of 2018/19, there were three meetings of the Standards Committee Initial Assessment Hearing Panel.

- In 2019/2020 (following on from the elections in May 2019) we had a number of new members – training on Code of Conduct and Standards issues was provided to new members. Bespoke training was also provided to new members on Standards Committee. Far fewer complaints were received about members during this period. For the year 1st of November 2018 to 31st of December 2019 7 formal complaints were made. By way of comparison for the year 1st of November 2017 to 31st of October 2018 23 such complaints were received. The previous 12 month period to that 23 complaints had also been received.

Scrutiny Committee

2018/2019

- The Scrutiny Committee continued to successfully hold the Cabinet to account and proactively work to improve the quality of life of local people.
- The Committee played an active role in the development of the Corporate Plan and in scrutinising the medium-term financial strategy.
- In addition to holding individual Cabinet Members to account the Committee received quarterly performance and budget monitoring reports.
- The Chair of the Scrutiny Committee is the Council's representative on the County Council's Health Scrutiny Committee and the Committee looked at preventative health models and the Our Health, Our care review of services in central Lancashire.
- The committee considered three call-ins during the year:
 - Communicating with residents and businesses
 - Council tax support scheme
 - Campus programme
- Bringing the Worden Hall buildings back into use was a particular focus for the Committee.
- The Committee again undertook a skills audit, undertook training, held a workshop and was an active member of the North West Strategic Scrutiny Network.

2019/2020

- The new Scrutiny Committee following the all-out Council elections received an extensive induction programme including training from the LGA, North West Employers' and Dr Stephanie Snape.
- The Committee took an active part in the development a new re-freshed corporate plan following the elections.
- A new budget and performance scrutiny panel was created by the Scrutiny Committee to look in detail at the quarterly performance and budget monitoring information prior to it being considered by Cabinet, which has significantly strengthened our performance management framework.



- Scrutinising partners continues to be a strength with South Ribble Partnership, Leisure Partnership and Community Safety Partnership being scrutinised during the year.
- We retain close links with Lancashire County Council's Health Scrutiny Committee with South Ribble's Chair being the Council's representative.
- The committee has had a focus on bringing Worden Hall back into use, commercialisation and property investment and Our Health, Our Care review of healthcare in central Lancashire.
- There has been one call-in during the year on the cross-party strategic review of community involvement, including My Neighbourhoods.

IMPROVEMENT REFERENCE GROUP/PEER REVIEW

On the 31st of January and 1st of February 2018 an LGA Corporate Peer Challenge follow up visit took place – the original Peer Review challenge had taken place in March 2017.

Overall the Peer Team found that the Council had made progress in taking forward a number of the recommendations that the peer review team made in 2017, including the establishment of an Improvement Reference Group, the recruitment of a new Chief Executive and a new organisational structure, albeit that implementation of this was still in the early stages at that point.

On the 31st of July 2018 External Audit issued a qualified value for money conclusion. Further External Audit considered it appropriate to use their statutory powers to make a recommendation under Section 24 of the Local Audit and Accountability Act 2014. External audit considered that slow progress had been made by the Council in respect of responding to the recommendations made by the Local Government Association (LGA) in their Corporate Peer Review 2017. It was considered that there were two recommendations in particular that needed to be implemented as a matter of urgency namely:

- Implementing the new senior management structure
- Developing the leadership potential of the new senior team.



On the 6th of February 2019 a report was taken to Council providing an update on the Corporate Peer Challenge Action Plan and the Response to the External Auditors' Statutory Recommendation. At that time, Council noted the significant improvement work that had been carried out. However – as a consequence of subsequent work carried out by the Internal Audit team – it has become apparent that the report that was considered by Council was inaccurate and some of the actions that had been reported as having been completed had not actually been finished. This is being addressed by Internal Audit who are reviewing the reporting undertaken.

Officer arrangements

In developing this Annual Governance Statement, the council's senior officers have worked collectively to understand and assess the effectiveness of the implementation of the council's governance framework. This work has been overseen by a Corporate Governance Group comprising:

- Interim Chief Executive
- Deputy Chief Executive
- Director of Governance (Monitoring Officer)
- Shared Service Lead (Legal)
- S151 Officer
- Shared Service Lead (Transformation and Partnerships)
- Interim Head of Shared Assurance Services

The Corporate Governance Group have worked with the council's Leadership Team who have individually produced and collectively reviewed service assurance statements which assess compliance with and understanding of the council's governance framework. This assessment has supported the production of this document.

It is also important to note the ongoing role that a council's senior officers have in ensuring that good governance is enacted in the working of the organisation. There have been a number of significant changes over 2018/19 and 2019/20 which are summarised below to provide context to the AGS

Internal Audit

Internal Audit is responsible for monitoring the quality and effectiveness of the system of governance and internal control. A risk based Internal Audit Plan is produced. The reporting process for Internal Audit requires a report of each audit to be submitted to the relevant service. This report includes recommendations for improvements that are included within a Management Action Plan and require agreement or rejection by service managers.



The Internal Audit Annual Report contains a statement/ judgement on overall levels of internal control (a view based on the relative significance of the systems reviewed during the year, in the context of the totality of the control environment). The Report identified the following areas as having Limited Control.

1. *To be completed following receipt of IAAR*

External Audit

The Council receive regular reports on elements of its internal control environment, including performance management, risk management, financial management and governance.

We have been advised of the results of the reviews of the effectiveness of the governance framework and statement of internal control by these bodies and plan to address the weaknesses identified and will ensure continuous improvement of the system is in place through the proposed action plan in section 5.

5. Significant Governance Failings

This section will be completed as follows

- Narrative outlining reasons for governance failings
- Actions completed in relation to the 2018 AGS
- Failings identified in May 2019
- Failings identified post May 2019
- Action plan

In order for the council to properly consider these failings it is important to address how they arose. External Audit have given a qualified value for money conclusion on the Statement of accounts since the year 2015/16. The basis for this conclusion initially related to findings connected to the operation of the Licensing Service. But in subsequent years this has qualification has been due to failures to implement an improvement plan agreed by the Council with the Local Government Association.

On 26 July 2018 external audit published their Audit Findings Report for the period ending 31 March 2018. This report made a statutory recommendation under section 24 of the Local Audit and Accountability Act 2014. This is effectively a form of sanction imposed upon Councils by external audit where they find that there has been a significant and unacceptable failure by the authority in the discharge of their statutory functions. In this instance the recommendation required the council to make demonstrable progress in the implementation of the 8 recommendations in the LGA peer review report, in particular the implementation of the senior leadership structure and the development of the leadership potential of those staff to ensure that the Council agendas relating to Place, Strategic Finance and Transformation were progressed. This step was not taken lightly by external audit but it was felt by them that as this was the third year of qualification of the accounts action was necessary and appropriate. To be clear, continued failing to implement such a recommendation can lead to the issuing of a public interest report as serious action against the council which could lead to intervention by the Secretary of State.

For the year end 2019 (last year) representations were made to external audit by the council as regards progression of the implementation of the section 24 report recommendation. Upon testing this information, external audit were unable to accept the representations and given these and other governance failings which are identified in this document declined to sign off the statement of accounts. As a result of this history this significant governance failings section of the report seeks to identify the governance failings over a number of years, recognise the improvements that have been undertaken but also provide an action plan to address those that remain outstanding.

When the history to this matter and the rest of this section is considered, it is apparent that the failings can be attributed to the following:-

Leadership

South Ribble Council has, for a number of reasons had a period of instability at Leadership level. In the last 5 years there have been 2 Chief Executives and 2 Interim Chief Executives. There were at the start of this period existing governance issues which had led to LGA intervention.

In the more recent history this level of change at senior management level has been more acute.

In July 2017 a new Chief Executive commenced work in the council. The appointment had a remit to address identified governance and performance failings. On commencement in the role the CE undertook work to develop a management structure that would support a strong growth agenda and improve efficiency and performance. A new management structure was approved by Full Council in March 2018. Recruitment to the roles created was undertaken with appointments being made up to February 2019. This was a prolonged period although given the significant nature of the changes is not unexpected.

It must be recognised however, that the prolonged nature of the appointments will have contributed to uncertainty within the organisation, unclear decision-making lines due to the vacant posts and increased pressure placed on those in post. These must be recognised as factors that contribute to failings in governance arrangements. This is seen in relation to the statutory posts of Section 151 Officer and Monitoring Officer. These posts too have been recently occupied on an interim and temporary basis. These are key governance posts providing both advice and challenge on financial and decision-making issues.

This may have been resolved or the risks mitigated if clear and robust leadership structures had been put into place to manage the making of decisions. A new management structure was implemented which fed into a new “blended working” approach. The new management structure took a dispersed approach to decision making and responsibility. However, the absence of clear accountability, delegations or strong culture meant confusion arose over who was responsible or accountable for decisions and implementing the governance framework, as evidenced later in this section. This will be considered further in culture below.

Culture

There have been longstanding governance issues at this authority which date back a number of years. This is demonstrated through the findings of Internal Audit, most seriously in relation to the taxi licensing issues that were identified and investigated in 2015/16. While this is an isolated example it is illustrative of a cultural approach to governance.



The Council recognised these failings in culture and sought to address them through changes to senior management and to approach. In accordance with the objectives set by the Council the organisation took actions to address the cultural ethos of the Council. A new way of “blended working” was developed and principles established within the organisation. The purpose of blended working was to empower staff, providing them with the opportunity to take responsibility and ownership of the issues before them.

It should be noted that this principle is sound. Staff work more effectively when they feel empowered and the quality of work improves. There are greater opportunities for individual development and team working.

However, if culture change is not implemented correctly then it can severely damage an organisation. In this instance this may have been exacerbated by the lack of clarity in relation to the leadership structures and ownership of decision making.

The culture changes were not embedded, as a result there was confusion over who “owned” issues with there being the opportunity to rely on a conflict between the old and new processes as a reason for no-one taking ownership. The changes to the statutory officer posts both in terms of holder and position within the leadership structure undermined their ability to challenge governance failings effectively or put them in a position where challenges raised were dismissed or not taken seriously. The impact of the absence of challenge was to reinforce the behaviours that contributed to governance failings. This was demonstrated by the completion of the service assurance statements last year. The service assurance statements are part of the Council’s process to assess compliance with the Governance Framework. The service assurance statements suggested a strong and robust approach to governance which was not supported by evidence. The culture of the organisation was unchanged.

Process

These tensions between new and old ways of working and cultures could have been resolved by ensuring there were clear processes and policies established to support the new environment.

Evidence suggests that this did not happen. Reviews of policies have found that whilst some are maintained properly, others are not updated or reviewed and some were absent altogether. This is reflected in the findings of section 3 above. The 2019 AGS could not be approved at least in part because this framework of documents was not adequate.

Monitoring and Review

The testing of a governance framework is the only way to ensure it is appropriate and being used. While there are processes in place for the testing of systems and the challenging of failings, this will only have value if the testing and challenge is considered appropriately.



Failings in relation to monitoring and review have also been identified.

Narrative - Conclusion

The themes identified above when they work complimentary to each other are the foundations of a strong governance framework. However, when any of them falters, then this impacts on all of them and the framework will fail.

It is against this context that the significant governance issues identified should be considered. The AGS is a corporate level document and should be used to consider not individual failings but themes and trends.



5a. Action Completed in respect of the 2018 Annual Governance Statement

A number of actions arising from the 2018 Annual Governance Statement (see Appendix B) were fully implemented by 31 March 2019. These include:

- Member & Officer Development – appropriate financial training was identified and delivered
- Contract Procedure Rules – an electronic waiver system was introduced;
- The terms of reference for Governance committee were reviewed, revised and agreed;
- Improved communication effected;
- Member/Officer protocol has been signed up to by all members;
- Cabinet's training needs were identified and delivered on
- There were regular briefings of Shadow Cabinet

5b. Issues identified in May 2019 at the time that the initial draft Annual Governance Statement was presented to Governance Committee

The following are matters that were identified as governance failings that prevented the 2019 AGS being approved.

Theme	Governance Failing	Actions undertaken	Actions Outstanding
Leadership /Culture	Updating Constitution	A great deal of work has been devoted to updating the Constitution in recent years. That was true of 2018/2019.	The principal areas that need to be updated are the Scheme of Delegation and Financial regulations.
	Ethical Governance	Internal audit undertaken	The principal outstanding action here is that a number of Governance policies need to be updated. Training for officers is also required.
	Shared Services	During the year 2018/2019 very little progress was made on implementing the new Shared Services proposals.	During 2019/2020 great progress was made. Individuals were appointed to 6 of

			the 7 agreed senior posts. Shared services has now been greatly expanded.
	Increased Awareness	Fraud A limited amount of progress has been made in this regard	Policies need to be updated in this area and alongside that training provided.
	Value for Money	Very little progress has been made here.	This is an issue that needs to be addressed. In the Action Plan that we propose there is reference to developing a corporate approach to benchmarking and use of comparative data.
Policies / Procedures	HR Policies	Some updating of policies has taken place but this process has not been completed.	A number of policies still need to be updated. This also needs to be seen in the context of shared services for Human Resources.

	Contract Procedure Rules	An electronic waiver system was introduced in 2018/2019	A review of CPRS took place in 2019/2020. The rules were brought up to date.
	Development Review Process	During 2018/2019 no staff PDRs were carried out.	During 2019/2020 a new PDR process has been introduced and implemented. This needs to be embedded now.
	Business Continuity Plans	Have been reviewed due to Covid-19 lockdown. Testing by the LRF has shown them to be adequate.	
Review / Monitoring	Asset Register	Some progress has been made here. New staff have been appointed to the Estates team within the last 12 months. Revised asset valuations have been carried out.	However, there are outstanding actions. There is no evidence that all assets have been recorded.

Actions identified as outstanding will be carried forward into the action plan to address all remaining governance failings.

5c. Issues which have subsequently come to light since May 2019

At the meeting of Governance Committee on 30 May 2019 queries were raised about whether all of the actions reported in Appendix B (Action Plan 2018 -2019) to that report had been carried out. This led to the Interim Chief Executive commissioning Internal Audit to carry out further work in this regard. At the same time other issues of concern emerged. This was the correct approach to respond to these concerns.

These investigations focused on failings to adhere to HR policies, failing to comply with procurement policies and procedures and specific outcomes relating to improvements recommended within the LGA Corporate Peer Challenge.

Further a number of other Internal Audit reports have been carried out in the last 12 months which are of particular significance and must be referred. A number of these reports were only given limited assurance. Some of these reports reveal long standing problems.

These audit reports relate to:

- GDPR Compliance – GDPR not fully implemented, required policies and procedures not in place, weaknesses in control and non-compliance in areas where policies had been implemented. Failure of management controls as LT / Information Asset owners had failed to take responsibility and own requirements of GDPR and ensure implementation of requirements within their service areas.
- Environmental Health – Food Safety – Adequate framework governance to manage inspections and interventions, however, timescales not complied with, continual backlog from the FSA inspection and further weaknesses in control in respect of management controls with little / no performance management undertaken / evidenced.
- Car Park Management/Enforcement – Effective governance in respect of off-street parking, however, in regard to car parks, lack of planned inspection and maintenance policy, despite previous agreed management actions, no evidence of a signed framework agreement to demonstrate contract / agreement is properly managed, car part fees not reviewed since 2017, in contravention of Financial Procedure Rules.
- Tree Inspection and Maintenance – no tree inspection and maintenance policy, therefore no effective governance framework is in place which the service is required to operate to, shortcomings identified in regard to systems utilised, backlog of outstanding work orders, budget pressures

are an issue due to the lack of correlation between the delivery of the service and cost of delivery, this risk will increase in line with the increase in tree planting.

- Performance Management – significant issues in regard to the collections, calculation, definition and reporting of performance management information in respect of 2018/19 and the first quarter of 2019/20. Data collections procedures were ineffective and there was no evidence to demonstrate senior officer sign off, further lack of compliance with principles of the policy including the lack of review of the policy since April 2014.
- Commercial Properties – Follow Up – Previous opinion was Limited, follow up identified a number of management actions not fully implemented relating to the asset register, revised asset valuations have been undertaken however, no single record is in place and no evidence to demonstrate all SRBC assets are recorded, inconsistent filing and retention of property management records, rent reviews and lease renewals have not been undertaken.
- Creditors – Review focuses on controls with the Creditors system itself and identified significant failure or lack of controls within the system, which constitute significant breaches in the governance framework that is the Council's Financial Procedure Rules. The weaknesses in control leave the council open to the risk of fraud, error, potential for officers to act beyond their delegated authority and could result in material misstatement.
- Procurement – Utilities Contract – Fundamental failure of Contract Procedure Rules and elements of the Council's Constitution, further issues identified in this report also constitute a failure of European Procurement Rules, in that, the contract was not contracted in accordance with any rules / regulations, there is no evidence of value for money and the contracts have not been agreed or signed off by Members in accordance with the appropriate rules

5d. Remedial action has been taken since May 2019

Since the challenges raised by Governance Committee in late May 2019 a great deal of work has been done to remedy the situation.

The approach to improvement has been risk based with areas of greatest risk being attended to first. The first priority was to move forward with Shared Services which would enable the organisation to establish a stable senior management environment and appoint to the statutory officer roles of section 151 officer and monitoring officer who are key to good governance. Shared Services also establishes shared Policy and Performance, HR and Communications teams. These are all areas identified as having governance failings and will play key roles in addressing cultural change in the organisation in addition to leading on reviews of policies and procedures as well as re-establishing systems for monitoring.

South Ribble and Chorley progressed the establishment of 7 new Senior Management posts in Shared Services. Those posts are:

- Deputy Chief Executive
- Director of Finance/Section 151 Officer
- Deputy Director of Finance (Deputy Section 151 Officer)
- Director of Governance/Monitoring Officer
- Shared Services Lead – Legal (Deputy Monitoring Officer)
- Shared Services Lead – Communication and Visitor Economy
- Shared Services Lead – Transformation and Partnerships

In November 2019 officers were appointed to 6 of the 7 roles. We were in the process of going through a recruitment process for the Director of Finance post when the Coronavirus crisis intervened. That recruitment process will be renewed in due course. In the meantime the Deputy Director of Finance has been appointed to fulfil the Section 151 officer role in both councils.

In this context Actions 4 (Review of Services) and 16 (Management Structure) which are shown in the Action Plan (Appendix B) as not being completed by the 31st of March 2019 were thus completed in the year 2019/2020 – hence there is no need to carry them over. They can come off the Action Plan moving forward.

One of the key aims of Shared Services is to introduce greater resilience by combining relatively small teams. There is also a conscious attempt to strengthen the corporate centre in South Ribble. The Monitoring Officer and Section 151 officer posts are both now Director roles. There was a recognition that the Corporate centre needed to be enhanced. A council needs to have robust checks and balances in place. Also bringing in a policy and performance team which will have oversight of the policy, transformation and strategy development should have a very beneficial impact in terms of introducing the further improvements that are required in this area.

One issue of real concern that had been highlighted was a failure on a number of occasions to follow the council's Contract Procedure Rules. In March 2020 extensive training was provided for approximately 50 senior managers and team leaders in this regard. Further during 2019/2020 the council's Contract Procedure Rules were reviewed and updated.

Another area of concern which had emerged related to recruitment processes. During the year 2018/2019 changes had been made to our recruitment processes. The HR team had not been fully involved in this and the new procedures were not properly documented. Since late May 2019 these processes were discontinued. The HR team is again fully involved in our recruitment processes. A new recruitment process was established and agreed – we are confident that these new procedures have been followed nevertheless Internal audit will be asked to test whether this is indeed the case. The processes that were adopted for the recruitment of the senior Shared Services posts were particularly robust involving senior members from both authorities.

During 2019/2020 standard updated Job Description and Personal Specifications were developed and provided to Directors for use.

A wide range of HR policies have been reviewed and updated.

Also in the area of HR a new Performance Development Review process was reviewed, agreed and implemented during the year 2019/2020. It is still early days and this needs to be embedded thoroughly but good progress is being made. Induction processes have also been developed during this period but more work is required.

Performance Management has been further developed as part of the Revised Corporate Plan (2019 – 2023) During the year 2018/2019 in a number of instances Performance Management information provided to members was found to be incorrect and inaccurate. During the year 2019/2020 a revised robust performance framework was developed and agreed including management options from audit reports. Further a revised Data Quality policy is now in place with processes developed to ensure the quality and accuracy of data.

Clearly for members to fulfil their roles properly they need to have access to accurate and reliable data. Further they need access to good quality training. During 2019/2020 a Training and Development plan was implemented ensuring all members can receive appropriate training for their respective roles and overall training in respect of issues relevant to all members such as GDPR.

During the year 2018/2019 there were some instances of external legal advice being acquired without involving the internal Legal Services team in the process. This is poor practice and can lead to difficulties and complications. All legal advice must be sought through the Monitoring Officer or the Shared Services Lead for Legal. Throughout 2019/2020 these issues have not recurred. More generally throughout 2019/2020 there has been an improvement in how the Monitoring Officer and the Section 151 officer have been involved in the decision making process. Advice has been readily sought and followed.



During the 2018/2019 there had been some instances of proper procedures not being followed for the making and publication of key decisions. During 2019/2020 all such issues have been eradicated.

It must be stated that the year 2019/2020 was a very challenging year for the council as a whole and the Internal Audit Team. Many issues of concern had to be addressed. Additional resources were identified for the Internal Audit team to enable them to carry out all the work they required.

5e. What remaining actions are required?

Having completed actions identified as high risk, the organisation are now in a position to move on to other identified actions and the following action plan has been prepared.

