

**Minutes of Council**

**Meeting date** **Wednesday, 20 April 2022**

**Committee members present:** Councillors Jane Bell (Mayor), David Howarth (Deputy Mayor), Will Adams, Renee Blow, Damian Bretherton, Julie Buttery, Aniela Bylinski Gelder, Matt Campbell, Carol Chisholm, Colin Coulton, Mal Donoghue, James Flannery, Derek Forrest, Paul Foster, Mary Green, Michael Green, Harry Hancock, Jon Hesketh, Clare Hunter, Susan Jones, Chris Lomax, Jim Marsh, Keith Martin, Jacqui Mort, Peter Mullineaux, John Rainsbury, Colin Sharples, David Shaw, Margaret Smith, Phil Smith, David Suthers, Stephen Thurlbourn, Mick Titherington, Caleb Tomlinson, Matthew Tomlinson, Matthew Trafford, Angela Turner, Kath Unsworth, Karen Walton, Ian Watkinson, Gareth Watson, Paul Wharton-Hardman, Carol Wooldridge and Barrie Yates

**Committee member attended virtually (non-voting):** Councillor Jacky Alty

**Officers present:** Gary Hall (Chief Executive), Chris Moister (Director of Governance), Asim Khan (Director of Customer and Digital), Mark Lester (Director of Commercial), Jennifer Mullin (Director of Communities), Louise Mattinson (Director of Finance and Section 151 Officer), Darren Cranshaw (Shared Services Lead - Democratic, Scrutiny & Electoral Services) and Ruth Rimmington (Democratic Services Team Leader)

**Public:** 15

**116 Minute's silence**

The Mayor invited Members to observe a minute's silence in memory of Councillor Bill Evans and former Councillor Alan Best.

Councillors Paul Foster, David Howarth, Karen Walton, Michael Green and Renee Blow paid tribute and sent their condolences to the families.

**117 Apologies for absence**

Apologies were received from Councillors Michael Higgins, Cliff Hughes, Caroline Moon and Alan Ogilvie.

Councillor Jacky Alty attended the meeting via Microsoft Teams and so was not able to participate in voting.

## 118 Declarations of Interest

No declarations of interest were received.

## 119 Minutes of the last meeting

Resolved: (Unanimously) That the minutes of the Council meeting held on Wednesday, 23 February 2022 be approved as a correct record.

Councillor Matthew Tomlinson noted that, at the last meeting, he had incorrectly referenced a facilities management report as being from 2018. He apologised and advised the date had actually been 2016. He had also assumed the report had been undertaken by internal audit, but had since been advised the report had been produced externally.

## 120 Mayors Announcements

The Mayor gave an update on her recent duties, and thanked those members who attended the spring banquet.

The Mayor reminded members of her 'At home' event on 5 May.

## 121 Amendment to Taxi Licensing Policy

The Mayor advised that, as there were a number of members of the public in attendance for the following items, she had changed the order of agenda to consider these items first.

The Cabinet Member (Planning, Business Support and Regeneration), Councillor James Flannery presented the report of the Director of Planning and Development.

The report proposed the formal adoption of the changes to the Taxi Licensing Policy with regards to the local area knowledge test taken by all new applicants for a hackney/private hire drivers' licence.

A request had been submitted from licensed operators for a single use/ restricted private hire licence to be available. This had been considered by the Licensing and Public Safety Committee in December 2022 and in March with various options considered. Members considered all proposals and had agreed with the officer that Option 3 was the best preferred option.

It was proposed by the Cabinet Member (Planning, Business Support and Regeneration), Councillor James Flannery, seconded by the Councillor Paul Wharton-Hardman, and subsequently

Resolved (**by majority 43:0:1**)

1. To note the contents of the report.
2. To formally adopt the agreed proposal following the approval by the Licensing and Public Safety Committee on 8 March 2022 - Keeping the test in place but removing the local aspect of the test completely for all applicants, keeping a section of the test as a "competency Test" for basic English, Numeracy and a test for using a satellite navigation system.

