



Council Minutes

The minutes of the Council meeting held on Thursday, 19 July 2018 at the Council Chamber, Civic Centre, Poulton-le-Fylde.

Councillors present:

The Mayor, Councillor Marge Anderton and the Deputy Mayor, Councillor Michael Barrowclough

Councillors Ian Amos, Emma Anderton, Rita Amos, Lady Dulcie M Atkins, Howard Ballard, Lorraine Beavers, Roger Berry, Barry Birch, Colette Birch, Simon Bridge, Peter Cartridge, Sue Catterall, Alice Collinson, Ruth Duffy, Emma Ellison, Rob Fail, Ron Greenhough, David Henderson, John Hodgkinson, Graham Holden, John Ibison, Tom Ingham, Kerry Jones, Andrea Kay, Terry Lees, Pete Murphy, Phil Orme, Patsy Ormrod, Sue Pimbley, Cheryl Raynor, Julie Robinson, Ron Shewan, Christine Smith, Brian Stephenson, Evelyn Stephenson, Ann Turner, Shaun Turner, Alan Vincent, Matthew Vincent, Michael Vincent, Lynn Walmsley and Val Wilson

Apologies: Councillors Balmain, Bowen, McKay and Moon

Officers present:

Garry Payne, Chief Executive
Mark Billington, Service Director People and Places
Emily Wareing, Engagement and Communications Officer
Roy Saunders, Democratic Services and Scrutiny Manager
Peter Foulsham, Scrutiny Officer

Also present: Alderman Bannister and two members of the public.

21 Confirmation of minutes

Agreed (by 28 votes to 10, with 2 abstentions) that the minutes of the meeting of the Council held on 14 June 2018 be confirmed as a correct record, subject to "Cllr Bridge" being inserted instead of "Cllr Berry", as the responder to a question from Cllr Fail in the first line of the second paragraph in minute 15(3).

22 Declarations of Interest

None.

23 Announcements

1. The Chief Executive advised that any Councillors who were also members of Lancashire County Council should only speak or vote on the Notice of Motion to be considered under agenda item 11 if they made it clear that, even if they had participated in the debate on a similar motion approved by LCC, they were nevertheless prepared to consider the motion with an open mind at this meeting. Councillors A Vincent, Beavers and Kay indicated that they were able to give such an assurance.
2. The Mayor announced that she, the Deputy Mayor and Cllr E Anderton would be doing a sponsored parachute jump on Sunday 2 September, with all proceeds going to the Mayor's charities.
3. The Mayor announced that she had been informed that Councillor Emma Anderton has been elected as Deputy Leader of the Labour Group.

24 Public questions or statements

None.

25 Questions "On Notice" from councillors

None.

26 Executive reports

(a) Leader of the Council

The Leader of the Council (Cllr Henderson) submitted a report.

Cllr Henderson responded to questions and comments from Cllr B Stephenson about Labour Group challenges to the Council's executive and from Cllr Fail about planning enforcement.

Agreed that the report be noted.

(b) Resources Portfolio Holder

The Resources Portfolio Holder (Cllr A Vincent) submitted a report.

Cllr A Vincent responded to a question from Cllr Lady Atkins about Garstang Business Centre.

Agreed that the report be noted.

(c) Street Scene, Parks and Open Spaces Portfolio Holder

The Street Scene, Parks and Open Spaces Portfolio Holder (Cllr Bridge) submitted a report.

Cllr Bridge, when introducing his report, referred to the four parks in the Borough which had been awarded Green Flag status and welcomed the recent award of Heritage Lottery Grant funding for the refurbishment of the Mount Pavilion and Gardens at Fleetwood.

Cllr Bridge responded to questions and comments from Cllr E Anderton about Tram Sunday and Fleetwood in Bloom, from Cllr R Duffy about Memorial Park Fun Day, Cllr Lady Atkins about Garstang Ice Cream Festival and Cllr Beavers about vandalism in parks and gardens.

Agreed that the report be noted.

(d) Planning and Economic Development Portfolio Holder

The Planning and Economic Development Portfolio Holder (Cllr Michael Vincent) submitted a report. He also referred, when introducing his report, to the interim report of the Inspector, following the Local Plan examination hearings held in May, which had now been made available to all councilors.

Cllr Michael Vincent responded to questions and comments from Cllr Fail and Cllr Lees about sports pitches in Bourne Ward.

Agreed that the report be noted.

(e) Neighbourhood Services and Community Safety Portfolio Holder

The Neighbourhood Services and Community Safety Portfolio Holder (Cllr Berry) submitted a report.

Cllr Berry responded to a question from Cllr Lees about cycling on the promenade.

Agreed that the report be noted.

(f) Leisure, Health and Community Engagement Portfolio Holder

In the absence of the Leisure, Health and Community Engagement Portfolio Holder (Cllr Bowen), Cllr Henderson introduced the report.

Cllr Henderson responded to questions and comments from Cllr E Anderton about noise nuisance, from Cllr R Duffy about the comments in the report anticipating events at Tram Sunday and from Cllr Lees about summer events at bandstands.