Action	By when	Lead
Undertake a review of the council's corporate governance policies: and Strategies <ul style="list-style-type: none"> • Anti-Fraud and Corruption Policy • Anti-Bribery Policy • Whistleblowing Policy • Complaints Policy • Risk Management Policy / Strategy & Framework 	August 2020	Chris Moister / Dave Whelan
Deliver governance and ethical awareness training to relevant staff and all members	August 2020	Chris Moister / Dave Whelan
Review the council's constitution, including financial regulations and scheme of delegation	July 2020	Chris Moister / Dave Whelan / James Thomson
Review the structures and processes of the new shared services to ensure they work efficiently, effectively and economically for the council		Chris Sinnott
Review and identify any necessary improvements in the council's compliances with the Transparency Code	August 2020	Chris Moister / Dave Whelan / James Thomson
Develop and agree a business planning process for services	Initial works – September 2020	Vicky Willett



Develop a new performance management framework and data quality policy	September 2020	Vicky Willett
Develop an Organisational Development Strategy	December 2020	Vicky Willett
Develop a Communications Strategy	tbc	Andrew Daniels
Develop a consultation framework and community engagement strategy	tbc	tbc
Agree an approach to monitoring and managing the implementation of management actions agreed in internal audit reports	tbc	Chris Moister/Dave Whelan
Review and update the council's HR policy framework	September 2020	Vicky Willett
Develop a partnerships framework	tbc	Vicky Willet



6. Conclusion

The council is fully committed to ensuring that its governance arrangements are and continue to be as robust as possible. As part of that process the council will monitor implementation of all actions set out in our Action Plan.

.....

Leader of the Council

.....

Chief Executive

Date:

On behalf of the Members and Senior Officers of South Ribble Borough Council.

GLOSSARY

Annual Audit Letter	An External Audit report presented to Council and containing the findings of the Audit Commission's work. It is a requirement of the Code of Practice for Auditors.
Assurance	An evaluated opinion based on evidence and gained from review.
CIPFA	Chartered Institute of Public Finance and Accountancy
Control Environment System of Internal Control	Comprises the organisation's policies, procedures and operations in place to : Establish and monitor the achievement of the organisation's priorities; Identify, assess and manage the risks to achieving the organisation's objectives; Facilitate policy and decision making; Ensure the economical, effective and efficient use of resources; Ensure compliance with policies, legislation and regulations; Safeguard the organisation's assets; Ensure the integrity and reliability of information, accounts and data.
Corporate Governance	Corporate governance is the system by which local authorities direct and control their functions and relate to their communities.
Corporate Governance Group	In 2017 this involved the following officers: Chief Executive; Section 151 Officer; Monitoring Officer; Head of Shared Assurance; Corporate Governance Manager; Corporate Improvement Manager.
LT	Leadership Team
SOLACE	Society of Local Authority Chief Executives

APPENDIX B

ANNUAL GOVERNANCE STATEMENT ACTION PLAN 2018

Themes	Recommended Improvements	Actions Taken & In Progress As At March 2019	Status
1. Member & Officer Development	To develop the current level / programme of financial training packages for Budget Holders (& Members) to include use of systems, process improvement and financial management techniques.	A review of core finance activities are in place and an approach will be developed in the first quarter of the year. From this, training will be designed and developed and specifically tailored to meet specific needs, i.e. general budget and finance overview, budget monitoring etc. A programme of work will be communicated to staff and members. Member learning hours will also be used to provide training on specific issues as they arise during the year.	Complete
2. Constitution	To ensure that the Constitution is as clear as possible, completely up to date and fit for purpose	The review of the constitution will be finalised and will incorporate new financial regulations that support the new organisation structure. Review and updates to the Constitution have been undertaken during 2018/19, FPRs and Scheme of Delegation have been reviewed and the re-drafted documents are to be finalised to take into account the new management structure then formally agreed and implemented.	C/FWD to 2019
3. Ethical Governance	Greater priority, liaison and support be provided to the Scrutiny, Governance and Standards Committees in promoting high ethical, performance and governance standards.	Further training for members and officers is to be identified and undertaken.	C/FWD to 2019
4. Review of Services	The role, capability and capacity of the in-house legal and democratic services team and that of Shared Financial Services be reviewed to ensure they provide proactive advice to Members and Officers to ensure compliance with the constitution and governance frameworks.	A review of the shared service arrangement will be conducted during the 2018/19 financial year. Council approved the revised shared services structure in March 2018. Draft job descriptions have been co-created with existing staff. An action plan is being developed to test future shared services opportunities. External capacity is being sourced to strengthen the existing shared services legal agreement. Transformation of services is progressing, statutory S.151 and monitoring officer positions in place.	C/FWD to 2019

Themes	Recommended Improvements	Actions Taken & In Progress As At March 2019	Status
		Shared Services deferred until June 2019.	
5. Review of HR Policies	Undertake a review of the HR policies.	HR policies were to be reviewed as a key action in the new Transformation Strategy approved by the Cabinet on 27 th July 2017. A number of these policies have indeed been reviewed but more work is required. There are questions about how robust the reviews were.	C/FWD to 2019
6. Strong and effective political leadership	Review alternative models for Governance Committee.	Discuss outcome of the desktop review at the meeting of the Improvement Reference Group in May 2017 and develop an action plan to complete the review and to implement the recommendations. Governance Committee Terms of Reference have been reviewed, updated and approved.	Complete
7. Compliance with Contract Procedure Rules (CPRs)	To further embed procurement policies and procedures, and to strengthen the current CPRs.	Introduce an electronic CPR waiver process including authorisation by S151 Officer and Principal Procurement Officer Communicate agreed changes to CPRs to relevant officers and members	Complete
		Implement a simple central corporate contract management system to help prevent and mitigate the risk of lost contract documents, missed review and notice deadlines, loss of knowledge and information due to staff changes etc.	C/FWD to 2019
		ELT include provision on their agenda plan for a quarterly review of (1) the Procurement Plan referencing a forward look of not less than 12 months (2) the Contracts Transparency register.	C/FWD to 2019
		ELT review / implement a list of Authorised Officers including the extent of their delegated authority and applicable financial thresholds and ensure that this is appropriately communicated to the officers concerned as required by CPR 5.1	C/FWD to 2019
8. Fraud	Increased fraud awareness.	Fraud awareness training to be delivered to all relevant officers using MILO e-learning modules.	C/FWD to 2019

9. Data Management	Compliance with General Data Protection Regulations (GDPR)	Compliance delivery action plan in place, to be overseen by programme board and report into inphase.	C/FWD to 2019
10. Communication	To improve internal communication and clarity with staff about the vision and next steps for transformation	This will be addressed as part of our new Transformation and Organisational Strategy	Complete
Themes	Recommended Improvements	Actions Taken & In Progress As At March 2019	Status
11. Strong and effective political leadership	To renew the focus of and commitment to the Improvement Reference Group (IRG)	The Group was stood down early in 2019. However, issues have subsequently emerged about the accuracy of reporting of actions taken.	Not Completed satisfactorily
12. Strong and effective political leadership	To resolve the ongoing political tensions. For example through robust implementation of the new officer/member protocol.	Protocol to be signed by all members and relevant officers.	Complete
		Impact of the protocol to be monitored by ELT through the quarterly performance report	Complete
		Joint Cabinet / Shadow Cabinet meetings to be held quarterly to review impact of the Protocol	C/FWD to 2019
		Member development programme to be developed and implemented.	C/FWD to 2019
13. Strong and effective leadership	Align political and officer processes to ensure decisions are implemented with no last minute changes	IRG to jointly develop an agreed approach to how much and when information is shared between political groups to ensure that all members have the information they need to make decisions in a timely way. Developed approach includes; Senior officer meetings programmed to clear all council reports. Portfolio holder discussions take place to confirm reports. Pre-cabinet briefings take place. Shadow cabinet briefings introduced on all cleared cabinet reports.	C/FWD to 2019

14. Strong and effective leadership	Support and develop the new Cabinet to be appointed in May 2018	The development and training needs of the new Cabinet to be identified and delivered	Complete
15. Strong and effective leadership	Greater support to the shadow Cabinet	Shadow Cabinet to be provided with briefings on all Cabinet reports (once published)	Complete
16. Management Structure	Implement the new senior management structure	New management structure approved by Council is largely in place with the exception of the shared services posts.	C/FWD to 2019
17. Leadership development	Develop the leadership potential of the new senior team to take forward the place, strategic finance and transformation agendas	To develop a leadership development programme for the senior management team to ensure that senior managers have the necessary skills to take forward the transformation agendas.	C/FWD to 2019

APPENDIX C

ANNUAL GOVERNANCE STATEMENT ACTION PLAN 2019

For the sake of clarity the recommended improvements within this action plan will be incorporated into the Corporate Improvement Plan. This plan will detail the key milestones with target completion dates and allocate responsibility for each action to Key Officers or groups of Officers. Progress of the Corporate Improvement Plan will be monitored by the Leadership Team and regularly reported to Governance Committee.

Themes	Recommended Improvements	Proposed Actions	Source
1. Constitution	To ensure that the Constitution is as clear as possible, completely up to date and fit for purpose	The review of the constitution will be finalised and will incorporate new financial regulations that support the new organisation structure.	B/FWD from 2018
2. Ethical Governance	Greater priority, liaison and support be provided to the Scrutiny, Governance and Standards Committees in promoting high ethical, performance and governance standards.	Further training for members and officers is to be identified and undertaken.	B/FWD from 2018
		The development (with Chorley Borough Council) of a new Code of Conduct for members	Corporate Assessment
3. Ethical Governance	Updating of Policies	A review of the full suite of our Corporate Governance policies - this includes Anti-Fraud and Corruption Policy, Anti-Bribery policy, Whistleblowing policy and Complaints policy	Corporate Assessment

4. Review of HR Policies	Undertake a review of the HR policies.	A number of HR policies have been reviewed during the last 12 months, the remainder will be reviewed this year. There is now a commitment to review all our HR policies on an annual basis. Also the policy framework needs to be reviewed in the context of Shared Services.	B/FWD from 2018
5. Compliance with Contract Procedure Rules (CPRs)	To further embed procurement policies and procedures, and to strengthen the current CPRs.	<ul style="list-style-type: none"> Implement a simple central corporate contract management system to help prevent and mitigate the risk of lost contract documents, missed review and notice deadlines, loss of knowledge and information due to staff changes etc. Leadership Team include provision on their agenda plan for a quarterly review of the Procurement Plan referencing a forward look of not less than 12 months and the Contracts Transparency register. Leadership Team review / implement a list of Authorised Officers including the extent of their delegated authority and applicable financial thresholds and ensure that this is appropriately communicated to the officers concerned as required by CPR 5.1 	B/FWD from 2018 / Spend Analysis
6. Fraud	Increased Fraud awareness.	Fraud awareness training is to be delivered to all relevant officers	B/FWD from 2018
7. Strong and effective political leadership	To resolve the ongoing political tensions. For example through robust implementation of the new officer/member protocol.	Joint Cabinet /Shadow Cabinet meetings to be held quarterly to review impact of the protocol.	B/FWD from 2018
		Member development programme to be developed and implemented.	
8. Strong and effective leadership	Align political and officer processes to ensure decisions are implemented with no last minute changes	The developed approach on how much and when information is shared between political groups to ensure that all members have the information they need to make decisions in a timely way is to be formally agreed and implemented.	B/FWD from 2018

9. Strong and effective leadership	Develop the leadership potential of the new senior team to take forward the place, strategic finance and transformation agendas	To develop a leadership development programme for the senior management team to ensure that senior managers have the necessary skills to take forward the transformation agendas.	B/FWD from 2018
10. Strong and effective leadership	Support and develop the new Cabinet appointed in May 2019	The development and training needs of the new Cabinet to be identified and delivered on	Chief Executive
11. Business Continuity Plans	To review and update the business continuity arrangements	To review and update the business continuity arrangements	Service Assurance Statement
		BCP testing to be undertaken	
12. VFM	To develop a corporate approach to benchmarking and the use of comparative data	To develop a corporate approach to benchmarking and the use of comparative data	Service Assurance Statement
	To maximise VFM and social value from procurement	To continue to monitor the Council's supply chain with the desire to maximise VFM and social value from its procurement.	External Audit challenge questions
		To develop and implement a Social Value Policy	
13. Asset Register	To review and update the Council's Asset Register	To undertake a strategic review of all assets.	Internal Audit Review
14. Communications	Communications Strategy	The development and approval of up to date communications strategy	Corporate Assessment
15. Risk Management	Strategy and Framework	The development and approval of a Risk Management Strategy and Framework	Corporate Assessment
16. Partnership Working	Framework and Protocols	The development and approval of up to date Partnership framework together protocols for partnership working	Corporate Assessment
17. Transparency	Transparency	A review of how we are complying with the Transparency Code needs to be carried out – in particular we must ensure that our Transparency Register is	Corporate Assessment

		fully populated with all relevant contract details and updated on a regular basis	
18. Shared Services		<ul style="list-style-type: none"> • New Job descriptions and personal specifications will need to be drawn up for all posts within the expanded Shared Services team • Review the services in question and then restructure accordingly 	Corporate Assessment
19. Organisational Development		<ul style="list-style-type: none"> • A formal process for the development of Service Delivery Plans needs to be introduced • A business planning process for services to be introduced • Further work is required to improve our Performance Management arrangements – this is to include a review of what benchmarking activities take place • The introduction of an up to date Organisational Development Plan 	Corporate Assessment
20. Ethical Governance	Complaints	<ul style="list-style-type: none"> • Review and update Complaints Framework and Policy 	Corporate Assessment
21. Consultation	Consultation Strategy	<ul style="list-style-type: none"> • Development and approval of a Consultation Framework and Strategy 	Corporate Assessment
22. Ethical Governance	Internal Audit reports	<ul style="list-style-type: none"> • A review of how recommendations from Internal Audit reports are managed and monitored 	Corporate Assessment

REPORT TO	ON
COUNCIL	22 nd of July 2020



TITLE	PORTFOLIO	REPORT OF
Standards Annual Report	Leader of the Council	Shared Services Lead - Legal & Deputy Monitoring Officer

Is this report confidential?	No
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PURPOSE OF THE REPORT

1. The report provides an account of standards and related work carried out within the year 2019. Please note that this report is in largely the same form that was considered by Standards Committee in January this year and was due to be considered by full Council in April – however, that Council meeting was cancelled due to the Coronavirus crisis.

PORTFOLIO RECOMMENDATIONS

2. Council is asked to note the contents of the report.

REASONS FOR THE DECISION

3. The report is purely for information purposes.

CORPORATE OUTCOMES

4. The report relates to the following corporate priorities:

Excellence, Investment and Financial Sustainability	X
Health, Wellbeing and Safety	
Place, Homes and Environment	

Projects relating to People in the Corporate Plan:

Our People and Communities	
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BACKGROUND TO THE REPORT

5. As Members are aware the standards regime changed fundamentally as a consequence of the introduction of the Localism Act 2011. Essentially a less regulated standards regime was introduced.
6. In this context we introduced a new Code of Conduct for Members in 2012 and a new Investigation and Hearing procedure was also introduced. Both documents have been reviewed and updated in recent years.
7. Under these arrangements it is for the Monitoring Officer to carry out an initial assessment of all complaints that come in. It should be remembered that this extends to complaints against parish/town councillors in our area as well as borough councillors.
8. If the Monitoring Officer believes the information received merits consideration he will after consultation with the Independent Person take a decision as to whether it should be investigated or another course of action taken. As a matter of course the Monitoring Officer discusses all complaints with one of our Independent Persons.
9. If an investigation is deemed necessary this may involve the commissioning of an external investigation. Alternatively other action may be taken. For example if the member complained of is prepared to apologise for his/her action and (if appropriate) undergo training then the case could be resolved this way.
10. If a full investigation is carried out and a report produced then the member could be referred to a full hearing before Standards Committee. In such circumstances it would be for committee to decide whether a breach of the Code of Conduct has taken place and what action should take place

STANDARDS COMMITTEE WORK

11. In recent years (particularly during 2017/2018) a great deal of work was done to update all relevant Standards policies and procedures. This included reviewing the Code of Conduct for Elected Members and amending and updating our Hearing and Investigation Procedure for dealing with Complaints.
12. As a consequence we are in a strong position when it comes to our Standards policy framework. This has resulted in full Committee not needing to carry out a great deal of policy work.
13. Nevertheless full Standards Committee did meet on a couple of occasions during 2019.

14. On the 21st of March 2019 Standards Committee met to consider a report which had been published by the Committee on Standards in Public life. This related to the issue of Local Government Ethical Standards. Members were directed to a number of recommendations of particular interest including a recommendation that the powers of sanction open to a standards committee should be significantly enhanced.
15. Members – generally speaking – welcomed the report. They authorised the Monitoring Officer to write to Central Government expressing the view that it would like Government to give active consideration to the recommendations in the report particularly with regard to the introduction of an effective sanctions regime. Such a change would require a change in legislation. The Monitoring Officer accordingly wrote to Central Government.
16. The full committee also met on the 3rd of July 2019 for an extensive training session about the Code of Conduct and how we deal with standards complaints.
17. In our agreed procedures the Monitoring Officer has the power to call a Hearings Panel (in effect a sub-committee of the main committee) to carry out the initial assessment of complaints received. In particular our policy states: “The Monitoring Officer has the discretion to refer the initial assessment of a complaint to a Hearing Panel for their consideration. This may be appropriate in cases of particular complexity or sensitivity.”
18. During 2019 there have been three such Hearing Panels.

MEMBER AND OFFICER PROTOCOL

19. On the 21st of March 2018 full Council adopted the Member and Officer Protocol. All members ultimately signed up to it.
20. Following on from the election in May 2019 it was decided to request all current members to sign up to the Member and Officer protocol. At the time of writing 47 members have signed up to the Protocol. We are hopeful that all members would have signed up to it within the near future.
21. The document is a useful support to the Code of Conduct.

COMPLAINTS

22. For the period 1st of November 2018 to 31st of December 2019 there were 7 formal standards complaints about members.
23. By way of comparison for the year 1st of November 2017 to 31st of October 2018 there had been 23 such complaints. In the 12 months before that there had also been 23 such complaints.

24. For the sake of clarity – for the purposes of these figures – where a complaint is brought against two councillors that is treated as two separate complaints even though there may only be one document. Further it should also be understood that the one issue/incident can generate complaints from more than one person.
25. In previous years the comfortable majority of the complaints brought have been submitted by councillors against fellow councillors. This year the picture has been somewhat different. Of the 7 complaints 6 have been brought by members of the public. Only one complaint has been brought by a councillor against a fellow councillor. There have been no complaints against councillors by officers.
26. There have been no complaints against parish councillors throughout this period.
27. Of the 7 new cases: a decision to take no action was made in 5 cases and an apology/explanatory statement was sought (and obtained) in 2 cases.
28. A case that had started in an earlier year was completed in this period. This related to a complaint brought by a councillor against a fellow councillor. That case was resolved by way of an apology.
29. There are two earlier cases which have yet to be resolved. There is in principle agreement to how those cases should be resolved but the detail has still not been agreed. We are working to resolve these cases.
30. There have been no cases where a formal investigation has been ordered. Given the extremely limited powers of sanction at the disposal of Standards Committee and the time and expense involved in a formal investigation it is considered desirable – if at all possible – to resolve cases by some kind of informal resolution such as apology and/or training.
31. There are various themes that occur in these complaints. They include:
- Failure to declare an interest
 - Improper use of Influence
 - Failure to treat someone with respect

OMBUDSMAN COMPLAINTS

32. Complaints to the Ombudsman are not ordinarily directly related to member conduct – rather they are complaints brought by members of the public against the quality of services delivered.
33. For the year 1st of April 2018 to 31st of March 2019 16 complaints were made to the Ombudsman about the council. This compares with 20 complaints in the previous 12 month period – the year before that there had been 16 complaints. The number of complaints is relatively low.

- 34.** Of the 16 complaints made, 7 related to Planning and Development, 4 to Corporate and other services, 2 to Benefits and Tax and 3 to Environmental Services and Public Protection and Regulation.
- 35.** During the same period (1st of April 2018 to 31st of March 2019) 15 decisions were made with regard to complaints submitted against the council.
- 36.** Of these 15 decisions:
- 7 were referred back to the council for local resolution
 - 7 were closed after initial inquiries
 - 1 was not pursued because of insufficient information to proceed.

ATTENDANCE FIGURES

- 37.** As the council had all out elections in May 2019 it is considered sensible to concentrate on the period since then for assessing member attendance records.
- 38.** On our website the individual attendance records of councillors can be accessed. This is part of our commitment to being as open and transparent as possible.
- 39.** Overall the figures for councillors attending council and committee meetings remains very high.
- 40.** For the period 15th of July 2019 to 7th of January 2020, 22 councillors attended 100% of council and committee meetings (committees that they were a member of).
- 41.** Attendance records for councillors as a whole remains impressive. It is interesting to note that during the period in question (July 2019 to January 2020) 33 members attended committees that they were not a member of – i.e. they attended on a voluntary basis out of interest in something that was on the agenda.

TRAINING

- 42.** During the year 2019 there were two principal training events:
- On the 3rd of July there was a training event for the new members of Standards Committee.
 - On the 15th of July there was a training event for all members on Standards and Code of Conduct issues.
- 43.** Both training events included case studies designed to encourage debate and an understanding of the practical issues involved.
- 44.** Members of Planning Committee were also given some training on standards issues with a particular emphasis on the need to declare interests.

MOVING FORWARD

45. Following on from interviews for senior shared services posts in November 2019 Chris Moister was appointed to the role of Director of Governance and Monitoring Officer for both South Ribble Borough Council and Chorley Borough Council. David Whelan was appointed to the role of Shared Services Lead – Legal and Deputy Monitoring officer for both councils.
46. Shared services for Legal commenced on the 1st of April 2020. However, because of the Coronavirus crisis the full integration of the two teams was somewhat delayed – that matter is now being progressed.
47. Clearly moving forward there will be an opportunity for both councils to compare and contrast how they each deal with Standards issues. We may learn from each other's experiences. This may result in some changes in approach.

CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

48. The report in substantially the same form has already been considered by the council's Standards Committee.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

49. Not relevant to this report

AIR QUALITY IMPLICATIONS

50. Not relevant to this report

RISK MANAGEMENT

51. It is important to do everything practicable to have a robust standards regime. A failure to do so may result in reputational damage for the council.