For: Councillors Will Adams, Jane Bell (Mayor), Damian Bretherton, Julie Buttery, Aniela Bylinski Gelder, Matt Campbell, Carol Chisholm, Colin Coulton, Mal Donoghue, James Flannery, Derek Forrest, Paul Foster, Mary Green, Michael Green, Harry Hancock, Jon Hesketh, David Howarth, Clare Hunter, Susan Jones, Chris Lomax, Jim Marsh, Keith Martin, Jacqui Mort, Peter Mullineaux, John Rainsbury, Colin Sharples, David Shaw, Margaret Smith, Phil Smith, David Suthers, Stephen Thurlbourn, Mick Titherington, Caleb Tomlinson, Matthew Tomlinson, Matthew Trafford, Angela Turner, Kath Unsworth, Karen Walton, Ian Watkinson, Gareth Watson, Paul Wharton-Hardman, Carol Wooldridge and Barrie Yates.

Abstain: Councillor Renee Blow.

## **122 Statutory HMRC Checks for Taxi/Private Hire Driver Applications**

The Cabinet Member (Planning, Business Support and Regeneration), Councillor James Flannery presented the report of the Director of Planning and Development.

The Licensing and Public Safety Committee in March had considered new tax requirements for applications to certain licences from 4 April 2022. These were statutory HMRC checks to renewal applications for all licence hackney and Private Hire Drivers, operator licences and scrap metal licences.

It was proposed by the Cabinet Member (Planning, Business Support and Regeneration), Councillor James Flannery, seconded by Councillor Paul Wharton-Hardman, and subsequently

Resolved (unanimously)

1. To note the contents of the report.
2. To formally adopt the agreed proposal following the approval by the Licensing and Public Safety Committee on 8 March 2022 - to incorporate statutory HMRC checks to renewal applications for all licence hackney and Private Hire Drivers, operator licences and scrap metal licences.

## **123 Vehicle Age Policy**

The Cabinet Member (Planning, Business Support and Regeneration), Councillor James Flannery presented the report of the Director of Planning and Development regarding changes to the Taxi Licensing policy regarding the Vehicle Age Policy and the Licensing of Hackney Carriage Vehicles.

The matter had been considered by the Licensing and Public Safety Committee in December 2022 and April. A consultation was undertaken for all options with the relevant stakeholders.

It was proposed by the Cabinet Member (Planning, Business Support and Regeneration), Councillor James Flannery, seconded by the Councillor Paul Wharton-Hardman, and subsequently

Resolved (unanimously)

1. To note the contents of the report.
2. To formally adopt the agreed proposal following the approval by the Licensing and Public Safety Committee on the 6 April 2022.

Age Policy - **Option 4, with the exemption for vehicles that perform Special needs school contact work.**

**Option 4 Reduce all vehicles to 4 and 8 years. With an option of an extension for non-polluting vehicles that conform to a certain euro rating.**

Reduce all vehicles to 4 years of age maximum when first licence and to be remain licensed until the vehicle is 8 years old, but, if the vehicle passes a set co2 emissions euro 6 rating an option for an extra 2 years older when first licensed (i.e up to 6 years old) and which can remain licensed until 12 years of age.

The Council will where appropriate, issue Hackney Carriage Licences to vehicles which;

**Type of Vehicle**

**Maximum Age When First presented for Licensing**

All vehicle types (hatchback saloon, estate etc) and purpose-built taxis (i.e. Peugeot E7, Euro taxi) wheelchair accessible vehicles

4 Years

All vehicle types (hatchback saloon, estate etc) and purpose-built taxis (i.e. Peugeot E7, Euro taxi) wheelchair accessible vehicles, that has a certain euro rating meeting a set level of CO2 emissions

6 Years

Vehicles which have been continuously licensed by South Ribble, will no longer be eligible for renewal once pass the following ages;