Cllr Henderson also said he would arrange for a written response to be sent to Cllr E Anderton about the advice to be given to residents about the use of the recently launched noise monitoring app, particularly those who were not proficient in the use of smart phones or did not have access to one.

Agreed that the report noted.

27 **Membership of Committees**

The Leader of the Council (Cllr Henderson) and the Chief Executive submitted a report on changes required to the membership of committee for the remainder of the 2018/19 Municipal Year, to reflect a change to the political balance of the Council following the resignation of Cllr I Duffy and Cllr R Duffy from the Labour Group. Cllr Henderson proposed the recommendations in the report and also proposed that, in order to implement those recommendations, additional Conservative members be appointed to committees, as follows:

- Planning Committee: Cllr Catterall
- Licensing Committee: Cllr S Turner
- Employment and Appeals: Cllr Lady Atkins
- Standards Committee: Cllr Orme.

The proposals were seconded by Cllr A Vincent.

Cllr Fail proposed and Cllr E Anderton seconded an amendment to change the method of calculating political balance and allocating places on committees, as set out in the Appendix 1 to these minutes.

A recorded vote on the amendment was requested by four councillors, in accordance with Procedure Rule 19.4. Members voted as follows:

For the amendment: Councillors E Anderton, M Anderton, Barrowclough, Beavers, Lees, Raynor, Robinson, Shewan, Smith, B Stephenson and E Stephenson.

Against the amendment: Councillors I Amos, R Amos, Lady Atkins, Ballard, Berry, B Birch, C Birch, Bridge, Cartridge, Catterall, Collinson, Ellison, Greenhough, Henderson, Hodgkinson, Holden, Ibison, Ingham, Jones, Kay, Murphy, Orme, Ormrod, Pimbley, Robinson, A Turner, A Vincent, Matthew Vincent, Michael Vincent and Walmsley.

Abstentions: Councillor R Duffy.

The amendment was therefore **lost** (by 11 votes to 30, with 1 abstention).

The Chief Executive informed Council that, if the nominations to specific committees proposed by Cllr Henderson were approved, no changes would be needed to the membership of the Audit Committee.

Following further debate on the recommendations in the report a recorded

vote was requested. Members voted as follows:

For the recommendations: Councillors I Amos, R Amos, Lady Atkins, Ballard, Berry, B Birch, C Birch, Bridge, Cartridge, Catterall, Collinson, Ellison, Greenhough, Henderson, Hodgkinson, Ibison, Ingham, Jones, Kay, Murphy, Orme, Ormrod, Pimbley, Robinson, A Turner, A Vincent, Matthew Vincent, Michael Vincent and Walmsley.

Against the recommendations: Councillors E Anderton, Barrowclough, Beavers, Lees, Raynor, Robinson, Shewan, Smith, B Stephenson and E Stephenson.

Abstentions: Councillor M Anderton and R Duffy. (Cllr Holden was not present when the vote was taken).

The recommendations were therefore approved (by 29 votes to 10, with 2 abstentions).

Cllr Fail then reported the consequential changes to Labour membership required to implement the approved recommendations and it was **agreed** that:

1. That Cllr I Duffy be removed from the Employment and Appeals Committee.
2. That Cllr R Duffy be removed from both the Employment and Appeals Committee and the Standards Committee.
3. That Cllr B Stephenson be appointed to the Employment and Appeals Committee.
4. That Cllr Catterall be appointed to the Planning Committee, Cllr S Turner be appointed to the Licensing Committee, Cllr Lady Atkins be appointed to the Employment and Appeals Committee, and that Cllr Orme be appointed to the Standards Committee.
5. That Cllr E Stephenson be removed from the Planning Committee and Cllr B Stephenson be removed from the Licensing Committee.
6. That it be noted that, as a consequence of the appointments to Committees set out above, no changes were required to the membership of the Audit Committee.
7. That Cllr E Stephenson be appointed to the Overview and Scrutiny Committee in place of Cllr E Anderton.

Citizens Advice Lancashire West: Replacement Representative

The Leader of the Council (Cllr Henderson) and the Chief Executive submitted a report on a proposed change to the Council's representation on Citizen's Advice Lancashire West.

Agreed (by 30 votes to 0, with 9 abstentions) that Cllr Cartridge be appointed as the Council's representative on the Board of Citizens Advice Lancashire West.

29 Social Media Policy for Councillors

The Leader of the Council (Cllr Henderson) and the Monitoring Officer submitted a report on a proposed social media policy for councillors.

Agreed (by 28 votes to 11) that the Social Media Policy for Councillors, attached as Appendix 1 of the report, be approved and included in Part 5 of the Constitution.

30 Notices of Motion

The following motion (which had been submitted under Procedure Rule 14 by Councillors Henderson, A Vincent, Bridge and Michael Vincent) was formally proposed by Cllr Henderson and seconded by Cllr A Vincent.