EQUALITY AND DIVERSITY IMPACT

52. There are no implications here.

COMMENTS OF THE STATUTORY FINANCE OFFICER

53. There are no financial implications arising from this report.

COMMENTS OF THE MONITORING OFFICER

54. It is interesting to note that the number of Standards complaints has reduced in 2019– in the two previous years the numbers had been particularly high.

55. Moving forward we need to see what more we can do to raise the profile of Standards Committee. Shared Services with Chorley is an opportunity for both organisations to learn from each other in this field.

There are no background papers to this report

There are no appendices to this report

LT Member's Name – David Whelan
Shared Services Lead - Legal & Deputy Monitoring Officer

Report Author:	Telephone:	Date:
Dave Whelan (Shared Services Lead - Legal & Deputy Monitoring Officer)	01772 625247	16/3/20

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REPORT TO	ON
Council	22 July 2020

September 2017



TITLE	REPORT OF
LANCASHIRE COMBINED AUTHORITY UPDATE	Chris Sinnott

Is this report confidential?	No
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1. PURPOSE OF THE REPORT

To provide an update on recent discussions about a Lancashire Combined Authority and to seek council support for South Ribble Borough Council's continued involvement.

2. RECOMMENDATIONS

2.1 The council confirms its support for South Ribble Borough Council's involvement in the current discussions to create a combined authority for Lancashire, subject to the final proposals being agreed by full council.

2.2 The council supports in principle the inclusion of a directly elected mayor and local government reorganisation as part of a devolution deal, recognising that there are no set solutions for reorganisation and subject to further agreement by full council as proposals are developed.

3. CORPORATE PRIORITIES

The report relates to the following corporate priorities:

Health, Wellbeing and Safety		Our People and Communities	
Place, Homes and Environment		Excellence, Investment and Financial Sustainability	X

4. BACKGROUND TO THE REPORT

4.1 Discussions about the potential to create a Lancashire combined authority and seek a devolution deal have been ongoing for a number of years. Discussions in the past have failed to lead to the creation of a combined authority because of a lack unanimity across Lancashire.

4.2 A combined authority is a legal entity, created by Parliament. It enables a group of two or more councils to collaborate and take collective decisions across council boundaries. They can take advantage of powers, resources and funding delegated to them by the Government as part of a devolution deal. Partner authorities can also delegate powers to

the combined authority. All councils within the geography of a combined authority must agree to be part of it. The creation of a combined authority cannot be imposed.

- 4.3 There are now 10 Combined Authorities across the country, eight of which have directly Elected Mayors, with Greater Manchester Combined Authority (GMCA) and Liverpool City Region Combined Authority our nearest neighbours, both with directly Elected Mayors. Of the existing Combined Authorities, there is only one within a two-tier area (Cambridge and Peterborough).
- 4.4 Existing combined authorities have negotiated and agreed with government significant devolution deals. For example, GMCA and Liverpool City Region CA have agreed £900 million investment funds, consolidated transport budgets, responsibility for bus franchising and CPO (Compulsory Purchase Order) powers. GMCA and the Cambridgeshire and Peterborough CA have also attracted significant grant funding for housing. GMCA already has funding arrangements for integrated health and social care and a number of other combined authorities are progressing this approach.
- 4.5 The Government have said that new funding, as part of post-pandemic economic recovery, will be directed to combined authorities, or business-led Local Enterprise Partnerships (LEP) for those areas with no combined authorities. For Lancashire, funding would go to the Lancashire Enterprise Partnership.
- 4.6 Without a combined authority, Lancashire local authorities are likely to suffer in terms of the ability to access funding and drive economic growth combined to neighbouring areas such as Greater Lancashire and the Liverpool City Region.
- 4.7 Following discussions at the Lancashire Leaders group, councils have been asked to confirm their position and whether they support the creation of a combined authority.

5. DIRECTLY ELECTED MAYORS AND LOCAL GOVERNMENT REORGANISATION

- 5.1 The government has also indicated that if it is to agree devolution deals and additional funding with significant transfers of powers, there need to be changes to governance arrangements. The first area of change relates to the creation of directly elected mayors. The government believes that this is necessary to provide strong local leadership that is democratically accountable. It does not view that this achieved solely through the constituent authorities.
- 5.2 There are a number of models that have been used in different areas across the country, with Mayors having different powers within the combined authorities. These roles have been negotiated as part of the wider devolution deals and establishment of combined authorities.
- 5.3 The second area of governance arrangements that the government would be expected to ask to be considered as part of the establishment of a combined authority and devolution deal is the creation of unitary local government.
- 5.4 The government has made clear that they plan on introducing a new White Paper on devolution and local recovery in the autumn, and that it expects that it will include the creation of more unitary authorities.

5.5 In his message to the LGA conference this month, the Minister for Regional Growth and Local Government explained that the government's view is that the creation of more unitary authorities would reduce complexity and reduce costs, linking further devolution to the simplification of local government.

5.6 While it is not clear what form local government reorganisation in Lancashire might take, and there are likely to be different proposals, the government has outlined some requirements for new unitary authorities. They include that proposals should:

- improve the area's local government;
- command a good deal of local support across the area; and
- cover an area that provides a credible geography for the proposed new structures, including that any new unitary council's population would be expected to be in excess of 300,000
- that proposals should not lead to the creation of more Directors of Adult Social Care or Directors of Children's Services

5.7 The discussions in Lancashire about how local government should change and the potential for a devolution deal are likely to continue. The council will have the opportunity to consider and approve any final proposals for the creation of a combined authority or devolution deal to which the council is a party.

7. WIDER IMPLICATIONS AND BACKGROUND DOCUMENTATION

7.1 Comments of the Statutory Finance Officer

No comments

7.2 Comments of the Monitoring Officer

No comments

Other implications: ► Risk ► Equality & Diversity ► HR & Organisational Development ► Property & Asset Management ► ICT / Technology	None at this stage, as the council is making a decision in principle
---	--

8. There are no background papers to this report

Chris Sinnott
Deputy Chief Executive

Report Author:	Telephone:	Date:
Chris Sinnott	01257 515337	13 July 2020

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REPORT TO	ON
COUNCIL	Thursday, 22 nd July 2020



TITLE	PORTFOLIO	REPORT OF
Adoption of the Climate Emergency Strategy	Cabinet Member (Environment)	Director of Neighbourhoods and Development

Is this report confidential?	No
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PURPOSE OF THE REPORT

1. To review and adopt the Climate Emergency Strategy prepared as a part of the Council's response to the declaration of a Climate Emergency in July 2019.

PORTFOLIO RECOMMENDATIONS

2. That members adopt the Climate Emergency Strategy.

REASONS FOR THE DECISION

3. In July 2018 the Council declared that the effect of climate change within the borough poses an immediate danger to the Health and Wellbeing of our residents. To combat this threat the Council set a goal of rendering the borough carbon neutral by the year 2030. Following the adoption of and in line with the Climate Emergency Task Group Scoping document a Climate Emergency Strategy has been developed. The strategy has been produced to help clarify the actions proposed by the Council to achieve the stated adopted goal of zero net carbon emissions by 2030.

CORPORATE OUTCOMES

4. The report relates to the following corporate priorities: (tick all those applicable):

Excellence, Investment and Financial Sustainability	X
Health, Wellbeing and Safety	X
Place, Homes and Environment	X

Projects relating to People in the Corporate Plan:

Our People and Communities	X
----------------------------	---

BACKGROUND TO THE REPORT

5. In 2018, the Intergovernmental Panel on Climate Change (IPCC) published a report which advised that we must limit global warming to 1.5°C, as opposed to the previous target of 2°C. Their review of over 6,000 sources of evidence found that, with a rise of 1.5°C, there would be risks to health, livelihoods, food security, water supply, human security and economic growth. It warned that we have only 12 years left within which to take the serious action required to avert this crisis and avoid the worst impacts.
6. Please note that this document refers to emissions of “carbon” or “carbon dioxide”. This should be considered shorthand for all greenhouse gas emissions, not just carbon dioxide.
7. The UK Climate Change Act 2008 sets a statutory target to reduce UK greenhouse gas emissions by 80% from 1990 by 2050. In May 2019 the UK Committee on Climate Change recommended that the UK Government increase the statutory target to Net-Zero greenhouse gas emissions by 2050. The Government has now adopted this target.
8. In parallel, the UK Climate Change Act established the National Adaptation Programme. The corresponding UK Climate Change Risk Assessment identifies 6 priority risk areas: flooding, high temperatures, water supply shortages, natural capital, food production; and pest and diseases.
9. In July 2018 this Council declared that the effect of climate change within the borough poses an immediate danger to the health and well-being of our residents and therefore proclaimed a Climate Emergency with immediate effect.
10. To combat this threat, the Council sets a goal of rendering the borough carbon neutral by the year 2030. For avoidance of doubt, this goal means the borough shall produce no net carbon emissions by this date, taking into account of actions that have the effect of removing carbon from the environment.
11. In order to implement this decision, a Standing Working Group on the Climate Emergency was created. A scoping document has been presented to and agreed by members.

PROPOSALS (e.g. RATIONALE, DETAIL, FINANCIAL, PROCUREMENT)

12. Following the adoption of and in line with the Climate Emergency Task Group Scoping document a Climate Emergency Strategy has been developed. The strategy has been produced to help clarify the actions proposed by the Council to achieve the stated adopted goal of zero net carbon emissions by 2030.
13. The Climate Emergency Strategy attached in Appendix A, sets out the current position regarding the Council’s and the borough’s Carbon Dioxide Emissions,

identifies the 1990 (baseline year) emission figures and projects the level of reduction required to achieve the net zero carbon goal.

- 14.** The strategy identifies and quantifies the contribution to carbon dioxide emissions from several sectors, while highlighting the potential impact climate change will have on the borough.
- 15.** The work undertaken to date will help to enable an informed public consultation to determine measures to be taken by the authority to achieve its climate goals and the development of an Action Plan.
- 16.** Following adoption of the strategy work will begin on a full detailed public consultation to inform and produce an action plan to identify workstream and projects to reduce the Carbon Dioxide emissions and to prepare the Council and borough for the impacts of climate change.
- 17.** Over the next 12-months a substantial public consultation exercise will be undertaken to help with the formation of a robust action plan, identifying the measures to be taken to achieve the Council's goal of net-zero carbon emissions by 20-30 across the borough.
- 18.** In addition, some works already underway within the Council will be progressed. These include improvements to lighting within the civic centre to provide low energy lighting, installation and use of photovoltaic cells at the civic centre and depot to provide low cost and low emission energy.

19. It is proposed that the Climate Emergency Strategy be adopted by the members.

CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

20. The draft Climate Emergency Strategy has been discussed within the Climate Emergency Task Group which includes public representation. Once adopted a full public consultation exercise will be undertaken to develop a robust action plan to achieve the Council's stated goals in relation to the declared Climate Emergency.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

21. The Strategy has been produced following the declaration of Climate Emergency and adoption of the Climate Emergency task Group scoping document. It details the impacts from Climate Change on the borough and identifies target work areas. No alternative options have been identified.

AIR QUALITY IMPLICATIONS

22. The Climate Emergency Strategy and proposed action plan will work hand in hand with the adopted Air Quality Action Plan and actions under the strategy will assist in achieving many of the goals and actions under the Air Quality Action Plan.

RISK MANAGEMENT

23. The Climate Emergency Strategy details the negative impact of climate change on the borough and sets the Council's goals to achieving a net zero carbon emission by 2030, through the development of an Action Plan. The Action Plan will identify the workstreams to be progressed and individual risk associated with these workstreams. The Strategy highlights that doing nothing presents a significant risk to both the council and the borough as a whole.

EQUALITY AND DIVERSITY IMPACT

24. Climate Change will affect all wards and residents. The strategy is an overarching document which will impact on all wards. The Action Plan that will be produced following the adoption of the Strategy will determine the work flows to be underpursued and each will consider Equality and Diversity on detail.

COMMENTS OF THE STATUTORY FINANCE OFFICER

25. The Climate Emergency Action Plan will inform the Council of any potential additional budgetary implications which will need to be fully assessed and approved in accordance with the Council's constitution.
26. As part of the budget setting process for 2020/21, a Climate Change reserve of £250,000 was created to fund investments that will improve the council's environmental impact. This reserve can be used to fund additional costs that the Action Plan will identify.

COMMENTS OF THE MONITORING OFFICER

28. There are no legal concerns with what is proposed here. Clearly as a responsible public authority we ought to be doing what we can to tackle the challenge of climate change.

BACKGROUND DOCUMENTS

Climate Emergency Declaration
Climate Emergency Task group approved scoping document.

APPENDICES

Appendix A – Climate Emergency Strategy

LT Member Jennifer Mullin
Director of Neighbourhoods and Development

Report Author:	Telephone:	Date:
Neil Martin (Environmental Health Officer)	01772 625336	24/06/20

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Draft Climate Emergency Strategy

June 2020



(1)

Contents

Introduction	5
Background	5
What is climate change?	5
How are humans changing the climate?	5
How fast is the temperature rising?	5
Action on Climate Change	6
Current Position	8
1.Current Emissions Profile – The Council (organisation)	10
One Carbon World report 2018 – 2019.....	10
2.Current Emissions Profile – The Borough of South Ribble	12
Goals	17
Towards 2030 - The way forward	17
1. Carbon reduction measures - Progressing towards the 2030 Carbon Neutral aim	18
Climate Carbon Wedge.....	19
Transport.....	19
Energy and the Built Environment	21
Waste and Water.....	22
Consumption	22
As a method of tackling all four of these categories above, the Council will seek to -	23
Carbon Offsetting	24
2. Resilience - preparing for the consequences of climate change within the Borough	25
Infectious diseases.....	25
Food safety	26
Flooding.....	27
Planning.....	27
Next Steps.....	28
Performance / Monitoring.....	31
Resources	31
Appendices.....	32
Appendix 1: SRBC climate emergency task group scope.....	32
Appendix 2: SRBC Notice of motion July 2019	39
Appendix 3: SRBC One Carbon World Report 2020	41
Emissions factors used in footprint calculation:	47
References (re-order at the end).....	58

Glossary.....	60
Useful further resources and Organisations	62

List of Figures

Figure 1 – changing UK temperatures	7
Figure 2 - Sources of CO2e by emission activity 2018 - 2019	11
Figure 3 - South Ribble Borough Council CO2 emissions estimates 2005 – 2017 (ktCO2) – Grand Total data (14)	12
Figure 4 - Eurostat Greenhouse Gas Emissions for the UK, base year 1990 – Index (1990 = 100%) (15)	13
Figure 5 - Estimated carbon emissions data for the Borough of South Ribble from 1990 – 2017 (ktCO2).....	14
Figure 6 – Transport use change during March 2020.....	15
Figure 7 – Average Daily Nitrogen Dioxide readings	16
Figure 8 - 2020 -2030 trajectories	18
Figure 9 - Carbon footprint reduction options for 2020 – 2030.....	29

Document Control

Publication Date	***** 2020
Related Documents	SRBC Climate Emergency Declaration July 2019 https://southribble.moderngov.co.uk/ieListDocuments.aspx?CId=134&Mid=1471&Ver=4 Cabinet Paper January 2020 https://southribble.moderngov.co.uk/ieListDocuments.aspx?CId=140&Mid=1482
Owner (Department)	Environmental Health
Author (Team)	Environmental Health / Climate Emergency Task Group

Review of Strategy

Review Date	June2021
Version	

Introduction

In 2019, South Ribble Borough Council declared a climate emergency, pledging to work to make the Borough carbon neutral by 2030.

This strategy summarises the global, national and local needs for such action, and how the Council will be acting during the next decade to deliver on this pledge.

Background

What is climate change?

Climate change is the long-term shift in average weather patterns across the world. Since the mid-1800s, humans have contributed to the release of carbon dioxide and other greenhouse gases into the air. This causes global temperatures to rise, resulting in long-term changes to the climate. (16)

How are humans changing the climate?

In the 11,000 years before the Industrial Revolution, the average temperature across the world was stable at around 14°C. The Industrial Revolution began in the mid-1800s when humans began to burn fossil fuels such as coal, oil, and gas for fuel. (16)

Burning fossil fuels produces energy, but also releases greenhouse gases such as carbon dioxide, methane, and nitrous monoxide into the air. Over time, large quantities of these gases have built up in the atmosphere.

Once in the atmosphere, greenhouse gases such as carbon dioxide form a 'blanket' around the planet. This blanket traps the heat from the sun and causes the earth to heat up.

Evidence has shown that the high levels of greenhouse gases in the atmosphere are the leading cause of increasing global temperatures.

This effect was noticed as far back as the 1980s. In 1988, the [International Panel on Climate Change \(IPCC\)](#) was set up to provide governments with information to tackle climate change.

In their most recent report, the IPCC states that human activity is 'extremely likely' to be the main cause of climate change. (17)

How fast is the temperature rising?

Since the Industrial Revolution, the average temperature of the planet has risen by around 1°C. This is a rapid change in terms of our global climate system. Previously, natural global changes are understood to have happened over much longer periods of time. (It is also important to remember that the world is not warming evenly, so the temperature increase is higher than 1°C in some countries. (16))

Action on Climate Change

At the Paris climate conference (COP21) in December 2015, 195 countries adopted the first-ever universal global climate deal that is due to come into force in 2020. The agreement sets out a global action plan to put the world on track to avoid dangerous climate change by limiting global warming to well below 2°C above pre-industrial levels and pursue efforts towards limiting to 1.5°C.

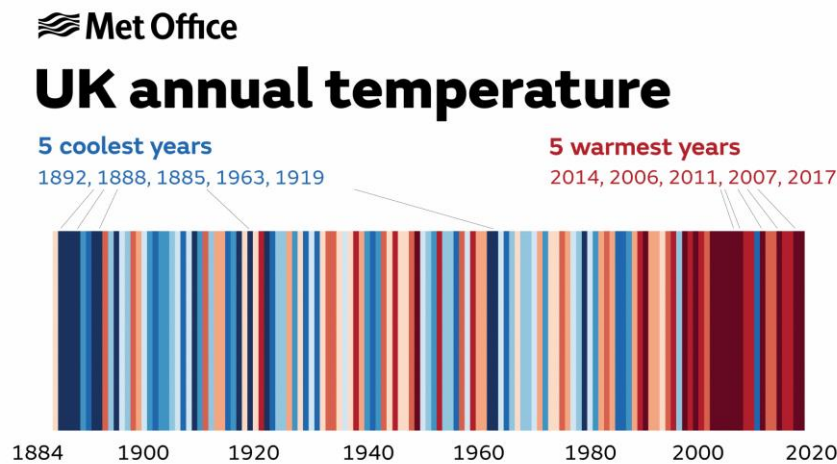
Then, in 2018, the Intergovernmental Panel on Climate Change (IPCC) published a report which advised that global warming must be limited to 1.5°C, as opposed to the previous target of 2°C. The IPCC's review of over 6,000 sources of evidence found that, with a rise of 1.5°C, there would be risks to health, livelihoods, food security, water supply, human security and economic growth. A rise to 2°C would be even more catastrophic. It warned that there are 12 years within which to take the serious action required to avert this crisis and avoid the worst impacts.

Nationally, the Climate Change Act 2008 introduced the UK's first legally binding target for 2050 to reduce greenhouse gas emissions by at least 80% compared to 1990 levels. Then, on 27 June 2019 the UK government amended the Climate Change Act to set a legally binding target to achieve net zero greenhouse gas emissions from across the UK economy by 2050. (5)

However, despite these actions, the UK is already being affected by rising temperatures. The most recent decade (2008-2017) has been on average 0.8 °C warmer than the 1961-1990 average. All ten of the warmest years in the UK have occurred since 1990 with the nine warmest occurring since 2002.

The image below, produced by the Met Office, provides a very clear representation of the changing temperatures within the UK.

Figure 1 – changing UK temperatures



(12)

And internationally, with warming at the Earth's surface, many other changes in the climate are occurring:

- warming oceans
- melting polar ice and glaciers
- rising sea levels
- more extreme weather events

It is clear that 'business as usual' is not an option. Change is required.

In July 2019, acknowledging the change required, South Ribble Borough Council declared a climate emergency and set a goal to become Carbon neutral by 2030 (2)

The Council committed to the formation of a Working Group on the Climate Emergency, to:

- Incorporate the Council's existing Air Quality Action Plan into its wider plans;
- Devise and propose further measures in pursuit of its goals;
- Monitor progress towards its goals;
- Report back to full Council at least four times per year on its progress in achieving its goals.

Current Position

Further to the Climate Emergency declaration in July 2019 a Climate Emergency Task Group was been formed, consisting (at the time) of a minimum of:

- Cabinet Member responsible for the Environment (in the Chair);
- Chairs of each Neighbourhood Forum;
- Representatives of each political group represented on the council (2 Labour Members (including Air Quality Lead), 1 Liberal Democrat Member. 2 Conservative Members);
- Air Quality Lead;
- Such other Members, including co-opted members, as the working group shall consider appropriate.

The climate emergency task group has agreed the following aim and objectives –

Aim:

To achieve carbon neutrality for the borough of South Ribble by 2030, taking account of any carbon offsetting identified.

Objectives:

- ▶ To carry out an assessment of current activities, including estimating the current Carbon Footprint of South Ribble.
- ▶ To research best practice and look for innovative new approaches to reducing carbon emissions, carbon off setting and climate mitigation.
- ▶ To produce a Climate Emergency Strategy and way forward for Council to consider.
- ▶ To include those elements contained within the Greenhouse Gas Protocol defined as Scope 1 and Scope 2 emissions. Direct emissions shall be taken as including fuel (energy), vehicles, farming, quarrying, waste produced and deposited within the borough from Domestic, Commercial, Industrial, Educational, Farming and leisure activities. It does not include those emissions generated by vehicles travelling through the borough, i.e. on motorways or by railway.
- ▶ To define all emissions and reductions against a base year of 1990.