**Type of Vehicle**

**Maximum Age vehicles Can Be licensed Until**

All vehicle types (hatchback saloon, estate etc) and purpose-built taxis (i.e. Peugeot E7, Euro taxi) wheelchair accessible vehicles

8 Years

All vehicle types (hatchback saloon, estate etc) and purpose-built taxis (i.e. Peugeot E7, Euro taxi) wheelchair accessible vehicles, that has a certain euro rating meeting a set level of CO2 emissions

12 Years

Licensing of Hackney Carriage Vehicles - The grandfather rights policy to be replaced with a capped policy, to initially 100 vehicles with the delegated power to increase that number given to officers to set as the market demands through evidence of significant unmet demand from the public.

Both policies to be adopted for 3 years until 2025.

Both policies to be part of an ongoing programme of review reported back to committee every 12 months, with a proposed date of June 2023. This update to include the availability to drivers for electric and hybrid vehicles and if the

number of vehicles licenced by the authority were compliant with the council's section 165 of equalities act 2010 duties.

#### **124 Cabinet**

Members received a general report of the Cabinet meeting held on 23 March.

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 the report be noted.

#### **125 Appointment of a new Member of the Cabinet**

The Leader of the Council, Councillor Paul Foster, advised that, due to the sad loss of former Councillor Bill Evans, there was a need to appoint a new member of the Cabinet.

Members welcomed Councillor James Flannery as the new Cabinet Member (Planning, Business Support and Regeneration).

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) To note the appointment of Councillor James Flannery as Cabinet Member (Planning, Business Support and Regeneration) by the Leader of the Council.

#### **126 Urgent Decisions**

Members received a report setting out a number of urgent decisions taken in accordance with urgency procedures outlined in the Council's Constitution since the report to the last meeting of Council.

These urgent decisions include 'key' decisions taken by the Executive (i.e. Cabinet of Individual Executive Members) as defined in the Cabinet Forward Plan / Notice of Executive Decisions, decisions which include confidential or exempt information, and urgent decisions for which the Mayor agreed to waive scrutiny call-in.

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 the report be noted.

#### **127 Scrutiny Committee**

Members received a general report of the Scrutiny Committee held on 17 March and Scrutiny Budget and Performance Panel held on 21 March.

It was proposed by the Chair of the Scrutiny Committee, Councillor David Howarth, seconded by Councillor Karen Walton and subsequently

Resolved (unanimously) that the report be noted.

## **128 Governance Committee**

Members received a general report of the Governance Committee meeting held on 29 March.

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

Resolved (unanimously) that the report be noted.

## **129 Extra Care Project - West Paddock Budget Approval**

The Mayor advised that this item had been withdrawn from the agenda.

## **130 Investment in Council's Leisure Centres**

Councillor Michael Green sought advice from the Director of Governance and Monitoring Officer regarding the consideration of this and the following item due to purdah. It was noted that, whilst there was a by-election ongoing the decision related to the whole Borough and was time bound. In addition, the report did not promote a particular candidate or political party (which would be contrary to the rules of purdah), and so it was appropriate for the items to be considered.

The Cabinet Member (Deputy Leader, Health and Wellbeing), Mick Titherington, presented the report of the Director of Communities.

The report supported the objectives within the Council's Leisure Facilities Strategy, adopted by the Council's Cabinet in 2020, with particular regard to developing local Leisure facilities accessible to communities.

The report sought approval for investment proposals for work to be undertaken at the Council's own Leisure Centres to complement the Decarbonisation work about to start, alongside a proposed Leisure Local investment at Lostock Hall Academy and Community Centre at Gregson Lane.

Members spoke in support of the proposals, including Councillors Aniela Bylinski Gelder, Jacqui Mort, Gareth Watson, Matthew Trafford, Barrie Yates, Chris Lomas, Paul Wharton-Hardman, David Howarth, Paul Foster and Matthew Tomlinson.

