

## **Full Council**

Thursday, 23 May, 2013, at 1.30 pm in the Council Chamber - County Hall.

## **Agenda**

### **Index**

1. **Apologies and Announcements**
2. **Disclosure of Pecuniary and Non-Pecuniary Interests**
3. **Report of the Returning Officer - Persons Elected County Councillor on 2 May 2013 (Pages 1 - 6)**
- A. Matters for Decision**
  4. **Election of Chairman**
  5. **Appointment of Vice Chairman**
  6. **Confirmation of Minutes from meetings held 21 and 28 February 2013 (Pages 7 - 22)**
  7. **Election of the Leader of the Council**
  8. **Membership of Committees and Related Appointments for 2013/14 (Pages 23 - 26)**
  9. **Police and Crime Panel for Lancashire (Pages 27 - 44)**
  10. **Combined Fire Authority - Appointment of County Council Representatives (Pages 45 - 46)**
  11. **Appointments to Local Government Association General Assembly; Urban and Rural Commissions; Special Interest Group on Coastal Issues; County Council's Network (Pages 47 - 50)**

12. **Appointments to the North Western Inshore Fisheries and Conservation Authority** (Pages 51 - 52)

**B. Matters for Information**

13. **Report of the Cabinet (Part B)** (Pages 53 - 58)
14. **Urgent Key Decisions** (Pages 59 - 64)
15. **Report of County Council Committees**

To receive reports from:

- (a) **The Overview and Scrutiny Committees** (Pages 65 - 72)
  - (b) **Audit and Governance Committee** (Pages 73 - 76)
  - (c) **Pension Fund Committee** (Pages 77 - 84)
16. **Report of the Combined Fire Authority** (Pages 85 - 88)

**C. Notice of Motion**

To consider any Notices of Motion submitted under Standing Order No. 14.2.1.

Phil Halsall  
Chief Executive

County Hall  
Preston

15 May 2013

# Agenda Item 3

## **Meeting of the Full Council Meeting to be held on 23 May 2013**

Report submitted by the Chief Executive

**Part A**

Electoral Division affected:  
'All'

## **Report of the Returning Officer of Persons Elected County Councillor 2 May 2013**

(Appendix A refers)

Contact for further information:

Roy Jones, (01772) 533619, Democratic Services, Office of the Chief Executive,  
roy.jones@lancashire.gov.uk

### **Executive Summary**

This report sets out the names of persons duly elected as County Councillors on 2 May 2013.

### **Recommendation**

To note the persons elected County Councillor on the 2 May 2013.

### **Background and Advice**

On Thursday 2 May 2013, the County Council held its Elections for all 84 seats, the results of which were declared on Friday 3 May 2013.

In accordance with the Local Government Act 1972, the Chief Executive as Returning Officer for the election of County Councillors for the County of Lancashire has returned to the County Council, the names of the persons who were, on 2 May 2013, duly elected as County Councillors for the Electoral Divisions as set out in Appendix A.

### **Consultations**

N/A

### **Implications:**

This item has the following implications, as indicated:

## **Risk management**

County Council Elections must be held every four years.

### **Local Government (Access to Information) Act 1985 List of Background Papers**

Paper	Date	Contact/Directorate/Tel
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Nil

Reason for inclusion in Part II, if appropriate

N/A

I, **Phil Halsall**, the Returning Officer for the election of County Councillors for the County of Lancashire hereby return to the County Council, the names of the persons who were, on the 2 May 2013, duly elected as County Councillors for the Electoral Divisions set out below:

**Burnley**

Burnley Central East	Dr Misfar Hassan
Burnley Central West	Tony Martin
Burnley North East	Terry Burns
Burnley Rural	Margaret Brindle
Burnley South West	Jeff Sumner
Padiham & Burnley West	Marcus Johnstone

**Chorley**

Chorley East	Terry Brown
Chorley North	Mark Perks
Chorley Rural East	Kim Snape
Chorley Rural North	Michael Devaney
Chorley Rural West	Keith Iddon
Chorley South	Bev Murray
Chorley West	Steven Holgate

**Fylde**

Fylde East	Mrs Liz Oades
Fylde South	Paul Rigby
Fylde West	Paul Hayhurst
Lytham	Tim Ashton
St Annes North	Peter Buckley
St Annes South	Mrs Fabian Craig-Wilson