The task group agreed that a Climate Change Strategy would be developed and presented for Council approval in 2020. This draft strategy forms the initial part of this process.

1. Current Emissions Profile – The Council (organisation)

The Council is working with One carbon World, a resource partner of the United Nations Climate Neutral Now initiative, to quantify the Council's current carbon emissions and identify improvements that can be made.

This systematic, independent and scientific approach to carbon emission calculations is being used by a number of Local Authorities locally and nationally, which in future will also allow the Council to benchmark against others and share best practice and improvements amongst similar Authorities.

The calculation methods used by One Carbon World as per the Greenhouse Gas Protocol (13). The initial calculation period used was 1st April 2018 – 31st March 2019. This period was selected as the latest full set of data available for a financial year.

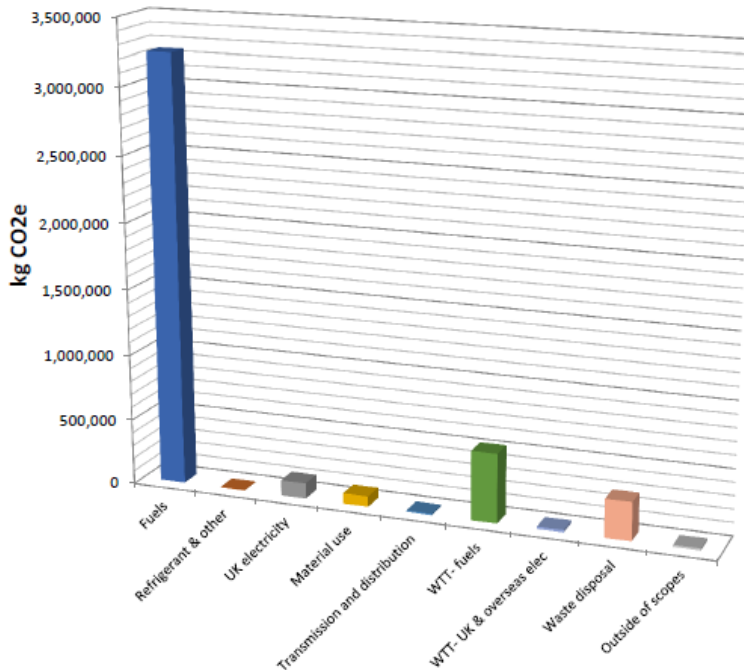
The summary of the One Carbon World report for this period is provided below, a full copy of the report is included as Appendix 3

One Carbon World report 2018 – 2019

The total carbon footprint for this year was 4305.41 tonnes CO₂e. (CO₂e = Greenhouse Gas equivalent emissions)

The most significant sources of CO₂e emissions was identified as fuel use, primarily natural gas, but also diesel and petrol use in Council fleet vehicles.

Figure 2 - Sources of CO₂e by emission activity 2018 - 2019



To reduce these emissions, One Carbon World recommended –

- The amount of natural gas used is reviewed and if possible reduced
- The amount of diesel / petrol used is reviewed and if possible reduced
- The off-setting of unavoidable CO₂e emissions

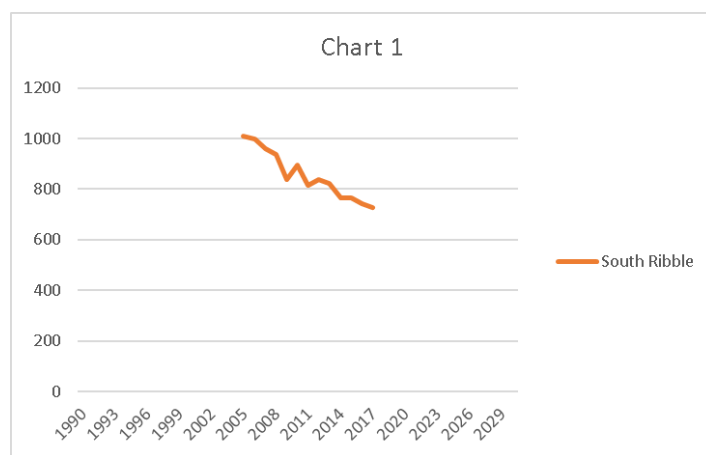
This strategy takes account of these recommendations.

This same methodology will be used for each financial year between 2019 – 2030 to provide a clear, consistent method of reporting the Council's carbon footprint. This data will be reported to full Council and published on the Council's website.

2. Current Emissions Profile – The Borough of South Ribble

The UK Office for National Statistics (ONS) has published UK local authority estimates of carbon dioxide emissions statistics from 2005 to 2017 (14). Chart 1 below shows the ONS estimated figures for the Borough of South Ribble, from 2005 to 2017

Figure 3 - South Ribble Borough Council CO₂ emissions estimates 2005 – 2017 (ktCO₂) – Grand Total data (14)



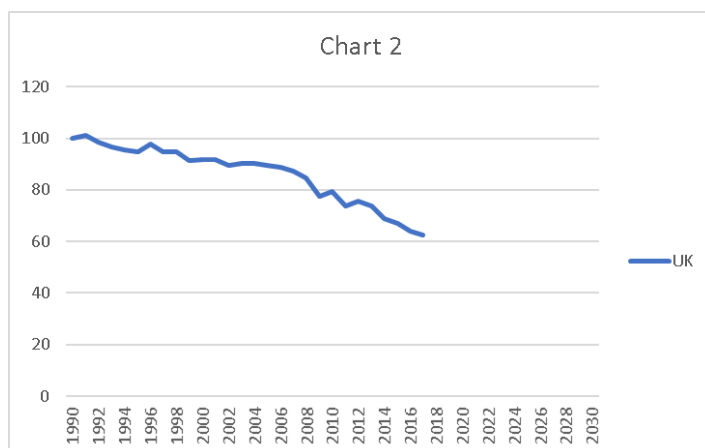
Data source – Gov.uk <https://www.gov.uk/government/statistics/uk-local-authority-and-regional-carbon-dioxide-emissions-national-statistics-2005-to-2017>.

ktCO₂ = Kilotonnes Carbon Dioxide

Data and technical guidance used to establish the 1990 baseline

As Borough specific data from 1990 to 2005 is not available, it has been necessary to estimate the data for the Borough for this period. So, whilst data for the Borough was not available for 1990 – 2005, national data was able to be obtained from Eurostat, a directorate-general of the European Commission (15). This data is shown in Chart 2 below

Figure 4 - Eurostat Greenhouse Gas Emissions for the UK, base year 1990 – Index (1990 = 100%) (15)



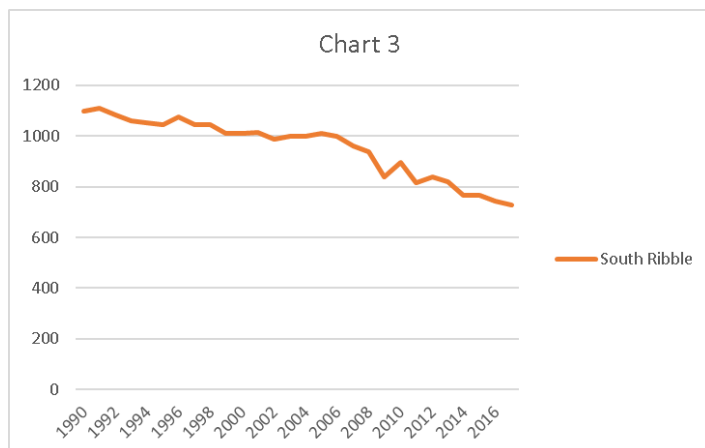
Data source – Eurostat. https://ec.europa.eu/eurostat/databrowser/view/t2020_30/default/?lang=en

The Eurostat data used to produce Graph 2 shows trends in total man-made emissions of the of greenhouse gases (based on Kyoto protocol) within the UK. It presents annual total emissions in relation to 1990 emissions as a percentage.

Note - The Kyoto protocol includes the 'Kyoto basket' of greenhouse gases - carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), (hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), nitrogen trifluoride (NF₃) and sulphur hexafluoride (SF₆). These gases are aggregated into a single unit using gas-specific global warming potential (GWP) factors. The aggregated greenhouse gas emissions are expressed in units of CO₂ equivalents.

Chart 3, below, uses the UK trends within Chart 2 to estimate data and trends for the Borough of South Ribble, providing an estimated baseline of 1990 and showing an estimated trend from 1990 -2005 based, using a method of linear approximation based on the ONS published estimates from 2005 – 2017.

Figure 5 - Estimated carbon emissions data for the Borough of South Ribble from 1990 – 2017 (ktCO2)



Note – this chart is based on estimates using national data. It is for illustrative purposes and should not be regarded as actual measurements for the Borough.

The next part of this document shows the projected different trajectories going forward to 2030.

COVID-19 (Coronavirus)

In December 2019 the world saw the first reported cases of COVID-19, also known as Coronavirus. In the following months we witnessed the development of a global pandemic as the World Health Organisation and individual nations reacted to the surge in cases around the world.

Within the UK the national Government lead the response to the pandemic.

On 16th March 2020 the UK Government urged people to work from home, and then just one week later on 23rd March 2020 the UK went into a state of lockdown, with schools and non-essential businesses closing for an undetermined period. The Government stated that all non-essential travel should be avoided.

The COVID-19 pandemic has been and will continue to be a life changing, traumatic event for many people around the world. The statements below are in no way intended to detract from that.

Conversely, from as early as April 2020 it can be seen that for the environment / the planet the pandemic has brought rather different results.

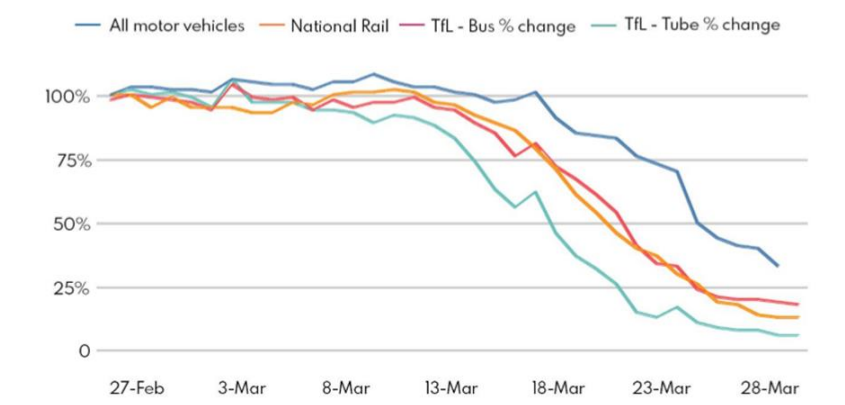
With international travel discouraged by many Government's internationally, The Centre for Aviation reported that for one week during April 2020 European flight seat numbers fell by 90% compared with the same period in the last year (18)

The use of private and public transport became a regular feature of the daily Downing Street address to the nation. Chart 5, below, is taken from the Downing Street presentation on 30th March 2020.

Transport use change during March 2020

'Transport use in Great Britain has decreased since the imposition of social distancing rules. The percentage change in the use of all motor vehicles, National Rail, the London Underground (TfL), and bus travel (TfL)' (19)

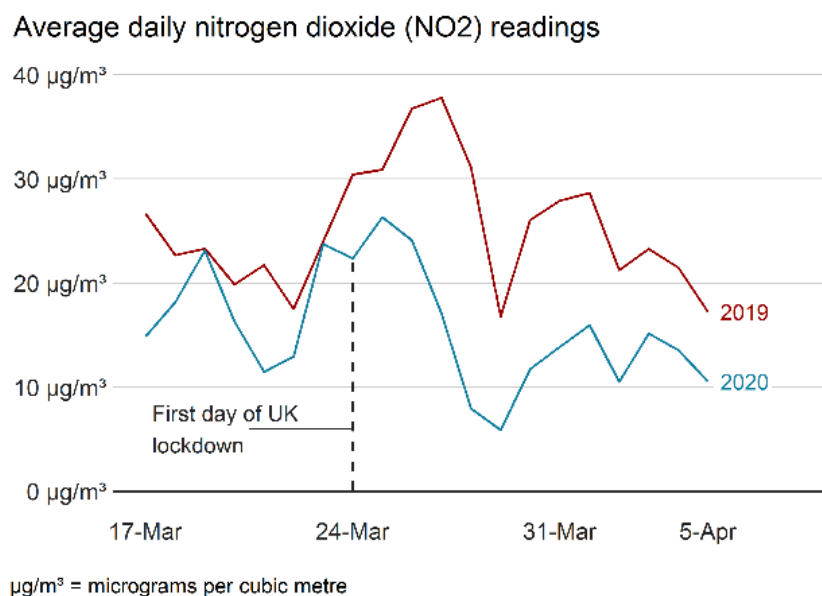
Figure 6 – Transport use change during March 2020



TfL = Transport for London

The impact upon the environment, even within a few weeks of lockdown, has been remarkable. On 8th April the BBC reported the drop in air pollution in the two weeks following the lockdown.

Figure 7, below, is taken from the BBC report. Using data from the Department for Environment, Food and Rural Affairs (DEFRA) it compares the two week lockdown period with the same period in 2019.

Nitrogen dioxide levels recorded in 2020 compared with the same period in 2019. (20)*Figure 7 – Average Daily Nitrogen Dioxide readings*

At the time that this strategy was produced it was too early to know the full impact that this pandemic has had upon air pollution generally, greenhouse gas emissions and climate change. However, The Committee on Climate Change (CCC) has written to the UK Government advising on how the nation can emerge from the pandemic whilst delivering a stronger and cleaner economy. (25). These recommendations include –

Build new homes that are fit for the future,

Scale up housing retrofits,

Invest in low-carbon, resilient infrastructure such as improved broadband instead of new roads,

Make it easy for people to work remotely, walk and cycle,

Expand tree planting,

Ensuring the benefits of climate change are shared widely and that actions taken do not burden those who are least able to pay

The CCC Chairman, Lord Deben, said ' The COVID-19 crisis has shown the importance of planning well for the risks the country faces. Recovery means investing in new jobs, cleaner air and improved health. The actions needed to tackle climate change are central to rebuilding our economy. The Government must prioritise actions that reduce climate risks and avoid measures that lock-in higher emissions' (25)

In April 2020 DEFRA, along with the Air Quality Expert group, was asking for the submission of evidence relating to the changes in UK air quality. (21) These findings will be reported in the annual review of this strategy in 2021.

Goals

In July 2019 South Ribble Borough Council declared a climate emergency and set a goal to become Carbon neutral by 2030

Within the 2019 climate emergency Council declaration, the statement is made –

'This Council declares that the effect of climate change within the borough poses an immediate danger to the health and well-being of our residents and therefore proclaims a Climate Emergency with immediate effect.

To combat this threat, the borough sets a goal of rendering the borough carbon neutral by the year 2030.'

A full copy of the Council motion is detailed as Appendix 2

Towards 2030 - The way forward

This strategy encompasses two broad themes –

Carbon Reduction Measures - how the Council intends to progress towards the 2030 carbon neutral goal, and

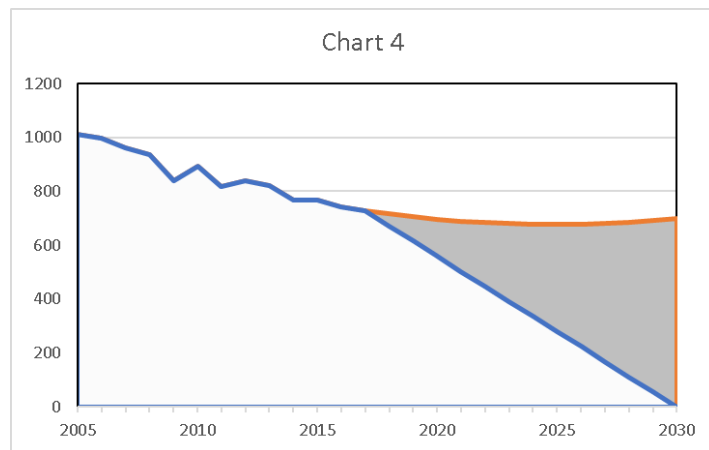
Resilience - preparing for the consequences of changing climate within the Borough

1. Carbon reduction measures - Progressing towards the 2030 Carbon Neutral aim

Had the Council elected not to declare a climate emergency, and continue with 'business as usual' the Chart 4 below shows the estimated carbon emissions for the Borough to 2030.

However, having declared a climate emergency, and committed to the goal of carbon neutrality for the Borough by 2030, Chart 4 also illustrates the revised trajectory that the Council has elected to aim for.

Figure 8 - 2020 -2030 trajectories



The upper, orange trajectory to 2030 shows an estimated business as usual prediction if no corrective action was to be taken *

**These future estimates have been calculated using historic data for the Borough and a quadratic regression formula to predict future carbon emissions*

The lower, blue trajectory from 2017 – 2030 illustrates the path that the Council has chosen to pursue in declaring a climate emergency.

The shaded area, in between the two trajectories, is known as the Carbon Wedge.

Climate Carbon Wedge

The climate carbon wedge concept was introduced by two Princeton professors, Rob Socolow and Stephen Pacala. These wedges describe a range of technologies and choices about how we act, that when taken together form wedges against increasing carbon emissions.

What does the climate carbon wedge contain? In essence, this is the sum of all of the changes required during the next decade to achieve the aim of carbon neutrality for the Borough by 2030.

There may be many ways to achieve the desired outcome, many of which may not be in the direct control of the Council for example national Government environmental levies or incentives. In addition, circumstances will change as we proceed through the coming decade to 2030. It is therefore proposed to review this strategy each year to document progress and ensure continuing development, in line with national requirements and emerging technology.

The carbon reduction plan can be split into 5 main categories –

Transport

Energy and the Built Environment

Waste and Water

Consumption

Off-setting

Transport

The World Health organisation has stated that the transport sector is the fastest growing contributor to climate emissions. Growth in energy use is higher for the transport sector than any other end-use sector. The main drivers of global transport energy growth are land transport, mostly light-duty vehicles, such as cars, as well as freight transport. (23)

Transport's contribution to climate change include:

- a. long-lived carbon dioxide (CO₂) emissions and;
- b. short-lived black carbon generated primarily by diesel vehicles.

CO2 emissions

Transport accounted for about 23% of global carbon dioxide emissions in 2010 and 27% of end-use energy emissions with urban transport accounting for about 40% of end-use energy consumption. Carbon dioxide persists in the atmosphere for over a century, with long-term warming effects (23)

Short-lived climate pollutants (SLCPs)

Black carbon, a short-lived climate pollutant, is the second highest contributor to global warming after CO₂. Black carbon has a warming effect many times more powerful than carbon dioxide, but it persists in the atmosphere for only a few weeks – so measures to reduce black carbon can also have an immediate effect on slowing the pace of climate change.

Diesel transport is one of the world's major sources of black carbon (along with household biomass cookstoves). Not only does black carbon have a significant warming effect, but it is also a major component of particulate matter, the air pollutant most closely associated with increased air-pollution related mortality and morbidity.

Ground-level ozone is another short-lived climate pollutant stimulated by transport pollution. Ozone is created by a mix of air pollutants, including oxides of nitrogen (NO_x) produced by vehicle engines and methane emissions from other sources (e.g. landfills and animal waste). Ozone contributes to chronic respiratory diseases, particularly childhood asthma (23)

Ground-level ozone is another short-lived climate pollutant, stimulated by transport pollution. Ozone is created by a mix of air pollutants, including oxides of nitrogen (NO_x) produced by vehicle engines (23)

The Council has already committed to many transport related actions with the Air Quality Action Plan 2018. This plan sits alongside the climate emergency strategy and action plan in detailing those works that the Council has committed to.

For ease, all of the actions from this plan (including many relating to the use of transport) have been attached as Appendix 4.

In addition to the carbon reductions resulting from these actions, wider benefits of tackling transport emissions will include –

Improved air quality

The creation of safe areas for walking and cycling

Healthier lifestyles resulting from active transport

Cost reductions associated with active transport and car sharing

Energy and the Built Environment

Currently, heating our homes, businesses and industry is responsible for a third of the UK's greenhouse gas emissions. Decarbonisation of heat is recognised as one of the biggest challenges we face in meeting our climate targets (22)

Across the Borough, this is likely to form a significant challenge in the coming decade as we seek to promote and assist with the retro-fitting of the Borough's existing privately owned housing stock. The housing within the Borough needs to become much more energy efficient in order to reduce the demand for energy.

The retro-fitting of existing housing stock is not a challenge unique to South Ribble, it is likely to be a national challenge within the coming decade. We will work with the national Government to identify ways of assisting residents in the process.

As an organisation we need to move to low carbon and / or renewable energy, and work with partners, businesses and our residents to encourage them to do the same.

The ultimate aim is to reduce the amount of gas and electricity used within the Borough to fuel commercial buildings and domestic properties.

To this end we will –

Make best use of the planning processes to ensure all new housing stock is sustainable in design and affordable to heat

Work with private landlords and housing associations to encourage best practice

Retrofit a domestic property to use as a flagship of best practice for the Borough

Work to heat our own buildings with low carbon and / or renewable heating. All carbon based energy will be purchased via green tariffs. The Council will seek to lead by example in its use of decarbonised energy

Use LED lighting across the Council estate wherever possible

Lobby national Government for the provision of mass affordable domestic retrofitting options

Enforce private rented Minimum Efficiency Standards regulations

Investigate Energy from Waste options

Examine the possibility of large scale solar projects within the Borough

Lobby national Government to ensure low carbon energy is available and affordable for everyone

Seek funding opportunities for low carbon heating

Promote national Government low carbon incentives within the Borough

Make use of emerging technology to continually improve how we act as an organisation

In addition to the carbon reductions resulting from these actions, wider benefits will include –

Reduced energy bills for residents of the Borough

Reduced energy bills for the Council

Improving the condition of housing stock within the Borough

Improving air quality by reducing emissions of NOx from gas boilers

Waste and Water

For many years the Council has worked to treat waste within the Borough responsibly and reduce the amount of waste going to landfill. We have an established domestic recycling scheme including the recycling of paper, cardboard, certain plastics and metals, glass and garden waste.