Other members commented on the proposals, including Councillors Matt Campbell, Margaret Smith, Karen Walton, Phil Smith.

Councillor Jacqui Mort requested that publicly available information be circulated to all members as soon as possible regarding the facilities at Lostock Hall Academy. The Leader agreed to provide this when available.

Councillor Karen Walton noted concerns regarding the figures quoted for a new leisure centre and queried if there would be sufficient capacity across the current centres. The Deputy Leader noted the figures had been provided and was assured that capacity would be sufficient.

Councillor Phil Smith queried if there would be no need for gas at all moving forwards and if air source heat pumps would be sufficient. A response would be provided following the meeting.

It was proposed by the Cabinet Member (Deputy Leader, Health and Wellbeing), Mick Titherington, seconded by the Leader of the Council, Councillor Paul Foster, and subsequently Resolved (unanimously)

1. To approve the proposed scope of works identified in the report for a first phase investment into the Council's Leisure Centres as set out below in paragraph 43 which will complement the Decarbonisation work already approved for the Leisure Centres.
2. To approve that a sum of £775k is reallocated from the existing capital budget for a new Leisure Centre (total £19m) to complete the proposed work on the Leisure Centres to complement the Decarbonisation work. This will take the total capital works proposed on existing leisure centres (including work already underway) to £2.875m.
3. To note the intended use of the UK Leisure Framework to procure the proposed first phase investments into the Leisure Centres to combine the work with the Decarbonisation programme approved by Council and Cabinet.
4. To note the decision to award the finalised contract to the UK Leisure Framework for the Leisure Centre first phase investment programme will be taken by the Executive Member for Finance Property and Assets and Executive Member (Deputy Leader) for Health and Well-being in consultation with the Director of Communities. This will align the contract with the delegation given to that executive member in relation to the decarbonisation works.
5. To approve a new Capital budget to provide a grant of £200,000 to Lostock Hall Academy, and approves a loan of £100,000 in line with the financial terms outlined below in paragraph 70. The total contribution of £300k will be used for the development of a new Community Leisure Facility on the Academy site representing a new Leisure Local partnership between the School and South Ribble Borough Council.
6. To approve a new capital budget of £300k as per paragraph 73 to allow a grant to be provided to the charity Gregson Green, towards the replacement of Gregson Lane Community Centre.
7. To delegate responsibility to the Director of Governance to be exercised in consultation with the Deputy Leader (Cabinet Member for Health and Well-being) and Director of Communities, to put in place grant and legal agreements concerning the grants and loan proposed above.
8. To note that a further report will be brought to Council in May 2022 outlining a substantial second phase investment programme into the Council's Leisure Centres (estimated to be circa £6m) and propose a procurement strategy and timetable to deliver the work.

### **131 Waste Collection Services contract**

The Leader of the Council, Councillor Paul Foster, presented the report of the Director (Customer and Digital) which considered options for the future delivery of the Council's waste collection service.

The council provides waste and recycling collection services to over 50,000 households. This is a significant and high-profile service delivered daily throughout the borough all year round and includes garden waste collections.

The Council has outsourced waste and recycling collection services for around 30 years and to FCC since 2015. The waste contract is in the final months of a 7-year contract term and due to expire on 10 June 2022.

The governments National Resources and Waste Strategy along with obligations under the Environment Act will impose changes on the delivery of waste services by the council over the next few years.

Other than the impact of the national shortage of HGV drivers, FCC's contract performance has generally been good, performing well throughout the pandemic.

The report set out the options, for insourcing the service and continuing the outsourcing. The Monitoring Officer reminded members to take care when contributing to the debate due to the ongoing by-election.

A number of members contributed to the debate, including Councillor Jane Bell, Matthew Tomlinson, Aniela Bylinski Gelder, Ange Turner, Keith Martin, Will Adams, Margaret Smith, Chris Lomax, Mick Titherington, James Flannery, Barrie Yates and David Shaw.