“Lancashire Combined Fire and Rescue Authority remains committed to delivering the best possible service to its communities, with the resources it has available. It continues to work productively and effectively with a range of stakeholders. The new statutory duty to collaborate with other emergency services is also acknowledged, while recognising many initiatives were already in place or in development irrespective of this mandate.

The Fire and Rescue Authority remains confident that current governance arrangements present the best way to deliver a fire and rescue service for its communities. It will though provide the information required for the work proposed by the Police and Crime Commissioner (PCC), which it believes will evidence that it is already effectively progressing collaborative opportunities within existing structures.

Consequently, this Council places on record its opposition to any proposals that transfer any current responsibilities of the Fire and Rescue Authority in Lancashire to the Police and Crime Commissioner.

Wyre Council therefore asks the Chief Executive to write to the Police and Crime Commissioner and the Home Secretary explaining this view, sending copies to all Lancashire Members of Parliament.”

Agreed, following a debate that the motion be approved (by 29 votes to 0 with 11 abstentions).

Appendix to Council Minutes 19 July 2018: Amendment proposed by Cllr Fail to item on Membership of Committees (minute 27)

The meeting started at 7.00 pm and finished at 8.55 pm.

Note: An audio recording of this meeting is available here:
<https://www.youtube.com/watch?v=VOr0lgBmWYg&t=25s>

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Item 8 – Committee Places (Labour Amendment)

Appendix 1 - POLITICAL BALANCE CALCULATIONS July 2018

1. Total Proportion of Members

NB Percentages are imprecise – percentages would be okay if dealing with all 50 members, but not 47 members (unless rounding is dispensed with)

Conservative: 36 members = 36/47^{ths}

Labour: 11 members = 11/47^{ths}

2. Allocation of total number of seats

There are a total of 80 seats on the Committees to which the Political Balance Calculations apply.

Conservative: 36/47^{ths} of 80 = 61.28 – Entitlement = 61 seats

Labour: 11/47^{ths} of 80 = 18.72 - Entitlement = 19 seats

3. Allocation of places on individual Committees (to which the Political Balance Regulations apply)

| Committee | Total seats | Con | | Lab | |
|--|-------------|--------------------------|-------------|--------------------------|-------------|
| | | Proportional Entitlement | Whole Seats | Proportional Entitlement | Whole Seats |
| Overview & Scrutiny | 14 | 10.72 | 10 | 3.28 | 3 |
| Planning | 14 | 10.72 | 10 | 3.28 | 3 |
| Licensing | 14 | 10.72 | 10 | 3.28 | 3 |
| Audit | 14 | 10.72 | 10 | 3.28 | 3 |
| Employment & Appeals | 10 | 7.66 | 7 | 2.34 | 2 |
| Senior Officers Appointments Committee | 4 | 3.06 | 3 | 0.94 | 0 |
| Senior Officers Disciplinary Committee | 4 | 3.06 | 3 | 0.94 | 0 |
| Standards | 6 | 4.6 | 4 | 1.40 | 1 |
| | 80 | | 57 | | 15 |

Comments/Proposals

As well as the whole seats allocated above, both the Conservative and Labour Groups will need to be allocated an additional seat on each of 4 committees to achieve the required total allocation of 61 seats and 19 seats respectively.

As the rule at 5.1a) of the report must apply, Labour must be given a place on each of the Senior Officer Committees. Para 3.2d of the main report details how the remaining 6 places should be allocated.

Amended Paras Within Item 8

3. Recommendations

3.1 That, in order to achieve political balance on the Committees appointed by the Council, 61 seats on those committees be allocated to members of the Conservative Group, 19 seats be allocated to members of the Labour Group and that no seats be allocated to the three non-aligned independent councillors, with seats on each individual committee apportioned on the basis set out in Appendix 1.

3.2 That in order to implement the recommendation in 3.1, the following changes be approved:

(a) That Cllr I Duffy be removed from the Employment and Appeals Committee.

(b) That Cllr R Duffy be removed from both the Employment and Appeals Committee and the Standards Committee.

(c) That a Labour member be appointed to the Employment and Appeals Committee.

(d) That an additional Conservative or Labour member be appointed to all six of the following committees: -

- Overview & Scrutiny Committee
- Planning Committee
- Licensing Committee
- Audit Committee
- Employment and Appeals Committee
- Standards Committee.

The Party having the most unallocated seats chooses the Committees until the shortfalls of each Party are level. Once level the other Party then has the next choice, with the following choices then alternating between the parties, ie. as the Conservatives have 4 unallocated seats, and Labour have 2 unallocated seats at the outset, the choice of committees will be:-

1st Choice – Conservative

2nd Choice – Conservative

3rd Choice – Labour

4th Choice – Conservative

5th Choice – Labour

6th Choice - Conservative

5.4 The application of the calculations to allocate the 80 seats available on the Committees appointed by the Council to which these rules apply, is shown in Appendix 1. The outcome is a total allocation of 61 seats to the Conservative Group and a total allocation of 19 seats to the Labour Group.