However, we recognise the importance of our role in working to reduce waste further and accept that actions will be needed to reduce the volumes of waste produced within the Borough, and then further reduce the proportion of that sent to landfill.

[Consult AR on this point](#)

To this end we will –

We will work with partners, businesses and residents to reduce the amount of waste produced, promote reuse and recycling of waste and examine means of using waste as an energy source. [Consult AR on this point](#)

We will work with United Utilities, partners, businesses and residents to promote the responsible use of water throughout the Borough.

As an organisation we will strive to lead by example, reporting our consumption all those measures we are taking to improve our performance.

The Council has already committed to eliminating the use of Single Use Plastics by 2025.

Investigate those improvements than can be made to our recycling service

Work with residents to improve the percentage of waste recycled

Make best use of new technology to continually improve waste collection and recycling services

Continue with tree and hedge planting to slow the flow of rainfall over land, protect watercourses against erosion, protect watercourses against rising water temperatures and improve biodiversity

Consumption

The goods we purchase and use may have emissions built in to their manufacture and transport. This is known as imported emissions. Examples may include food grown abroad, clothing manufactured abroad, mobile phones manufactured abroad, etc.

Our actions as consumers have a direct impact on the demand for products. So, whether we choose to repair instead of replace, choose plant based foods instead of meat, choose locally produced goods instead of imported, these choices have an impact upon imported emissions and potentially on waste too

If as an organisation and a Borough we are able to consume less, and consume more responsibly then this in turn will impact upon the imported emissions we cause and the amount of waste that we produce.

To this end we will –

As an organisation we will seek to reduce our purchase and use of high energy commodities, for example single use plastics and meat based products.

We will move to a more plant based menu for functions and meetings, and to purchase products made within the UK in order to reduce transport miles.

We will also work with partners, businesses and residents to encourage responsible consumption and share best practice.

Work with schools, colleges and partners to encourage more low carbon cooking and meals, and reduce food waste

Work to improve the carbon emissions of Council events

As a method of tackling all four of these categories above, the Council will seek to –

Develop a climate emergency staff forum

Develop a climate emergency citizen assembly for the Borough

Make best use of emerging technology

Make a greater difference by working in partnership with others

Communicate our work internally and within our community

Strive for continuous improvement and learn from best practice

Adjust our approach in line with emerging evidence and technologies

Carbon Offsetting

Carbon offsetting allows for organisations to compensate for their unavoidable carbon emissions with the use of projects that reduce an equivalent amount of emissions. The carbon emission projects can be internal to the organisation or procured from an external organisation. Examples of such projects could include tree planting and the installation of solar panels.

The Council already undertakes many carbon offsetting activities, which whilst not calculated as formal carbon offsetting, increase the capture of CO₂ within the Borough.

Examples include the maintenance of parks, woodlands and open spaces within the Borough.

The Council has already committed to the planting of 110,000 trees within the Borough (one tree per resident) and the total planted to date is approximately 35,000. **Note - Check final number with AR**

Additional tree planting may be facilitated by use of the planning processes.

At this time the Council has not committed to the external purchase of carbon offsetting. However, as part of the contract with One Carbon World the Council received 300 carbon credits, which equates to the retirement of up to 300 tonnes equivalent of carbon.

Taking into account this credit, this leaves the Council with an offset total of 4006 tonnes for the year 2018-2019. One Carbon World state that to offset this volume via their organisation would cost the Council £4,807.20. However, it must be noted that these figures are for the Council as an organisation, not for the Borough as a whole.

2. Resilience - preparing for the consequences of climate change within the Borough



(11)

South Ribble Borough Council, like many other Council's, is already experiencing changes in weather patterns, including heat waves and flooding. Despite the actions being taken to reduce carbon emissions within the Borough it is necessary to accept that some changes affected by global warming are already upon us.

The Met Office have stated that 'it is a cornerstone principle of resilience preparation that we plan for a wide range of possible future changes, in parallel with taking actions to reduce the likelihood of the worst scenario becoming reality'(24), so the Council must ensure it takes action to prepare for such changes, and reduce the effects of them where possible.

Infectious diseases

Global warming will affect the prevalence of infectious diseases (7) Altitudes that are currently too cool to sustain vectors (for example mosquitos) will become more conducive to them. Infections previously eradicated in the UK such as Malaria, dengue, plague, and viruses causing encephalitic syndromes are among the many diseases likely to return. With warmer and wetter weather conditions we may also see a rise in native pests such as rats and mice, and conditions which support the life cycle of non-native pest such as the Asian Hornet

Clearly, global warming will cause changes in the epidemiology of infectious diseases. The ability of our public health systems to react or adapt is dependent upon the magnitude and speed of the change. The outcome will also depend on our ability to recognize epidemics

early, to contain them effectively, to provide appropriate treatment, and to commit resources to prevention and research.

The Council's Environmental Health service will continue to work with Public Health England, the Food Standards Agency, peers and businesses to investigate and control the spread of food and water related infectious diseases within the Borough

The Council's Pest Control service will monitor changes in pest activity within the Borough, work with suppliers, peers, businesses and National Government to ensure the service remains fit for service in a changing environment. We will lobby Central Government as required to ensure suitable and safe products and methods are available to tackle the changing pest control challenges.

Food safety

The World Health Organisation (WHO) have stated that climate change is likely to have considerable impacts on food safety, both direct and indirect, placing public health at risk.

With changing rainfall patterns and increases in extreme weather events and the annual average temperature the WHO state that we will begin to face the impacts of climate change.

These impacts will affect the persistence and occurrence of food related bacteria, viruses, parasites, harmful algae, fungi and their vectors, and the patterns of their corresponding foodborne diseases and risk of toxic contamination.

The predicted climatic changes will have serious implications for the survival of our native pollinators therefore threatening the sustainability of our total food supply. There are already reports of the invasive Asian Hornet on the Channel Islands and in Southern England this year. This species has devastated bee hives in France and combined with the stress put on hives by increased temperatures and the use of pesticides this has significant implications for the security of our food supply.

Alongside these impacts, chemical residues of pesticides and veterinary medicines in plant and animal products will be affected by changes in pest activity. The risk of food contamination with heavy metals and persistent organic pollutants following changes in crop varieties cultivated, cultivation methods, soils, redistribution of sediments and long-range atmospheric transport, is increased because of climate changes.(6)

The Council's Environmental Health service will continue to work with central Government, the Food Standards Agency, DEFRA, other partner organisations, laboratories, peers and businesses to continue to protect food safety within the Borough.

Whilst the Council's food safety service is primarily concerned with the security and hygiene of the food manufactured and sold within the borough the service works collaboratively with the other local authorities within Lancashire to respond to consultations on future policies proposed by central government departments.

The Council's Pest Control service will monitor changes in pest activity within the Borough, work with suppliers, peers, businesses and National Government to ensure the service remains fit for service in a changing environment. We will lobby Central Government as

required to ensure suitable and safe products and methods are available to tackle the changing pest control challenges.

Flooding

The Met Office have stated that the UK's climate is becoming wetter. (8) For example, the highest rainfall totals over a five day period are 4% higher during the most recent decade (2008-2017) compared to 1961-1990. In addition, the amount of rain from extremely wet days has increased by 17% when comparing the same time periods.

More recently winter 2013/14 and winter 2015/16 have been two of the wettest on record, with widespread impacts during both seasons. A Met Office study has shown that an extended period of extreme winter rainfall in the UK, similar to that seen in winter 2013/14, is now about seven times more likely due to human-induced climate change.

December 2015 was the wettest December, and indeed any calendar month, in the UK series since 1910. Rainfall reached 2 to 4 times the average in the west and north, with severe flooding in Cumbria in particular. A recent study showed that the heavy rains associated with Storm Desmond has been made about 60% more likely due to human-induced climate change (26).

Met Office predictions suggest that summers may tend to become drier overall but when it does rain it will fall in heavier bursts, which has implications for flash flooding / surface water flooding

Flooding events are more difficult to understand as they depend not only on the amount and intensity of rainfall but local topography and geology

The Council will continue to work with the Environment Agency, United Utilities and Lancashire County Council to prevent flooding and react swiftly where it occurs.

Through their professional body, the CIEH, Environmental Health Officers are lobbying government regarding the numerous realities of climate change.

Planning

The Committee on Climate Change reports that there are plans for 1.5 million new UK homes by 2022 (9). It states that 'these new homes must be built to be low-carbon, energy and water efficient and climate resilient. The costs of building to a specification that achieves the aims set out in this report are not prohibitive and getting design right from the outset is vastly cheaper than forcing retrofit later. From 2025 at the latest, no new homes should be connected to the gas grid. They should instead be heated through low carbon sources, have ultra-high levels of energy efficiency alongside appropriate ventilation and, where possible, be timber-framed. A statutory requirement for reducing overheating risks in new builds is needed, alongside more ambitious water efficiency standards, property-level flood protection in flood risk areas, and increasing requirements for greenspace and sustainable transport in planning and guidance.'

The Central Lancashire Authorities of Preston City, South Ribble and Chorley are undertaking a review of the development plan(s) for the area and are working towards the preparation of a Joint Local Plan for Central Lancashire. This will be a single Planning document containing the Council's vision and objectives. It will set strategic and local development management policies and site allocations for future development across the three authorities. Once adopted, the Local Plan will guide the future growth and development in the Central Lancashire area and replace the Central Lancashire Core Strategy (adopted in 2012) and the Local Plans/Site Allocations and Development Management Policies of the 3 Central Lancashire Authorities (all adopted 2015).

The vision for the plan sets out that by 2036 Central Lancashire will lead sustainable development in the region.

It will make the most of its economic, cultural, heritage and natural assets and be at the forefront of tackling and adapting to the impacts and challenges of climate change. Recognising this, the councils will seek to be carbon neutral by 2030.

Connections will improve access across Central Lancashire by prioritising sustainable transport including walking and cycling to link town and city centres with their wider areas, alongside other destinations. Overall, Central Lancashire will be a place where people and businesses thrive and a place where people will want to work, live and visit.

New development will take place in a manner that mitigates against and adapts to the cause and impacts of climate change. It will take account of flood risk, be energy efficient and of high design quality, championing outstanding new architecture, making efficient use of resources and enabling waste prevention. It will respect and where appropriate reinforce local character and the relationships between buildings and their wider surroundings. Central Lancashire will be served by efficient infrastructure including transportation, utilities and communications.

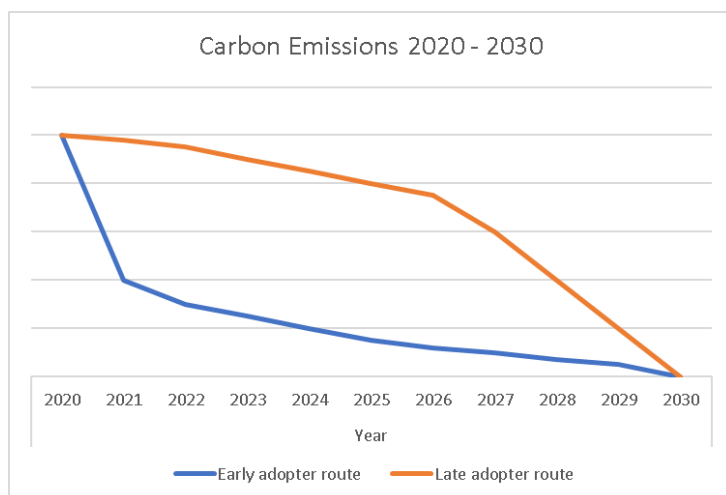
Next Steps

On agreement of the strategy the Climate Emergency Task Group will formulate an action plan detailing those short term, medium term and long term actions that will be undertaken in order to deliver the strategy in an efficient and timely manner.

The action plan will establish clear targets and measures of progress as well as annual reporting processes.

In deciding the priorities within the action plan, early consideration will be given to those actions which can deliver the largest ongoing reduction in carbon emissions, so reducing the carbon footprint for the Borough between 2020 and 2030, a concept illustrated in Figure 9, below.

Figure 9 - Carbon footprint reduction options for 2020 – 2030



The blue line shows the early adopter method, with carbon emissions reducing substantially in the first few years. Conversely, the late adopter method (in red) shows a slower start with larger improvements towards the end of the decade. Both routes would lead the net zero result by 2030 but the final carbon footprint for the decade, the areas below the lines in the graph, is significantly less if those large improvements are made early in the decade.

Therefore, in addition to the aim of 2030 carbon neutrality we must also consider, in devising the action plan, those matters that will make the largest change and be ready to implement those at the earliest opportunity. This will have the result of lowering the final carbon footprint for the Borough over the course of the decade.

This approach is not fully within the gift of the Local Authority to determine. For example, a significant change will come with the retro-fitting of heating mechanisms within the existing residential dwellings of the Borough. This is likely to require national Government intervention to make it an affordable proposition for many residents. At this time we do not know if or when such a national scheme will be launched. However, as a council what we are able to do is –

Lobby national Government for the provision of assistance to property owners

Ensure we are placed to apply for funding when it does become available

Look to alternative private organisations that may provide retrofitting at affordable rates

Work with residents to improve the thermal efficiency of their homes in the meantime, e.g. through loft and wall insulation

Work with colleges and businesses to ensure that if / when a mass scheme is launched, we have enough suitable qualified fitters in the region to meet local demand

Such actions would ensure that, whilst we can't govern the date of commencement for such projects, we are in a position to commence with them at the very earliest opportunity

Once the action plan has been agreed this will be used as the basis for guidance and training for elected members and staff on integrating the climate emergency into decision-making

Our prioritisation of the climate emergency will be integrated into all induction training for elected members and staff

The strategy and action plan will be used to formulate awareness campaigns to raise awareness of mitigation measures they can put into practice in the work place or at home.

At all times the Council will seek to adopt best practice, share its knowledge and encourage others within the Borough to operate in a sustainable manner

Performance / Monitoring

Each year, the Council will calculate its carbon emissions using Scopes 1 and 2. These findings, along with improvements made and recommended actions, will be reported to full Council.

In addition, the Council will update the calculations for the Borough, showing progress over time. This will also be reported to full Council.

One Carbon World suggested that 'to effectively monitor the carbon footprint of South Ribble Council over time, it is also recommended that a relevant performance indicator is chosen e.g. tonnes CO₂e per employee'

Achieving the targets set out in the Climate Emergency Strategy and Action Plan will be a challenge and the Council will need to be able to calculate its carbon emissions and understand the impacts of all new major plans, policies and projects.

The Climate Emergency Task Group will provide an annual update on progress against the strategy and action plan. This will also include planned improvements to the strategy based on emerging technology, external funding sources available, and the sharing of best practice.

Resources

In order to enable these actions, the Council has, in 2020, specifically reserved £250k for climate emergency actions.

Appendices

Appendix 1: SRBC climate emergency task group scope



Scoping Sheet

Title of Working Group:	Climate Emergency Working Group
Type of Working Group:	Cross-party Member Working Group reporting to Council
Task Group Members:	<ul style="list-style-type: none"> ▶ Councillor Keith Martin (Chair) ▶ Councillor Stephen Thurlbourn (Vice-Chair) ▶ Councillor Susan Jones ▶ Councillor Jane Bell ▶ Councillor Chris Lomax ▶ Councillor Colin Coulton ▶ Councillor Michael Green ▶ Councillor Peter Mullineaux ▶ Councillor Matthew Trafford ▶ Councillor Angie Turner
Officer Support	<ul style="list-style-type: none"> ▶ Jennifer Mullin ▶ Neil Martin ▶ Melanie Berry ▶ Coral Astbury

<p>Rationale</p>	<ol style="list-style-type: none"> 1. In 2018, the Intergovernmental Panel on Climate Change (IPCC) published a report which advised that we must limit global warming to 1.5°C, as opposed to the previous target of 2°C. Their review of over 6,000 sources of evidence found that, with a rise of 1.5°C, there would be risks to health, livelihoods, food security, water supply, human security and economic growth. 2. It is recognised by the majority of scientists and governments that climate change is occurring and without significant action to address the problem and limit carbon *emissions serious life threatening consequences will occur. <p><i>*This scoping sheet refers to emissions of 'carbon' or 'carbon dioxide'. This should be considered shorthand for all greenhouse gas emissions, not just carbon dioxide.</i></p> <ol style="list-style-type: none"> 3. In July 2019 Full Council passed a motion which declared a Climate Emergency with the overarching goal of "rendering the borough carbon neutral by the year 2030". 4. This goal means the borough shall produce no net carbon emissions by this date, taking account of actions that have the effect of removing carbon from the environment. 5. The Group recognises that there are other factors beyond its control that would help to tackle a worldwide reduction of carbon. 6. Following this declaration, a cross party working group was therefore created to form an Action Plan to achieve this goal and report back to Council detailing the proposed scope of the review and actions.
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<p>Review Aims & Objectives: Please include the main priorities of the project, etc.</p>	<p>Aim:</p> <p><i>To achieve carbon neutrality for the borough of South Ribble by 2030, taking account of any carbon offsetting identified.</i></p> <p>Objectives:</p> <ul style="list-style-type: none"> ▶ To carry out an assessment of current activities, including estimating the current Carbon Footprint of South Ribble. ▶ To research best practice and look for innovative new approaches to reducing carbon emissions, carbon off setting and climate mitigation. ▶ To produce a Climate Emergency Strategy and way forward for Council to consider. ▶ To include those elements contained within the Greenhouse Gas Protocol defined as Scope 1 and Scope 2 emissions. Direct emissions shall be taken as including fuel (energy), vehicles, farming, quarrying, waste produced and deposited within the borough from Domestic, Commercial, Industrial, Educational, Farming and leisure activities. It does not include those emissions generated by vehicles travelling through the borough, i.e. on motorways or by railway. ▶ To define all emissions and reductions against a base year of 1990.
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<p>In Scope:</p>	<ul style="list-style-type: none"> ✓ Consultation ✓ Community engagement ✓ Working with external partners such as One Carbon World who are partnered with the UN Climate Neutral Now Initiative. ✓ Work with partners across the district, county and region to help deliver this new goal through all relevant strategies, plans and shared resources. ✓ Lobby Government on issues that the Council do not have any direct control over to reduce carbon emissions e.g. transport, agriculture, industry and housing. ✓ Influence Local Plan and Central Lancashire Strategy by working toward developing policies that reduce carbon emissions. ✓ Work with young people, including in schools and Colleges. ✓ To use the Council's direct areas of wider influence. These are areas where the Council can have a significant impact on reducing wider carbon emissions and mitigating climate in the District- Housing, planning / building control, tree planting. ✓ To become a climate Change leader for the borough. The Council does not have any direct control over significant causes of emissions egg transport, agriculture, industry and housing. However, we can adopt a leadership role and engage with, influence, support mitigation of climate change across the whole District. ✓ To investigate, promote and as required implement measures to help mitigate against the impacts of climate change (heatwaves, cold spells, drought, pests).
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Link with Corporate / Divisional / Service Aims and Priorities:	<p>The review links directly with our new council vision:</p> <p><i>‘A healthy and happy community, flourishing together in a safer and fairer borough’</i></p> <p>There are also links with all our new priorities:</p> <ul style="list-style-type: none"> ✓ Health, wellbeing and safety ✓ Our people and communities ✓ Place homes and environment
Indicators of Success:	<p>▶ The review meets its objectives and produces a comprehensive Climate Emergency Strategy with SMART (specific, measurable, achievable, and realistic and timebound) recommendations.</p>
Methodology/Approach	<ul style="list-style-type: none"> ▶ Audit of existing Carbon Footprint of the borough ▶ Desktop review of best practice ▶ Visit best practice authorities ▶ Sign up to One Carbon World ▶ Inviting Climate Experts ▶ All Member Workshop ▶ Workshop with partners ▶ Workshop with staff ▶ Identifying funding options available ▶ Residents’ Survey

Witnesses/Experts/Interested Parties	<ul style="list-style-type: none"> ▶ One Carbon World ▶ Academic Experts ▶ Association of Head Teachers in South Ribble ▶ Young people (others as deemed appropriate) <p>Invitation to attend meetings of the Climate Emergency Working Group will be agreed in advance by members of the Group.</p>
Evidence Sources for Documents	<ul style="list-style-type: none"> ▶ Department of Environment, Food and Rural affairs. ▶ Local Government Association ▶ Ministry of Housing, Communities & Local Government ▶ Forestry Commission ▶ APSE Local Government Network ▶ Other relevant interested groups, organisation and experts ▶ (this list is not exhaustible)
Site Visits	<ul style="list-style-type: none"> ▶ Environment Conferences ▶ Best Practice Authorities
Publicity Requirements	<ul style="list-style-type: none"> ▶ Website including Social Media ▶ Councillor Ward Surgeries ▶ Public Drop-in sessions ▶ Public Consultation on draft Climate Emergency Strategy ▶ Letters to stakeholders/interested parties ▶ Article on Cllr Connect ▶ Article on Employee Connect ▶ Ad-hoc Press Releases throughout process. ▶ Advertising ▶ Local Radio ▶ My neighbourhood forums
Other Resources Requirements: <i>Including financial</i>	To be met from existing budgets (currently).