Members debated the proposals and commented on the excellent service delivered by the operatives during the pandemic and how much the residents appreciated how operatives went above and beyond during that time.

A desire to give operatives access to the same pension scheme offered to South Ribble employees and the living wage was expressed. A proactive recruitment drive for women operatives was suggested. A TUPE process would be undertaken if the service was insourced.

The risks were considered, and noted that unforeseen costs would be recharged back to the council in either circumstance and benefits to community wealth building if the service were to be insourced. The experience of insourcing the Leisure contract would also be useful although FCC have expertise in delivering this type of service.

Members of the public were invited to make representations. Comments included the risks of losing staff (some operatives had expressed a wish for the service to be insourced), some operatives had also stated they wished to benefit from the local government pension scheme and flagged the cost of living increases and that operatives were able to gain a higher wage as an agency worker and that turnover of staff was an issue. Operatives had been greatly appreciated during the pandemic and the principle of insourcing the service was supported.

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 (by majority 25:19:0)

To approve option b as set out below:

b. Insource all waste collection services to be operated directly by South Ribble Borough Council, commencing 11 June 2022.

As a consequence of accepting this option, Council acknowledges that:



- i. under Transfer of Undertakings (Protection of Employment) regulations (TUPE) the contracts of employment of all relevant employees engaged in the delivery of the current FCC waste contract will transfer to the Council.
- ii. specialist advice on insourcing, project management and other support services necessary to facilitate mobilisation of waste services to the Council will be sourced to support the changes.
- iii. due to restricted timescales, contracts with suppliers engaged to facilitate insourcing of waste services including IT hardware and software will be sought and directly awarded.

For: Councillors Will Adams, Jane Bell (Mayor), Renee Blow, Aniela Bylinski Gelder, Mal Donoghue, James Flannery, Derek Forrest, Paul Foster, Harry Hancock, David Howarth, Clare Hunter, Susan Jones, Chris Lomax, Keith Martin, Colin Sharples, David Shaw, Mick Titherington, Caleb Tomlinson, Matthew Tomlinson, Matthew Trafford, Angela Turner, Kath Unsworth, Ian Watkinson, Paul Wharton-Hardman and Carol Wooldridge.

Against: Councillors Damian Bretherton, Julie Buttery, Matt Campbell, Carol Chisholm, Colin Coulton, Mary Green, Michael Green, Jon Hesketh, Jim Marsh, Jacqui Mort, Peter Mullineaux, John Rainsbury, Margaret Smith, Phil Smith, David Suthers, Stephen Thurlbourn, Karen Walton, Gareth Watson and Barrie Yates.

## **132 Appointment of Chief Executive**

The Leader of the Council, Councillor Paul Foster, presented the report of the Chief Executive which proposed the appointment of a new Chief Executive, shared with South Ribble Borough Council.

A robust recruitment process had been undertaken and the Shared Services Joint Committee Appointments Panel agreed unanimously that Chris Sinnott be recommended to Council for formal appointment.

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 (by majority 25:0:19)

1. That following a meeting of the Shared Services Joint Committee Appointments Panel on 25 March 2022, Chris Sinnott be appointed as the Council's new Shared Chief Executive with effect from 1 January 2023.
2. That the new Shared Chief Executive also undertakes the statutory role of Head of Paid Services and is the Council's Returning Officer and Electoral Registration Officer.

For: Councillors Will Adams, Jane Bell (Mayor), Renee Blow, Aniela Bylinski Gelder, Mal Donoghue, James Flannery, Derek Forrest, Paul Foster, Harry Hancock, David Howarth, Clare Hunter, Susan Jones, Chris Lomax, Keith Martin, Colin Sharples, David Shaw, Mick Titherington, Caleb Tomlinson, Matthew Tomlinson, Matthew Trafford, Angela Turner, Kath Unsworth, Ian Watkinson, Paul Wharton-Hardman and Carol Wooldridge.

Abstain: Councillors Damian Bretherton, Julie Buttery, Matt Campbell, Carol Chisholm, Colin Coulton, Mary Green, Michael Green, Jon Hesketh, Jim Marsh,

Jacqui Mort, Peter Mullineaux, John Rainsbury, Margaret Smith, Phil Smith, David Suthers, Stephen Thurlbourn, Karen Walton, Gareth Watson and Barrie Yates.

### **133 Questions to the Leader of the Council**

Councillor Paul Wharton-Hardman queried if the Leader would share correspondence relating to the proposed crossing at Stanifield Lane in Farmington. The Leader explained that LCC were not funding the crossing, the Parish Council have a funding allocation, as did the council. Discussions were ongoing regarding the Section 278 works and the crossing would be implemented as soon as possible. The Leader thanked Councillors Paul Wharton-Hardman and Jacky Alty for their work on this issue.

Councillor Damian Bretherton requested an update on the upgrades to insulation as part of the decarbonisation of the Council's buildings. The Leader advised that Councillor Matthew Tomlinson would forward further information following the meeting.

Councillor Karen Walton reiterated a request to see a letter from the Secretary of State, Michael Gove, regarding council tax rises as she had received a briefing paper rather than a letter. The Leader agreed to forward the letter following the meeting. Councillor Matthew Tomlinson noted that, at a previous meeting, he had stated the council had been written to. By this he had meant by the Department, not specifically Michael Gove.

Councillor Will Adams noted that parking charges have been reintroduced for staff at hospitals and requested the Leader put pressure on the government and local NHS to improve terms and conditions for staff. The Leader agreed that car parking charges should be waived for NHS staff and undertook to ask members on the Board to challenge this.

Councillor Phil Smith requested an update on the Council's levelling up bid. The Leader advised that a letter had been sent to Katherine Fletcher MP requesting ideas for the bid, but no response had been received. The council is in a category three area meaning that due to the Leyland Town Deal it was not expected that the council would be successful, but a number of schemes were being investigated for a potential bid. However, costs would be incurred to submit a bid.

### **134 Questions to Cabinet Members**

#### **Deputy Leader and Cabinet Member (Health and Wellbeing) - Councillor Mick Titherington**

Councillor Stephen Thurlbourn thanked Councillor Titherington for the responses to questions he had asked via email in advance of the meeting. He noted he had asked a supplementary question and that he would await a response from the relevant officer.

#### **Cabinet Member (Communities, Social Justice and Wealth Building) – Councillor Aniela Bylinski Gelder**

Councillor Margaret Smith queried Direct Debit for garden waste collection as she understood it should be taken out automatically. Councillor Bylinski Gelder undertook to investigate the specific case, but noted that direct debits are available if residents wished to sign up to them and this service would be publicised.

Councillor Paul Wharton-Hardman noted that questions to public figures via social media could be an effective communication mechanism. Councillor Bylinski Gelder noted that individuals could choose how they dealt with queries via social media and how available they wished to make themselves using this medium.

**Cabinet Member (Finance, Property and Assets) – Councillor Matthew Tomlinson**

Councillor Margaret Smith queried a report into facilities management from 2016 which was referenced at the last meeting and requested a copy and who had alleged that the report had been suppressed. Councillor Tomlinson undertook to request a copy of the report which had been commissioned by the former Chief Executive.

**Cabinet Member Planning, Business Support and Regeneration) – Councillor James Flannery**

Councillor Michael Green welcomed Councillor Flannery in his new role and queried if planning policy could be drafted regarding takeaways near primary schools. Councillor Flannery agreed to investigate this.

Councillor Will Adams thanked Councillor Flannery for his support regarding the Tram Bridge. Councillor Flannery noted the strategic importance of the Tram Bridge and undertook to support Preston City Council regarding this.

Councillors Caleb Tomlinson and Keith Martin welcomed Councillor Flannery to his new role. Councillor Flannery noted the challenges regarding climate change and advised he would support the agenda where possible.

Chair

Date