Review implications / impacts / risks: <i>Consider financial, planning, social, economic, environmental, health and safety, legal, service provision, procurement etc.</i>	<ul style="list-style-type: none"> ▶ Close working of the Member Task Group ▶ Ensure there is no duplication of work ▶ Ensure we get member, employee and partners buy-in and support ▶ Ensure the project remains within scope ▶ Ensure the project remains to timescale ▶ Six-monthly monitoring of the implementation of recommendations 		
Milestones during Implementation:	<ul style="list-style-type: none"> ▶ Update report to Cabinet early 2020 ▶ Update full Council 4 times a year. ▶ Produce Climate Emergency Strategy Outline by June 2020 ▶ Finalise Climate Emergency Strategy by September 2020 		
Project Monitoring Arrangements:	<ul style="list-style-type: none"> ▶ To be monitored at the regular members meetings. 		
Cover Sheet Completed by: <i>(Name and Signature)</i>		Date	
Project Approved by: <i>(Name and Signature)</i>		Date:	

Appendix 2: SRBC Notice of motion July 2019

(The Notice of Motion is an extract from the Agenda and Minutes of Council meeting, 24th July 2019 – all full copy of the agenda and minutes is available at <https://southribble.moderngov.co.uk/ieListDocuments.aspx?CId=134&MId=1471&Ver=4>)

Notice of Motion

Notice of the following motion has been submitted in accordance with standing order number 10(2). The motion is proposed by Councillor Ken Jones and seconded by Councillor Matthew Trafford.

"This Council declares that the effect of climate change within the borough poses an immediate danger to the health and well-being of our residents and therefore proclaims a Climate Emergency with immediate effect.

To combat this threat, the borough sets a goal of rendering the borough carbon neutral by the year 2030. For avoidance of doubt, this goal means the borough shall produce no net carbon emissions by this date, taking into account of actions that have the effect of removing carbon from the environment.

In order to implement this decision, the borough shall create a Standing Working Group on the Climate Emergency. The Group shall be made up of the following:

- Cabinet Member responsible for the Environment (in the Chair);
- Chairs of each Neighbourhood Forum;
- Representatives of each political group represented on the council (2 Labour Members (including Air Quality Lead), 1 Liberal Democrat Member, 2 Conservative Members);
- Air Quality Lead;
- Such other Members, including co-opted members, as the working group shall consider appropriate.

The Standing Working Group on the Climate Emergency shall:

- Incorporate the Council's existing Air Quality Action Plan into its wider plans;
- Devise and propose further measures in pursuit of its goals;
- Monitor progress towards its goals;
- Report back to full Council at least four times per year on its progress in achieving its goals.

The standing Working Group on Climate Emergency shall be resourced through the Council's annual budgets going forward."

Minutes:

The motion was moved by Councillor Ken Jones, seconded by Councillor Matthew Trafford. Councillor Jones delivered a presentation on the effect that climate change was having on the world.

The Motion stated:

"Climate Emergency

This Council declares that the effect of climate change within the borough poses an immediate danger to the health and well-being of our residents and therefore proclaims a Climate Emergency with immediate effect.

To combat this threat, the borough sets a goal of rendering the borough carbon neutral by the year 2030. For avoidance of doubt, this goal means the borough shall produce no net carbon emissions by this date, taking into account of actions that have the effect of removing carbon from the environment.

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- Representatives of each political group represented on the council (2 Labour Members (including Air Quality Lead), 1 Liberal Democrat Member, 2 Conservative Members);
- Air Quality Lead;
- Such other Members, including co-opted members, as the working group shall consider appropriate.

The Standing Working Group on the Climate Emergency shall:

- Incorporate the Council's existing Air Quality Action Plan into its wider plans;
- Devise and propose further measures in pursuit of its goals;
- Monitor progress towards its goals;
- Report back to full Council at least four times per year on its progress in achieving its goals.

The standing Working Group on Climate Emergency shall be resourced through the Council's annual budgets going forward."

The motion was debated across the Chamber, with Councillors, David Howarth, Keith Martin, Paul Foster, Mick Titherington, Matthew Tomlinson and Matthew Trafford speaking in favour. Although an ambitious target, Members felt that they owed it to the residents to look into this issue as a matter of urgency and held a strong belief that they could bring about change.

An amendment to the motion was proposed by Councillor Caroline Moon, and seconded by Councillor Michael Green. Along with some minor changes to wording and a reduction in the membership of the Standing Working Group, the amendment sought to extend the goal of rendering the borough carbon neutral to 2050 in line with central government targets.

Whilst being in support of the motion and the Council's ambition to take a lead, Councillor Alan Ogilvie spoke in support of the amendment, as he felt the 2030 target was too ambitious and over promised on what could realistically be achieved by this authority.

Upon being put to the vote, the amendment was LOST (Yes: 16, Abstention: 1, No: 26)

The vote on the substantive motion was then taken and was subsequently RESOLVED (Yes: 30, Abstention: 13, No: 0). The motion was CARRIED.

Appendix 3: SRBC One Carbon World Report 2020

One Carbon World



Report

Presented to:

South Ribble Council

April 2020

Disclaimer:

All reasonable measures have been taken to ensure the accuracy of this report and any errors in data used for

footprint calculations are the responsibility of the grant recipient named in this report.

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Introduction

South Ribble Council have been awarded the One Carbon World Carbon Neutral Gold Standard grant.

This report details the carbon footprint of South Ribble Council and provides recommendations to reduce and off-set its footprint.

The activities included in the carbon footprint measurement were agreed in consultation between One Carbon World and South Ribble Council. The calculation of the footprint was undertaken by One Carbon World after a desk-top review of data provided by South Ribble Council.

This report meets the reporting requirements of the Green House Gas (GHG) Protocol Corporate Standard and is compatible with international standards ISO 14064 and PAS 2060.

One Carbon World have taken all reasonable measures to ensure the accuracy of this report. Any omissions or errors in data are the responsibility of the grant recipient named in this report.

Carbon Footprint Report

Name: South Ribble Council

Address: Civic Centre, West Paddock,

Leyland, PR25 1DH Description: Local

Authority

Footprint boundary: All activities under operational control, covered under Scopes 1, 2 and 3 of the Green House Gas (GHG) Protocol Corporate Standard.

Footprint Period: 01/04/2018 to 31/03/2019

Activities/Emissions included in footprint:

- Fuels
- Material use
- Outside of scopes
- Refrigerant & other
- Transmission and distribution
- UK electricity
- Waste disposal
- WTT- fuels
- WTT- UK & overseas elec

The GHG Protocol Corporate Standard requires reporting a minimum of scope 1 and scope 2 emissions.

Scope 1 - Direct Green House Gas (GHG) Emissions:

Scope 1 (direct emissions) emissions are those from activities owned or controlled by an organisation. Direct emissions are principally the result of the following types of activities:

- Generation of electricity, heat, or steam. These emissions result from combustion of fuels in stationary sources, e.g. boilers, furnaces, turbines
- Transportation of materials, products, waste, and employees. These emissions result from the combustion of fuels in company owned/controlled mobile combustion sources (e.g. trucks, trains, ships, airplanes, buses, and cars)
- Fugitive emissions. These emissions result from intentional or unintentional releases, e.g., equipment leaks from joints, seals, packing, and gaskets; methane emissions from coal mines and venting; hydrofluorocarbon (HFC) emissions during the use of refrigeration and air conditioning equipment; and methane leakages from gas transport
- Physical or chemical processing. Most of these emissions result from manufacture or processing of chemicals and materials, e.g. cement, aluminium, and waste processing

Scope 1 Emissions data supplied and included in footprint:

- Total Refrigerant & other : Ground maintenance - street cleaning : Trustee Amenity – weed killer kg :

- Total Refrigerant & other : Ground maintenance - street cleaning : Qualgex – moss killer kg :
- Total Refrigerant & other : Ground maintenance - street cleaning : Icade - herbicide kg :
- Total Refrigerant & other : Ground maintenance - street cleaning : Finale – weed killer kg :
- Total Refrigerant & other : Ground maintenance - street cleaning : Chikara - herbicide kg :
- Total Refrigerant & other : Ground maintenance - street cleaning : Antifreeze kg :
- Total Refrigerant & other : Ground maintenance - street cleaning : Ad blue kg :
- Total Fuels : Liquid fuels : Petrol (average biofuel blend) litres : Volume
- Total Fuels : Liquid fuels : Lubricants tonnes : Tonnes
- Total Fuels : Liquid fuels : Gas oil litres : Volume
- Total Fuels : Liquid fuels : Diesel (average biofuel blend) litres : Volume
- Total Fuels : Gaseous fuels : Natural gas cubic metres : Volume
- Total Fuels : Gaseous fuels : CNG litres : Volume

Scope 2 - Indirect GHG Emissions:

Scope 2 (indirect) emissions are those released into the atmosphere that are associated with the consumption of purchased electricity, heat, steam and cooling. These indirect emissions are a consequence of an organisation's energy use but occur at sources not owned or controlled.

Scope 2 Emissions data supplied and included in footprint:

- Total UK electricity: Electricity generated : Electricity: UK kWh :

Scope 3 - Other Indirect GHG Emissions:

Scope 3 (other indirect) emissions are a consequence of actions that occur at sources not owned or controlled and not classed as Scope 2 emissions. Examples of Scope 3 emissions are business travel by means not owned or controlled by an organisation, waste disposal, or materials or fuels an organisation purchases. Deciding if emissions from a vehicle, office or factory are Scope 1 or Scope 3 may depend on how operational boundaries are defined.

Scope 3 Emissions data supplied and included in footprint:

- Total WTT- UK & overseas elec : WTT- UK electricity (T&D) : Electricity: UK kWh :
- Total WTT- UK & overseas elec : WTT- UK electricity (generation) : Electricity: UK kWh :
- Total WTT- fuels : WTT- liquid fuels : Petrol (average biofuel blend) litres : Volume
- Total WTT- fuels : WTT- liquid fuels : Lubricants tonnes : Tonnes
- Total WTT- fuels : WTT- liquid fuels : Gas Oil litres : volume
- Total WTT- fuels : WTT- liquid fuels : Diesel (average biofuel blend) litres : Volume
- Total WTT- fuels : WTT- gaseous fuels : Natural Gas cubic metres : Volume
- Total WTT- fuels : WTT- gaseous fuels : CNG litres : Volume
- Total Waste disposal : Refuse : Municipal waste tonnes : Landfill
- Total Waste disposal : Paper : Paper and board: mixed tonnes : Closed- loop
- Total Waste disposal : Metal : Metal: scrap metal tonnes : Landfill
- Total Transmission and distribution : T&D- UK electricity : Electricity: UK kWh :
- Total Material use : Paper : Paper and board: paper tonnes : Primary material production
- Total Material use : Organic : Compost derived from food and garden waste tonnes : Primary material production

Footprint Calculation Method:

The most common approach for calculating GHG emissions is through the application of documented and approved GHG emissions conversion factors. These factors are calculated ratios that relate GHG emissions to a proxy measure of activity at an emissions source.

Further detail on emissions factors and the methodology behind them can be found at <https://www.gov.uk/government/collections/government-conversion-factors-for-company-reporting>

The activity data or amount of 'resources' used are multiplied by the relevant emissions factors to calculate total Greenhouse Gas equivalent (CO₂e) emissions.

$$\text{GHG emissions} = \text{activity data} \times \text{emission conversion factor}$$

There are seven main GHGs that contribute to climate change, as covered by the Kyoto Protocol: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF₆) and nitrogen trifluoride (NF₃). Different activities emit different gases and an organisation should report on the Kyoto Protocol GHG gases produced by its activities.

CO₂e is the universal unit of measurement to indicate the global warming potential (GWP) of GHGs, expressed in terms of the GWP of one unit of CO₂. The GWPs used in the calculation of CO₂e are based on the Intergovernmental Panel on Climate Change (IPCC) Fourth Assessment Report (AR4) over a 100-year period (this is a requirement for inventory/national reporting purposes).

All conversion factors used in this report are in units of kilograms of carbon dioxide equivalent (kg CO₂e).

Emissions factors used in footprint calculation:

Activity Type	Emissions Factor	Source
WTT- UK & overseas elec	Total WTT- UK & overseas elec : WTT- UK electricity (generation) : Electricity: UK kWh :	DEFRA Conversion Factors Full Set for Advanced Users 2018
WTT- UK & overseas elec	Total WTT- UK & overseas elec : WTT- UK electricity (T&D) : Electricity: UK kWh :	DEFRA Conversion Factors Full Set for Advanced Users 2018
WTT- fuels	Total WTT- fuels : WTT- gaseous fuels : Natural Gas cubic metres : Volume	DEFRA Conversion Factors Full Set for Advanced Users 2018
WTT- fuels	Total WTT- fuels : WTT- liquid fuels : Diesel (average biofuel blend) litres : Volume	DEFRA Conversion Factors Full Set for Advanced Users 2018
WTT- fuels	Total WTT- fuels : WTT- liquid fuels : Petrol (average biofuel blend) litres : Volume	DEFRA Conversion Factors Full Set for Advanced Users 2018
WTT- fuels	Total WTT- fuels : WTT- liquid fuels : Lubricants tonnes : Tonnes	DEFRA Conversion Factors Full Set for Advanced Users 2018
WTT- fuels	Total WTT- fuels : WTT- gaseous fuels : CNG litres : Volume	DEFRA Conversion Factors Full Set for Advanced Users 2018
WTT- fuels	Total WTT- fuels : WTT- liquid fuels : Gas Oil litres : volume	DEFRA Conversion Factors Full Set for Advanced Users 2018
Waste disposal	Total Waste disposal : Refuse : Municipal waste tonnes : Landfill	DEFRA Conversion Factors Full Set for Advanced Users 2018
Waste disposal	Total Waste disposal : Paper : Paper and board: mixed tonnes : Closed-loop	DEFRA Conversion Factors Full Set for Advanced Users 2018
Waste disposal	Total Waste disposal : Metal : Metal: scrap metal tonnes : Landfill	DEFRA Conversion Factors Full Set for Advanced Users 2018
UK electricity	Total UK electricity : Electricity generated : Electricity: UK kWh :	DEFRA Conversion Factors Full Set for Advanced Users 2018
Transmission and distribution	Total Transmission and distribution : T&D- UK electricity : Electricity: UK kWh :	DEFRA Conversion Factors Full Set for Advanced Users 2018
Refrigerant & other	Total Refrigerant & other : Ground maintenance - street cleaning : Ad blue kg :	DEFRA Conversion Factors Full Set for Advanced Users 2018
Refrigerant & other	Total Refrigerant & other : Ground maintenance - street cleaning : Antifreeze kg :	DEFRA Conversion Factors Full Set for Advanced Users 2018
Refrigerant & other	Total Refrigerant & other : Ground maintenance - street cleaning : Qualgex – moss killer kg :	DEFRA Conversion Factors Full Set for Advanced Users 2018
Refrigerant & other	Total Refrigerant & other : Ground maintenance - street cleaning : Trustee Amenity – weed killer kg :	DEFRA Conversion Factors Full Set for Advanced Users 2018
Refrigerant & other	Total Refrigerant & other : Ground maintenance - street cleaning : Chikara - herbicide kg :	DEFRA Conversion Factors Full Set for Advanced Users 2018

Refrigerant & other	Total Refrigerant & other : Ground maintenance - street cleaning : Finale – weed killer kg :	DEFRA Conversion Factors Full Set for Advanced Users 2018
Refrigerant & other	Total Refrigerant & other : Ground maintenance - street cleaning : Icade - herbicide kg :	DEFRA Conversion Factors Full Set for Advanced Users 2018
Outside of scopes	Total Outside of scopes : Forecourt fuels containing biofuel : Diesel (average biofuel blend) litres :	DEFRA Conversion Factors Full Set for Advanced Users 2018
Outside of scopes	Total Outside of scopes : Forecourt fuels containing biofuel : Petrol (average biofuel blend) litres :	DEFRA Conversion Factors Full Set for Advanced Users 2018
Material use	Total Material use : Organic : Compost derived from food and garden waste tonnes : Primary material production	DEFRA Conversion Factors Full Set for Advanced Users 2018
Material use	Total Material use : Paper : Paper and board: paper tonnes : Primary material production	DEFRA Conversion Factors Full Set for Advanced Users 2018
Fuels	Total Fuels : Gaseous fuels : Natural gas cubic metres : Volume	DEFRA Conversion Factors Full Set for Advanced Users 2018
Fuels	Total Fuels : Liquid fuels : Diesel (average biofuel blend) litres : Volume	DEFRA Conversion Factors Full Set for Advanced Users 2018
Fuels	Total Fuels : Liquid fuels : Petrol (average biofuel blend) litres : Volume	DEFRA Conversion Factors Full Set for Advanced Users 2018
Fuels	Total Fuels : Liquid fuels : Lubricants tonnes : Tonnes	DEFRA Conversion Factors Full Set for Advanced Users 2018
Fuels	Total Fuels : Gaseous fuels : CNG litres : Volume	DEFRA Conversion Factors Full Set for Advanced Users 2018
Fuels	Total Fuels : Liquid fuels : Gas oil litres : Volume	DEFRA Conversion Factors Full Set for Advanced Users 2018

Assumptions and/or Omissions:

Emissions from waste production have been calculated over a 52-week period and using 0.5 tonnes weight for a full 1,100 litre bin and 15 tonnes per 20 yd ro-ro skip.

Emissions from water use are not included.

Emissions from use of lubricant and hydraulic oils based on assumption that 1,149 litres weigh 1 tonne (<https://www.quora.com/How-many-litres-of-oil-will-make-one-tonne-oil>).

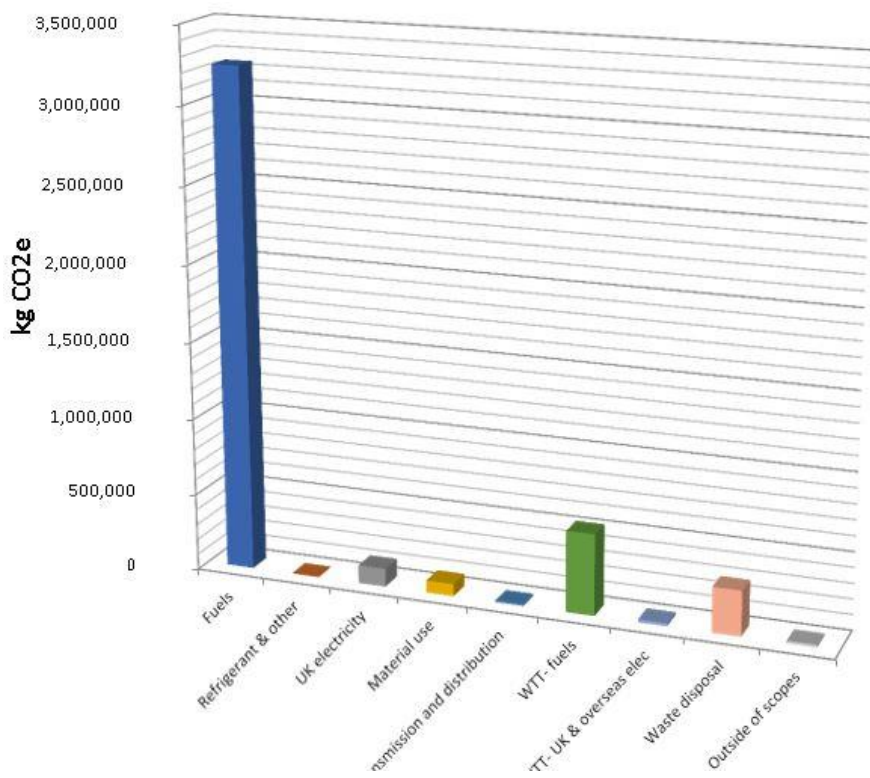
Emissions from use of organic compost based on 700 litres = 1 tonne.

Carbon Footprint:

The Total Carbon Footprint of the activities measured = 4305.41

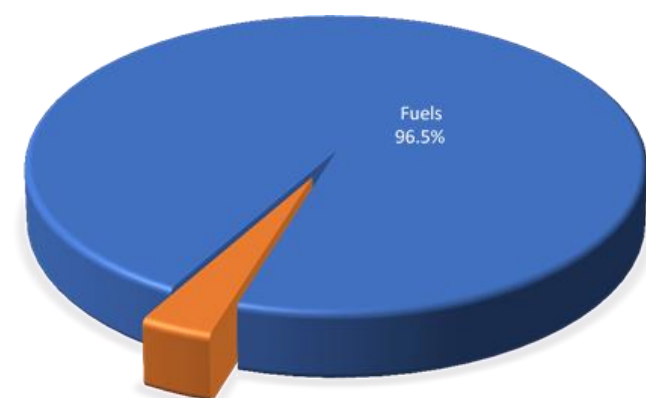
tonnes CO₂e.

Sources of CO₂e by emission activity



Footprint detail

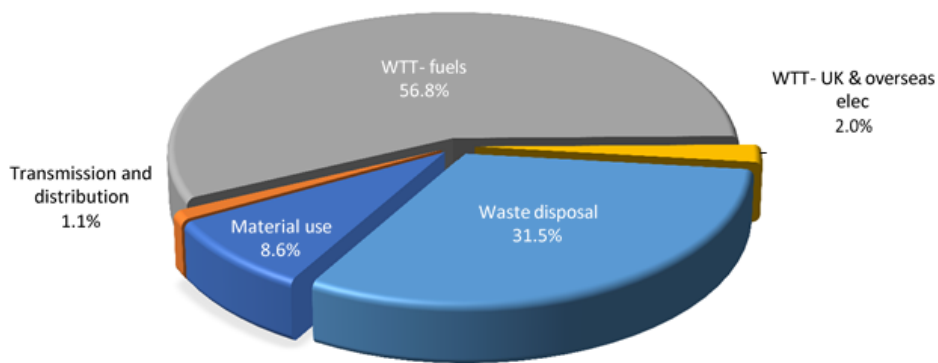
Sources of CO₂e emissions by Energy & Fuel Use



UK Electricity 3.5%

Sources of CO₂e by Indirect Emissions (Scope3)

Carbon Footprint Reduction Recommendations



Carbon Footprint Reduction Recommendations

The most significant sources of CO₂e emissions identified is:

- Fuel use, primarily natural gas, but also diesel and petrol use in Council fleet.

To reduce these emissions, it is recommended that:

- The amount of natural gas used is reviewed and if possible reduced. As natural gas is primarily used for heating purposes, there could be some very quick wins with a thorough audit of the system. On the back of the audit and identification of

energy use over time, there could be better/more efficient methods to insulate Council buildings, improve heating systems, or supply alternative/renewable energy sources for heating

e.g. infrared panel heaters, air source heat pumps (ASHPs), ground source heat pumps (GSHPs), solar thermal, solar PV plus others.

- The amount of diesel/petrol used is reviewed and if possible reduced. On the back of a thorough audit and identification of diesel/petrol use over time, better/more efficient use of vehicles can be achieved through planning to reduce journey numbers. Also, more and more hybrid and electric vehicles are available in the marketplace with much lower emissions. By phasing out over time vehicles that run on diesel/petrol and replacing them with vehicles that use hybrid technology or that are electric powered, South Ribble Council will be able to reduce the carbon footprint of its operations (and potentially reduce fuel costs).

To effectively monitor the Carbon Footprint of South Ribble Council over time, it is also recommended that a relevant performance indicator is chosen e.g. tonnes CO₂e per Employee.

4305.41 tonnes CO₂e / 250 employees = 17.22 tonnes of CO₂e per person per year.

Other performance indicators could also be used, such as those based on financial data e.g. KgCO₂e per £, with the cost indicator linked to financial turnover and/or profit.

These recommendations are non-exhaustive and are designed to provide guidance only.

Further reduction recommendations

In addition to reducing its own emissions through action targeted reduction strategies, South Ribble Council can off-set its unavoidable CO₂e emissions **now**. This can be achieved through investing in verified projects that support reduction of CO₂e emissions even further. In doing so, South Ribble Council will be provided with time to develop effective emissions reduction strategies.

South Ribble Council has been awarded the One Carbon World Carbon Neutral Gold Standard grant which includes the retirement of up to 300 tonnes equivalent of carbon credits. The 300 carbon credits that will be retired in the name of South Ribble Council come from both verified international afforestation projects and from United Nations clean development mechanism projects. With the retirement of these credits the 2018 - 2019 Carbon Footprint of South Ribble Council will be offset to a total of **4006 tonnes**.

Further to the retirement of the 300 carbon credits, with the support of the One Carbon World grant, South Ribble Council can optionally offset the balance of its 2018 - 2019 Carbon Footprint of 4006 tonnes for a cost of **£4807.20**.

By offsetting the balance of its 2018 - 2019 Carbon Footprint, South Ribble Council will achieve the One Carbon World Carbon Neutral Gold Standard and can communicate to all stakeholders that they have measured and off-set all emissions arising from Energy, Fuel, Waste & Materials Use.

kg CO2e Summary Table

Activity Type	Total kg CO2e	Total Tons CO2e
Fuels	3,243,018.19	3,243.02
Refrigerant & other	2,706.17	2.71
UK electricity	117,441.21	117.44
Material use	79,229.21	79.23
Transmission and distribution	10,011.15	10.01
WTT- fuels	526,016.14	526.02
WTT- UK & overseas elec	18,902.12	18.90
Waste disposal	292,193.89	292.19
Outside of scopes	15,889.14	15.89
Total	4,305,407.22	4,305.41

Type kg CO2e Summary Table

Type	Total kg CO2e	Total Tons CO2e
Organic	29.43	0.03
Metal	810.00	0.81
Paper	81,423.74	81.42
T&D- UK electricity	10,011.15	10.01
WTT- gaseous fuels	337,800.56	337.80
WTT- liquid fuels	188,215.59	188.22
WTT- UK electricity (generation)	17,416.83	17.42
WTT- UK electricity (T&D)	1,485.28	1.49
Refuse	289,159.93	289.16
Total	926,352.51	926.35

Class & UOM kg CO2e Summary Table

Class & UOM	Total kg CO2e	Total Tons CO2e
Compost derived from food and garden waste tonnes	29.43	0.03
Metal: scrap metal tonnes	810.00	0.81
Paper and board: mixed tonnes	2,223.96	2.22
Paper and board: paper tonnes	79,199.78	79.20
Electricity: UK kWh	28,913.27	28.91
CNG litres	2.90	0.00
Natural Gas cubic metres	337,797.66	337.80
Diesel (average biofuel blend) litres	168,228.17	168.23
Gas Oil litres	14,925.18	14.93
Lubricants tonnes	2,165.94	2.17
Petrol (average biofuel blend) litres	2,896.30	2.90
Municipal waste tonnes	289,159.93	289.16
Total	926,352.51	926.35

Appendix 4: Actions arising from the Air Quality Action Plan 2018

- ☐ To publicise and encourage the use of the Lancashire based Air Quality Guidance Document for Developers.
- ☐ To include the above air quality guidance document within the revised Central Lancashire Core Strategy.
- ☐ To develop and embed a low emission strategy into planning decisions.
- ☐ To require a suitable air quality assessment in line with a published Air Quality Guidance Document for Developers for all planning applications as identified within the document.

Develop an 'Electric Vehicle Charging Points Guidance for Development' guidance document and have this included within the revised Central Lancashire Core Strategy.

- ☐ Ensure adequate Electrical Vehicle charging infrastructure is provided on all Planning Applications in line with the Council's Electric Vehicle Charging Points Guidance for Developments
- ☐ Require suitable travel plans to be produced, and implemented on all relevant developments in line with the low emissions strategy
- ☐ Require secure cycle storage to be included on all relevant domestic, commercial, industrial, and leisure developments
- ☐ Require adequate changing facilities to be provided for use of staff / visitors for all relevant commercial and industrial developments
- ☐ Promote the use of salary sacrifice schemes on all relevant developments (bike to work)
- ☐ Promotion of living walls / green roofs
- ☐ Improved Planning enforcement.
- ☐ Investigate ways to limit the use of solid fuel heating in developments.
- ☐ Securing four major road developments identified within the Lancashire County Council 'Central Lancashire Highways and Transport Masterplan'.
- ☐ To review all traffic light sequencing to reduce the amount of standing traffic
- ☐ To investigate the provision of a link road between Centurion Way and Tomlinson Road.
- ☐ Consider road layouts within the AQMA's to see whether improvements can be made to reduce congestion.
- ☐ Anti-Idling Campaign in declared AQMA's and outside schools, colleges and leisure centres.
- ☐ Look to improve signage to re-direct HGV traffic away from areas of poor air quality.
- ☐ Work with Highways England to improve signage to the motorways to advise HGV's to use Junction 29 instead of junction28.

- ☐ Provide advice and contacts to businesses to help them chose low emission vehicles, & develop travel plans
- ☐ Improve the cycle infrastructure within the borough, especially along routes to schools and employment sites
- ☐ Investigate the provision for maintaining & sweeping cycle routes on a regular basis throughout the borough
- ☐ Improve the electric vehicle infrastructure across the borough
- ☐ Provide electric vehicle charging points on car owned car parks and buildings
- ☐ Offer free or reduced parking tariffs for electric vehicles.
- ☐ Encourage the greater use of public Transport
- ☐ Work with taxi firms to encourage the uptake of low emission vehicles (Electric)
- ☐ Further reduce the age limit of taxis within the borough
- ☐ Stop taxis and buses idling within AQMA's and outside schools & Colleges
- ☐ To consider a reduced taxi license fee for electric vehicles
- ☐ To work with both bus and taxi companies to apply for any grant bids available
- ☐ Implement an 'Electrify campaign – encouraging businesses to only use electric taxis.
- ☐ Encouraging Car Sharing within the borough
- ☐ Development and delivery of education programmes to schools
- ☐ Development of educational material for businesses
- ☐ Development and run a campaign to reduce school traffic e.g. walk/cycle to school
- ☐ Continue with Cycle proficiency courses in local school
- ☐ Promote the provision of secure cycle storage and changing rooms at businesses and schools
- ☐ Investigate the provision of personal travel plans for residents and employees within the borough
- ☐ Promote cycling within the borough, including cycle to work day, salary sacrifice scheme
- ☐ Promote walking within the borough, including promotion of walking routes, the Leyland Loop
- ☐ Encourage 'walk to school' and the use of 'walking buses' across the borough for all schools.
- ☐ Encourage elected members to car share and use alternative forms of transport, in particular to council meetings and functions.
- ☐ Replace the mayoral car with an electric car
- ☐ Provide education and information relating to air quality through members learning hours, leaflets and councillor connect

☐ Air Quality shall be considered within the decision making process on every report to cabinet, council, portfolio holder decision etc.

☐ The provision of electric vehicle charging points at council buildings, initially the civic centre and depot. These may be provided free of charge to enable the installation of cheaper charging points and encourage the uptake of electric vehicles.

☐ Apply for the Workplace EVR point Government scheme

☐ Sign up to a 'salary sacrifice scheme' this allows staff to purchase via salary sacrifice a new car (to be restricted to electric vehicles only) including all insurance, tax, and servicing.

☐ Provide secure lockable cycle storage facilities at the civic and depot

☐ Provide suitable changing rooms and storage facilities for use of staff

☐ Continue with the 'bike to work' salary sacrifice scheme

☐ Provide cycle reassurance training for any member of staff, elected members who wish to receive it.

☐ Encourage staff to use alternative modes of travel e.g. cycling and walking

☐ Promote car sharing among staff.

☐ Alter the policy to allow essential users to leave their cars at home and walk/cycle to work on certain days in line with business requirements and manager agreement without the risk of loss of the lump sum.

☐ Develop an internal travel plan and offer individual travel planning guidance to staff and elected members.

Commented [BM1]:

References (re-order at the end)

- 1 [This Photo](#) by Unknown Author is licensed under [CC BY](#) (accessed 21st April 2020)
- 5 Gov.uk. Climate change explained www.gov.uk/guidance/climate-change-explained, (accessed 7th April 2020)
- 6 World Health Organisation. Food Safety, Climate Change and the role of WHO. https://www.who.int/foodsafety/Climate_Change.pdf, (accessed 7th April 2020)
- 7 National Center for Biotechnology Information. Global warming and infectious disease <https://www.ncbi.nlm.nih.gov/pubmed/16216650> (accessed 20th April 2020)
- 8 Met Office. UK Extreme Events – heavy rainfall and floods <https://www.metoffice.gov.uk/research/climate/understanding-climate/uk-extreme-events-heavy-rainfall-and-floods> (accessed 20th April 2020)
- 9 Committee on Climate Change, February 2019. UK Housing: Fit for the future? <https://www.theccc.org.uk/wp-content/uploads/2019/02/UK-housing-Fit-for-the-future-CCC-2019.pdf> (accessed 7th April 2020)
- 10 British Medical Association. Air pollution and climate change <https://archive.bma.org.uk/collective-voice/policy-and-research/public-and-population-health/climate-change> (accessed 14th April 2020)
- 11 Acclimatise. Building climate resilience <https://www.acclimatise.uk.com/2017/12/11/climate-change-adaptation-from-a-water-land-energy-food-climate-nexus-perspective/> (accessed 8th April 2020)
- 12 Freepik <https://www.freepik.com/> (accessed 14th April 2020)
- 13 Greenhouse Gas Protocol <https://ghgprotocol.org/> (accessed 8th April 2020)
- 14 Gov.uk. National Statistics, UK local authority and regional carbon dioxide emissions national statistics: 2005 to 2017 <https://www.gov.uk/government/statistics/uk-local-authority-and-regional-carbon-dioxide-emissions-national-statistics-2005-to-2017>, (accessed 8th April 2020)
- 15 Eurostat. Greenhouse gas emissions, base year 1990 https://ec.europa.eu/eurostat/databrowser/view/t2020_30/default/line?lang=en, (accessed 8th April 2020)
- 16 The Met Office. <https://www.metoffice.gov.uk/weather/climate-change/what-is-climate-change>, (accessed 27th April 2020)
- 17 IPCC http://www.climatechange2013.org/images/report/WG1AR5_SPM_FINAL.pdf (accessed 24th April 2020)
- 18 Centre for Aviation <https://centreforaviation.com/analysis/reports/european-airline-capacity-the-deepest-cuts-slow-now-what-next-522102> (accessed 27th April 2020)
- 19 Gov.UK, Downing Street Briefing Presentation 30.03.2020 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/876889/FINAL_Press_Conference_Slides_20200330.pdf (accessed 27th April 2020)
- 20 BBC News, Coronavirus lockdown sees air pollution plummet across UK <https://www.bbc.co.uk/news/uk-england-52202974> (accessed 28th April 2020)
- 21 DEFRA, UK Air Information Resource. Estimation of changes in air pollution emissions, concentrations and exposure during the Covid-19 outbreak in the UK <https://uk-air.defra.gov.uk/news?view=259> (accessed 28th April 2020)

22 Department for Business, Energy and Industrial Strategy, Future support for low carbon heat
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/881622/future-support-for-low-carbon-heat-consultation.pdf (accessed 28th April 2020)

23 World Health Organisation, Health and Sustainable Development. Climate Impacts
<https://www.who.int/sustainable-development/transport/health-risks/climate-impacts/en/> (accessed 29th April 2020)

24 The Met Office, UK Climate Projections :Headline Findings version 2
<https://www.metoffice.gov.uk/binaries/content/assets/metofficegovuk/pdf/research/ukcp/ukcp-headline-findings-v2.pdf> (accessed 6th May 2020)

25 Committee on Climate Change, Take urgent action on six key principles for a resilient recovery
<https://www.theccc.org.uk/2020/05/06/take-urgent-action-on-six-key-principles-for-a-resilient-recovery/>
(accessed 6th May 2020)

26 The Met Office, UK Extreme events – Heavy Rainfall and Floods
<https://www.metoffice.gov.uk/research/climate/understanding-climate/uk-extreme-events-heavy-rainfall-and-floods> (accessed 6th May 2020)

Glossary

BEIS – The department for Business, Energy and Industrial Strategy

Biodiversity – The variety of animal and plant life on Earth

Carbon budget – the amount of carbon dioxide that can be emitted to be in line with keeping temperatures well below 2 °C and pursue a 1.5°C limit to rising temperatures

Carbon dioxide – a key greenhouse gas with a long life-time in the atmosphere.

take explanation from committee report stating it represents all greenhouse gases Carbon Neutral as short hand for Net Zero Greenhouse Gas emissions, taking into account our direct emissions in the city from energy use and transport but also our total indirect emissions which includes aviation and the consumption of goods and service produced elsewhere.

Carbon neutral – having no net release of carbon dioxide into the environment

Carbon offsetting – practices to neutralise remaining emissions that cannot be removed entirely

CIEH – Chartered Institute of Environmental Health

DEFRA - Department for Environment, Food and Rural Affairs

Direct Emissions - Direct emissions refers to Scope 1 and 2 emissions in the Greenhouse Gas Emissions Protocol and include the Council's use of gas, electricity, transport fuel and water.

EA – Environment Agency

GHG – Greenhouse gases are those gaseous constituents of the atmosphere, which absorb and emit radiation at specific wavelengths within the spectrum of thermal infrared radiation emitted by the Earth's surface, by the atmosphere itself, and by clouds. This property causes the greenhouse effect. Water vapor (H₂O), carbon dioxide (CO₂), nitrous oxide (N₂O), methane (CH₄), and ozone (O₃) are

the primary greenhouse gases in the Earth's atmosphere. Moreover, there are a number of entirely human-made greenhouse gases in the atmosphere, such as the halocarbons and other chlorine- and bromine containing substances, dealt with under the Montreal Protocol. Besides CO₂, N₂O, and CH₄, the Kyoto Protocol deals with the greenhouse gases

sulfur hexafluoride (SF₆), hydrofluorocarbons (HFCs), and perfluorocarbons

(PFCs). (IPPC)

Greenhouse effect - Greenhouse gases effectively absorb thermal infrared radiation, emitted by the Earth's surface, by the atmosphere itself due to the same gases, and by clouds. atmospheric radiation is emitted to all sides, including downward to the Earth's surface. Thus, greenhouse gases trap heat within the surface-troposphere system. This is called the greenhouse effect. (IPPC)

Global warming – an increase in combined surface, air and sea temperatures averaged over the globe and over a 30-year period (IPPC)

IPCC – Intergovernmental Panel on Climate Change, the United Nations body for assessing the science relating to climate change

Kyoto Protocol – this commits industrialised countries to limit and reduce GHG emissions based upon the 1990 levels. (United Nations)

NOx – term for the nitrogen oxides that are most relevant for air pollution, namely nitric oxide and nitrogen dioxide. NOx gases react to form smog and acid rain as well as being central to the formation of fine particles (PM) and ground level ozone, both of which are associated with adverse health effects.

PHE – Public Health England

PM – particulate matter. Particulate matter is formed in the atmosphere because of chemical reactions between pollutants. These particles include dust, dirt, soot, smoke, and liquid droplets. Particulate matter is in the air pollution emitted from vehicles, factories, and burning of fossil fuels

Scope 1 emissions– direct GHG emissions – these occur from sources that are owned or controlled by the company, for example, emissions from combustion in owned or controlled boilers, furnaces, vehicles, etc.; emissions from chemical production in owned or controlled process equipment (Greenhouse Gas Protocol.org). They are mainly energy related.

Scope 2 emissions– Electricity indirect GHG emissions – this accounts for GHG emissions from the generation of purchased electricity consumed by the company. Purchased electricity is defined as electricity that is purchased or otherwise brought into the organisational boundary of the company. Scope 2 emissions physically occur at the facility where electricity is generated. (Greenhouse Gas Protocol.org).

Scope 3 emissions – all other greenhouse gas emissions that occur as a result of activities taking place within wider operations, supply chains, investments, etc.

Solare PV – Solar Photovoltaic

SRBC – South Ribble Borough Council

Sustainability – meeting the needs of current generations, without compromising future generations or the environment

Vector - Vectors are mosquitoes, ticks, and fleas that spread diseases. A person who gets bitten by a vector and gets sick has a vector-borne disease.

WHO – World Health Organisation

Useful further resources and Organisations

South Ribble Borough Council Air Quality Action Plan 2018

South Ribble Borough Council Single Use Plastic Strategy 2019

Needs to add links

Insert date

REPORT TO	ON
COUNCIL	Wednesday, 22 July 2020



TITLE	PORTFOLIO	REPORT OF
Constitution - Public Participation	Leader of the Council	Director of Governance

Is this report confidential?	No
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PURPOSE OF THE REPORT

1. This report proposes some changes to procedures in council meetings whilst restrictions due to the coronavirus pandemic continue. Members are asked to consider the proposed approach. Governance Committee on the 8th of July approved the proposed changes set out in this report subject to the final decision of Full Council.

PORTFOLIO RECOMMENDATIONS

2. That Council agree to the proposed approach as outlined in this report to public participation in council meetings
3. That the Director of Governance/Monitoring officer being given delegated authority to make all necessary changes to the Constitution to effect such a change

REASONS FOR THE DECISION

4. The primary purpose of the changes is to streamline our procedures at meetings whilst social distancing restrictions associated with Covid 19 continue.

CORPORATE OUTCOMES

5. The report relates to the following corporate priorities:

Excellence, Investment and Financial Sustainability	X
Health, Wellbeing and Safety	
Place, Homes and Environment	

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Projects relating to People in the Corporate Plan:

Our People and Communities	
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BACKGROUND TO THE REPORT

6. The Covid-19 pandemic has had a significant impact on how the council is able to discharge its functions both in terms of service delivery but also in our governance and decision-making. In the first two months or so following on from lockdown no council meetings took place. Necessary decisions were made via those urgency powers set out in Standing Order 35 of the Council's Procedure Rules (Part 4a of the constitution). Some decisions were also made in accordance with our standard delegated decision procedure.

7. As a response to the inability of councils to hold traditional in person committee meetings during the pandemic the Government introduced new Regulations namely: "The Local Authorities and Police and Crime Panels (Coronavirus) Flexibility of Local Authority Police and Crime Panel Meetings (England and Wales) Regulations 2020."

8. These regulations apply to all local meetings held before the 7th of May 2021.

9. One of the key purposes of the Regulations is to allow "remote" meetings. Meetings may be held without all, or indeed any, of the members physically present in a room.

10. Members must be able to hear and (where practicable) see and be heard and (where practicable) be seen by other members in attendance at the meeting. This full requirement also extends to members of the public attending to exercise a right to speak in the meeting. All other members of the public must as a minimum be able to hear (but if practicable be seen as well). In practice this means that if members and speaking members of the public can be heard and hear each other and other members of the public not speaking can hear, this would fulfil the minimum criteria.

11. Existing Standing Orders are overridden by these Regulations.

12. In South Ribble we have decided to make use of Microsoft Teams to allow remote attendance at meetings.

13. Initially (in June 2020) we held purely remote meetings. Generally speaking members dialed in to the meeting (with the exception of the Chair). The Chair was in the Civic Centre assisted by a small number of officers. Social distancing was maintained at all times.

14. The intention is that in July 2020 we will move to hybrid meetings. This will be a combination of some members being physically present in the Civic Centre with others attending remotely. Obviously a number of our members may still be shielding – they would not be able to attend any such meeting in person. Further we may not be able to maintain social distancing rules if all members and officers attended committee meetings. Hence the reason why we are intending to have hybrid meetings. It is a way forward that is designed to ensure involvement from as many members as possible.

15. Experience has shown elsewhere that remote and/or hybrid meetings can take longer than face to face meetings. They can be slightly cumbersome at times. The technology is also still relatively new to this council. It is in this context that we have considered how we could streamline and simplify our procedures. These will be temporary measures - such measures would only apply up to May 2021 at the very latest. Hopefully these measures may be lifted earlier if all social distancing restrictions are removed. The purpose of this report in particular is to address changing our approach to public participation in meetings.

PROPOSALS

Public Participation

16. The council has a tradition of being very accommodating towards allowing public participation in council meetings. However, in the current circumstances – with the difficulties inherent in remote (or hybrid) meetings - it is considered that (temporarily) we need to revisit these rules.

17. For our quasi – judicial committees (Licensing, Planning) it is obviously important that applicants should retain the right to address committees. The question is how should we approach the question of allowing the general public to speak.

18. For Planning Committee (as members know) we have a procedure set out in some detail. Ordinarily we allow up to 5 people to speak against an application and up to 5 people in favour. People can speak for up to 4 minutes each. The proposal is that we will reduce these numbers to 3 people against and 3 people for – again they each should have 4 minutes to speak. It should be pointed out that even these amended rules are more generous than what many councils allow. We also propose that there should be a requirement for anybody wanting to speak to register their interest 2 days before the meeting in question – for example by noon on the Monday for a meeting on Wednesday of the same week. Any public speaking would be via Microsoft Teams.

19. For Licensing Committee many applications for taxi licences/badges etc. are treated as exempt items and hence the general public would not be in attendance. For those items that are public items it is proposed to adopt the same approach to what is proposed for Planning Committee. This is subject to any changes that may be necessary if we have a hearing under the provisions of the Licensing Act 2003.

20. For all other committees (including full Council) it is proposed that the general public should not have the right to speak. However, they will have the right to submit any written questions based on agenda items for that particular meeting. Some notice of such questions would need to be given - the suggestion is questions should be submitted at least 2 days before the meeting in question – i.e. for a Wednesday meeting any questions any should be submitted to the council by noon on the preceding Monday.

21. As has already been stated these measures are only intended to be temporary ones whilst restrictions centred on the Coronavirus continue. We will keep the situation under continuing review and the proposal is that we will revert to our normal practices at the earliest opportunity.

22. At its meeting on the 8th of July Governance Committee also considered whether the rights of councillors not on a particular Committee to speak at such a meeting should be restricted. Governance Committee decided that current practices should continue in that regard. However, if a member not on a particular Committee is intending to speak at such a

meeting then they should provide Democratic Services some prior notice of this – preferably 2 days’ notice.

CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

21. These proposals were considered by Governance Committee on the 8th of July. Governance Committee was happy with the proposed way forward subject to the final decision of Full Council.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

22. Obviously we could continue with our normal rules with public speaking (albeit such contributions would have to be done remotely). However, there are practical issues with that as explained in the report. It is considered that what is proposed is a balanced and reasonable approach.

AIR QUALITY IMPLICATIONS

23. There are no air quality implications arising from these proposals.

RISK MANAGEMENT

24. There are no adverse risk considerations that need to be highlighted.

EQUALITY AND DIVERSITY IMPACT

25. There are no concerns from an Equality and Diversity point of view.

COMMENTS OF THE STATUTORY FINANCE OFFICER

26. There are no financial implications arising from this report.

COMMENTS OF THE MONITORING OFFICER

27. What is proposed here are temporary measures to help us get through the challenges posed by the Coronavirus pandemic. There are no legal impediments to what is proposed here.

There are no background papers to this report

There are no appendices to this report

Chris Moister
Director of Governance

Report Author:	Telephone:	Date:
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Dave Whelan (Shared Services Lead - Legal & Deputy Monitoring Officer)	01772 625247	01772 625247
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REPORT TO	ON
COUNCIL	Wednesday, 22 July 2020



TITLE	PORTFOLIO	REPORT OF
Constitution - My Neighbourhoods	Leader of the Council	Director of Governance

Is this report confidential?	No
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PURPOSE OF THE REPORT

1. This report proposes amended wording to the Constitution with regard to My Neighbourhood Procedure Rules (Standing Orders). These proposals have already been considered by Governance Committee. As part of these changes it is proposed to rename My Neighbourhood Areas as "My Neighbourhood Community Hubs."

PORTFOLIO RECOMMENDATIONS

2. That Council approve the proposed changes to My Neighbourhood Procedure Rules
3. That the Director of Governance/Monitoring Officer be granted delegated authority to make any minor ancillary changes to other parts of the Constitution as a consequence of renaming My Neighbourhood Areas as "My Neighbourhood Community Hubs"

REASONS FOR THE DECISION

4. There is a need to update these rules as a consequence of decisions made by Cabinet, Also it considered that current decision making procedures can be slow and cumbersome at times.

CORPORATE OUTCOMES

5. The report relates to the following corporate priorities:

Excellence, Investment and Financial Sustainability	X
Health, Wellbeing and Safety	
Place, Homes and Environment	

Projects relating to People in the Corporate Plan:

Our People and Communities	
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BACKGROUND TO THE REPORT

6. All councils are required to have a written Constitution which sets out the council's internal governance arrangements, approved procedures and protocols.
7. As a consequence of a Cabinet decision dated the 22nd of January 2020 there is a need to amend the My Neighbourhood Area Procedure Rules. The current wording to the relevant part of the Constitution is set out in Appendix 1. The proposed amended wording is set out in Appendix 2.

PROPOSALS

8. As part of these proposals it is proposed to rename My Neighbourhood Areas as "My Neighbourhood Community Hubs." The intention is to try and build on the success of "South Ribble together." There are a number of changes made to the document simply to reflect the proposed new title.
9. Other ancillary changes will need to be made throughout the Constitution simply to reflect the new title. Hence delegated authority is sought for the Director of Governance to attend to this.
10. The main changes proposed are:

My Neighbourhood Area Procedure Rules (Standing Orders)

3. Various Models for My Neighbourhood Community Hubs	This wording explains that for a 12 month period (commencing some time this municipal year – at a precise date to be fixed) My Neighbourhood Community Hubs will be able to trial various models for fulfilling their functions.	To reflect the decision of Cabinet
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4 and 5	The only change here is a change of numbering	For the sake of clarity and accuracy
6. Decision making	The new wording explains how decisions will be made moving forward	To reflect the decision of Cabinet – to streamline procedures

CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

11. These proposals were considered and approved by Governance Committee at its meeting on the 8th of July.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

12. There is a need to update these rules to reflect changes proposed by Cabinet earlier this year to the working of My Neighbourhoods. Existing decision making procedures were considered to be too cumbersome. Not to make any changes was not really an option.

AIR QUALITY IMPLICATIONS

13. There are no air quality implications arising from this report.

RISK MANAGEMENT

14. There are no particular risks of concern with these proposals. Any decisions to be made by My Neighbourhood Community Hubs will be done so in an open and transparent way and can be subject to challenge in accordance with our Constitution.

EQUALITY AND DIVERSITY IMPACT

15. The aim with My Neighbourhood Community Hubs is that we engage with all strands of our local communities.

COMMENTS OF THE STATUTORY FINANCE OFFICER

16. There are no direct financial implications arising from this report.

COMMENTS OF THE MONITORING OFFICER

17. It is important of course that we periodically review our Constitution on a regular basis.
18. The intention was that the trial period for the new ways of working for My Neighbourhoods would have commenced in May this year. However, this was not

possible due to the impact of the Coronavirus crisis. It is hoped that the trial period will commence as soon as possible.

There are no background papers to this report

APPENDICES

Appendix 1 – existing Text
Appendix 2 – proposed Text

Chris Moister
Director of Governance

Report Author:	Telephone:	Date:
Dave Whelan (Shared Services Lead - Legal & Deputy Monitoring Officer)	01772 625247	10/7/20

Appendix 1 – Existing Text

4B. MY NEIGHBOURHOOD AREA PROCEDURE RULES (STANDING ORDERS)

1. Appointment of Chairman and Vice-chairman

- 1.1 Appointment of My Neighbourhood area chairmen and vice-chairmen will be determined by full Council, following one nomination for each area from the political group with the majority of seats from amongst the ward members representing each My Neighbourhood area. Appointments will be for a period of one year or until the next annual First Business meeting of full Council.
- 1.2 If there is an equality of seats between political groups within any My Neighbourhood area, each group may nominate one chairmen and vice-chairmen and the appointments will be determined by full Council. In this situation if the chairman is taken from one political group then the vice-chairmen will be taken from the other group. Appointments will be for a period of one year or until the next annual First Business meeting of full Council.
- 1.3 In the event of the position of chairman or vice-chairman of a My Neighbourhood area becoming vacant, or if any chairman or vice chairman is no longer a member of the nominating group, during the municipal year, the appointment of a new chairman or vice-chairman shall be made in accordance with (1.1 and 1.2) above.

2. Removal of Chairman or Vice-chairman

- 2.1 A My Neighbourhood area may remove the chairman or vice-chairman of the My Neighbourhood area during the municipal year if a motion submitted to full Council in accordance with Council Procedure Rule 10 is passed by a simple majority of those members present at the Council meeting at which it is considered.

3. My Neighbourhood Meetings

- 3.1 My Neighbourhood meetings shall be held up to four times annually. The date, time, location and number of meetings shall be decided by each My Neighbourhood area chairman in consultation with other local neighbourhood members.

4. My Neighbourhood Plans

- 4.1 My Neighbourhood area members will work in conjunction with partners and the public to identify neighbourhood priorities and establish My Neighbourhood Plans.
- 4.2 My Neighbourhood Plans must align with the Council's Corporate Plan and the Development Plan and will also take into account existing plans such as those of Parish and Town Councils and other partners.
- 4.3 My Neighbourhood Plans will identify actions and funding for community improvements and will be reviewed annually as part of the corporate budget process. Any expenditure should be of a one-off nature and should not generate further on-going revenue expense to the Council.

5. Decision-making

- 5.1 My Neighbourhood area decision-making will be by delegation to the relevant My Neighbourhood chairman in consultation with the relevant first or second tier Council Officer and Portfolio holder.
- 5.2 The My Neighbourhood Chairman must make every effort to gain the consensus of the members of his/her My Neighbourhood area before making any decision. Any decision must be made with the interests of the whole Council in mind rather than the interests of any specific area.
- 5.3 All decisions must be recorded on the appropriate delegated decision form and details of the decisions taken and any associated expenditure recorded on the Council's website.

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Appendix 2 – Proposed New Rules

4B. MY NEIGHBOURHOOD COMMUNITY HUB PROCEDURE RULES (STANDING ORDERS)

1. Appointment of Chairman and Vice-chairman

- 1.1 Appointment of My Neighbourhood Community Hub chairmen and vice-chairmen will be determined by full Council, following one nomination for each area from the political group with the majority of seats from amongst the ward members representing each My Neighbourhood Community Hub. Appointments will be for a period of one year or until the next annual First Business meeting of full Council.
- 1.2 If there is an equality of seats between political groups within any My Neighbourhood Community Hub, each group may nominate one chairmen and vice-chairmen and the appointments will be determined by full Council. In this situation if the chairman is taken from one political group then the vice-chairmen will be taken from the other group. Appointments will be for a period of one year or until the next annual First Business meeting of full Council.
- 1.3 In the event of the position of chairman or vice-chairman of a My Neighbourhood Community Hub area becoming vacant, or if any chairman or vice chairman is no longer a member of the nominating group, during the municipal year, the appointment of a new chairman or vice-chairman shall be made in accordance with (1.1 and 1.2) above.

2. Removal of Chairman or Vice-chairman

- 2.1 A My Neighbourhood Community Hub may remove the chairman or vice-chairman of the My Neighbourhood Community Hub during the municipal year if a motion submitted to full Council in accordance with Council Procedure Rule 10 is passed by a simple majority of those members present at the Council meeting at which it is considered.

3. Various Models for My Neighbourhood Community Hubs

- 3.1 For the municipal year commencing in May 2020 My Neighbourhood Community Hubs will be granted the option to change how they operate to meet with local circumstances for a 12 month trial period.
- 3.2 Options include:
 - Where the area in question is parished, arrange My Neighbourhood Community Hubs meetings as part of parish meetings
 - Adopt an area committee approach

- Develop a neighbourhood/community development approach
- Develop community partnerships with councillors and partner organisations
- A Hybrid (of any of the above) of what works for each area.

3.3 Whatever model is adopted must be within existing resources.

4. My Neighbourhood Community Hubs Meetings

4.1 My Neighbourhood Community Hub meetings shall be held up to four times annually. The date, time, location and number of meetings shall be decided by each My Neighbourhood Community Hub chairman in consultation with other local neighbourhood members.

5. My Neighbourhood Community Hub Plans

- 5.1 My Neighbourhood Community Hub members will work in conjunction with partners and the public to identify neighbourhood priorities and establish My Neighbourhood Community Hub Plans.
- 5.2 My Neighbourhood Community Hub Plans must align with the Council's Corporate Plan and the Development Plan and will also take into account existing plans such as those of Parish and Town Councils and other partners.
- 5.3 My Neighbourhood Community Hub Plans will identify actions and funding for community improvements and will be reviewed annually as part of the corporate budget process. Any expenditure should be of a one-off nature and should not generate further on-going revenue expense to the Council.

6. Decision-making

- 6.1 My Neighbourhood Community Hub decision-making will be by delegation to the relevant My Neighbourhood Chairman and My Neighbourhood Vice Chairman in consultation with the relevant Director.
- 6.2 The My Neighbourhood Community Hub Chairman and Vice Chairman must consult with members of their My Neighbourhood Community Hub before making any decision. Any decision must be made with the interests of the whole Council in mind rather than the interests of any specific area.
- 6.3 All decisions must be recorded in writing and details of the decisions taken and any associated expenditure recorded on the Council's website.

REPORT TO	ON
COUNCIL	Wednesday, 22 July 2020



TITLE	PORTFOLIO	REPORT OF
Constitution - Appointment and Employment Panel	Leader of the Council	Director of Governance

Is this report confidential?	No
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PURPOSE OF THE REPORT

1. The report proposes an updated section in the Constitution relating to the Terms of Reference for the Appointment and Employment Panel. These proposals have already been considered by Governance Committee.

PORTFOLIO RECOMMENDATIONS

2. That Council should agree the proposed Terms of Reference for the Appointment and Employment Panel for insertion in the council's Constitution

REASONS FOR THE DECISION

3. There is a need to have an Appointment and Employment Panel – likewise an Investigating and Disciplinary Committee. In 2016 the council agreed an approach in this regard. What is proposed here largely follows such an approach. The principal purpose of these changes is to bring greater clarity.

CORPORATE OUTCOMES

4. The report relates to the following corporate priorities:

Excellence, Investment and Financial Sustainability	X
Health, Wellbeing and Safety	
Place, Homes and Environment	

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Projects relating to People in the Corporate Plan:

Our People and Communities	
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BACKGROUND TO THE REPORT

5. All councils are required to have a written Constitution which sets out the council's internal governance arrangements, approved procedures and protocols. A great deal of work has been in recent years with regard to the Constitution. One of the areas that still needed to be looked at was the Appointment and Employment Panel.
6. The Constitution does not currently contain any written Terms of Reference for the council's Appointment and Employment Panel. All that is stated (in part 2K) is: "To deal with the recruitment of and any disciplinary issues relating to the council's Statutory officers." The role of this Committee was approved by full Council in October 2016 and the Terms of Reference have been drafted to take into account the information within the report, including the establishment of an initial Filter Panel.

PROPOSALS

7. The proposed new section of the Constitution (please see the Appendix) sets out the following:

1.Appointment & Employment Panel	Summarises the role of the Panel to deal with the recruitment of specified senior officers & to deal with any disciplinary issues relating to the Council's statutory officers.	All provisions are new as there have been no previous formal Terms of Reference.
2. Membership	5 Members politically balanced. Chair appointed at each meeting.	
3.Terms of Reference	To deal with the recruitment of the CEO & other specified senior officers	
4. Initial Filter Panel	Sets out membership & role to consider any initial allegations or complaints against the Statutory Officers & determine	

	whether to proceed to the first stage of the model disciplinary procedure	
5. Investigating & Disciplinary sub Committee (IDC)	<p>Sets out membership & role</p> <p>Functions include:</p> <ul style="list-style-type: none"> • to undertake an initial assessment of any allegations referred by the Initial Filter Panel against the Statutory Officers • to determine whether to commission an independent investigator. • To consider whether the statutory officer should be suspended or whether that suspension should continue • To consider any investigation report & recommendations & any sanctions. 	
6. Power to Suspend	In exceptional circumstances the Chair of the Appointment and Employment Panel is given an explicit power to suspend the Chief Executive prior to consideration by the IDC	
7. Appeals Committee	Sets out membership and role to hear an appeal against a decision of an Investigating and Disciplinary sub Committee to impose a sanction (less than dismissal) on a statutory officer	

CONSULTATION CARRIED OUT AND OUTCOME OF CONSULTATION

8. These proposals were considered and approved by Governance Committee at its meeting on the 8th of July.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

9. There is a need to have an Appointment and Employment Panel. Likewise there is a need to have an Investigating and Disciplinary Committee. What is presented here is largely based on what the council's practice has been since 2016.

AIR QUALITY IMPLICATIONS

10. There are no air quality implications to what is proposed.

RISK MANAGEMENT

11. There are no specific issues that need to be flagged up. When it comes to dealing with disciplinary issues relating to statutory officers what is proposed is in line with national rules and guidance.

EQUALITY AND DIVERSITY IMPACT

12. There are no implications for equality and diversity issues.

COMMENTS OF THE STATUTORY FINANCE OFFICER

13. There are no financial implications arising from the report.

COMMENTS OF THE MONITORING OFFICER

14. It is important that the Constitution is reviewed and updated on a regular basis.

There are no background papers to this report

APPENDIX

Appendix 1 – Proposed new wording – Appointment and Employment Panel

Chris Moister
Director of Governance

Report Author:	Telephone:	Date:
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Dave Whelan (Shared Services Lead - Legal & Deputy Monitoring Officer)	01772 625247	10/07/20
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APPENDIX 1

2K Appointment & Employment Panel

1. Appointment & Employment Panel

1.1 To deal with the recruitment of the Council's Chief Executive (Head of Paid Service), Deputy Chief Executive, Director of Governance (Monitoring Officer), Director of Finance (Section 151 officer), Deputy Director of Finance (Deputy Section 151 officer) and Shared Services Lead - Legal (Deputy Monitoring Officer). The Panel may be used for the appointment of other senior posts if considered appropriate.

1.2 For all Shared Services posts arrangements will be agreed with Chorley Borough Council.

1.3 For the sake of clarity the "Statutory posts" are the Head of Paid Service, the Monitoring Officer and the Section 151 Officer.

2. Membership

2.1 **Political Balance.** The committee is required to have proportional political balance in accordance with the requirements of the Local Government & Housing Act 1989

2.2 **Membership.** 5 Members - one of which must be a Cabinet Member. In the event of a joint appointment with Chorley Borough Council then a reduced number of South Ribble members may be involved but the principles of political proportionality will always be maintained.

2.3 **Chairing the Panel** - The Chairman will be the Leader of the Council.

2.4 **Reserve Members.** There are 3 reserve members who may be used in the event that - for whatever reason - one of the permanent members cannot attend.

3. Terms of Reference

3.1 To oversee the arrangements to appoint a new Chief Executive & Head of Paid Service to include selecting applicants from a shortlist of qualified candidates and interviewing those on the shortlist.

3.2 Wherever appropriate to recommend the appointment of a suitable candidate for the role of Chief Executive & Head of Paid Service to full Council.

3.3 To consider whether to re advertise the post where there is no suitable candidate or to recommend that full Council makes other appropriate arrangements.

3.4 (Working with colleagues in Chorley Borough Council) to oversee the arrangements for the recruitment of the other posts referred to in paragraph 1 above to include selecting applicants from a shortlist of qualified candidates and interviewing those on the shortlist.

4. Initial Filter Panel

4.1 **Composition.** Leader, Shared Services Lead (Transformation and Partnerships) and Monitoring Officer in respect of any allegations against the Chief Executive. Otherwise the Chief Executive will be part of the Panel rather than the Monitoring Officer. In the event that the Leader or any of the officers referred to above cannot fulfill that role (whether because they have a conflict of interest or because they are not available or for any other reason) then appropriate deputies may fulfil the role.

Terms of Reference

4.2 To consider the severity & relevance of any complaint or allegation relating to the conduct or capability of the Statutory Officer or any other substantial concern.

4.3 To determine whether any complaint or allegation should proceed to the first stage of the Model Disciplinary & Guidance Procedure

5. Investigating & Disciplinary sub Committee

5.1 Composition. 3 members of the Appointment & Employment Panel on a politically proportionate basis (at least one of which must be a member of the Cabinet).

5.2 Chairing the sub Committee. To be appointed at the commencement of the meeting.

5.3 Shared Services Posts. It will for the employing Council to deal with any disciplinary issues relating to any Statutory officer (albeit the other council will be fully liaised with).

Terms of Reference

5.4 To undertake an initial assessment of any allegations against any of the Council's statutory officers referred by the Initial Filter Panel and decide whether a disciplinary investigation should be commissioned.

5.5 (Subject to 6.1 below) to decide whether the statutory officer in question should be suspended from his/her role and to periodically review whether any such suspension should continue.

5.6 To appoint an independent investigator to conduct the investigation and determine those matters to be investigated.

5.7 To consider the report and recommendations of any independent investigator and determine any sanctions to be imposed. (NB Any recommendation to dismiss of one of the statutory officers is a decision of full Council).

6. Chair of the Appointment and Employment Panel – Power to suspend

6.1 Ordinarily any decision to suspend the Chief Executive/Head of Paid Service will be for the IDC to make. However, it is recognised that there may be exceptional circumstances that necessitate suspending such an officer before an IDC could meet. In such circumstances the power to suspend will be vested in the Chair of the Appointment and Employment Panel. Such a power will only be exercised in cases of genuine urgency – for example where the continued presence of the officer concerned in the workplace would pose a serious risk to

the health and safety of others. Any such decision to suspend by the Chair of the Appointment and Employment Panel will be reviewed by the IDC at the earliest practicable opportunity. Prior to making any such decision to suspend the Chair of the Appointment and Employment Panel should seek advice from the Monitoring Officer.

7. Appeals Committee

7.1 Composition. 2 members of the Appointment and Employment Panel (at least one of which must be a member of Cabinet). These will be the two members of the Panel who did not sit on the Investigating and Disciplinary sub Committee whose decision is the subject of the appeal.

7.2 Chairing the sub Committee. To be appointed at the commencement of the meeting

7.3. Terms of Reference.

To hear an appeal against a decision of the Investigating and Disciplinary Committee to impose a sanction short of dismissal in respect of any of the council's statutory officers.

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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