**Hyndburn**

Accrington West	Munsif Dad
Accrington North	Clare Pritchard
Accrington South	Bernard Dawson
Great Harwood	Gareth Molineux
Oswaldtwistle	Peter Britcliffe
Rishton & Clayton-le-Moors	Miles Parkinson

**Lancaster**

Heysham	Ken Brown
Lancaster Central	Gina Dowding
Lancaster East	Richard Newman-Thompson
Lancaster Rural East	Susie Charles
Lancaster Rural North	Alycia James
Lancaster South East	Chris Henig
Morecambe North	Tony Jones
Morecambe South	Darren Clifford
Morecambe West	Janice Hanson
Skerton	Niki Penney

**Pendle**

Pendle Central	Dorothy Lord
Nelson South	Azhar Ali
Brierfield & Nelson North	Mohammed Iqbal
Pendle East	Paul White
Pendle West	Christian Wakeford
West Craven	David Whipp

**Preston**

Preston Central North	Frank De Molfetta
Preston Central South	Carl Crompton
Preston City	Yousuf Motala
Preston East	Kevin Ellard
Preston North	Geoff Driver
Preston North East	Keith Sedgewick
Preston North West	David Borrow
Preston Rural	George Wilkins
Preston South East	Jennifer Mein
Preston West	Bill Winlow

**Ribble Valley**

Clitheroe	Ian Brown
Longridge with Bowland	David Smith
Ribble Valley North East	Albert Atkinson
Ribble Valley South West	Alan Schofield

**Rossendale**

Rossendale East	Jackie Oakes
Rossendale North	Alyson Barnes
Rossendale South	Anne Cheetham
Rossendale West	David Stansfield
Whitworth	Sean Serridge

**South Ribble**

Bamber Bridge and Walton-le-Dale	David Watts
Farington	Mike Otter

**South Ribble continued**

Leyland Central	Matthew Tomlinson
Leyland South West	Michael Green
Penwortham North	David Howarth
Penwortham South	Sue Pryn
South Ribble Rural East	Barrie Yates
South Ribble Rural West	Graham Gooch

**West Lancashire**

Ormskirk West	Nikki Hennessy
Skelmersdale Central	Terry Aldridge
Skelmersdale East	John Fillis
Skelmersdale West	Julie Gibson
West Lancashire East	David Westley
West Lancashire North	Malcolm Barron
West Lancashire South	David O'Toole
West Lancashire West	Cynthia Dereli

**Wyre**

Amounderness	John Shedwick
Fleetwood East	Ron Shewan
Fleetwood West	Lorraine Beavers
Garstang	Sandra Perkins
Poulton-le-Fylde	Alf Clempson
Thornton Cleveleys Central	Jim Lawrenson
Thornton Cleveleys North	Andrea Kay
Wyreside	Vivien Taylor



# Agenda Item 6

## Minutes

At a meeting of the Full Council held at Council Chamber - County Hall, on Thursday, 21 February, 2013

## Present:

County Councillor John Shedwick (Chairman)

## County Councillors

M Devaney	K Ellard	M Parkinson
G Adam	C Evans	N Penney
T Aldridge	P Evans	M Perks
T Ashton	S Fishwick	T Pimblett
G Askew	M France	M Pritchard
A Atkinson	M Green	S Riches
R Bailey	Mrs J Hanson	P Rigby
M Barron	Dr Hassan	G Roper
Mrs R Blow	P Hayhurst	T Sharratt
M Brindle	H Henshaw	M Skilling
P Britcliffe	C Holtom	D M Smith
K Brown	K Iddon	D T Smith
T Brown	M Iqbal	P Steen
M Calvert	J Jackson	J Sumner
Mrs P Case	M Jewell	V Taylor
S Chapman	A Jones	A Thornton
Mrs S Charles	A Kay	C Wells
C Coates	A Knox	M Welsh
Mrs F Craig-Wilson	S Leadbetter	D Westley
C Crompton	P Malpas	G Wilkins
W Cropper	J Mein	Mrs V Wilson
F De Molfetta	P Mullineaux	T Winder
Mrs S Derwent	D O'Toole	B Winlow
G Driver	Mrs L Oades	K Young
J Eaton	M Otter	M Younis

## 1. Apologies and Announcements

Apologies were presented on behalf of County Councillors K Bailey, C Briggs, C Grunshaw, G Jones, P McCann, Y Motala and S Wilkinson.

## 2. Disclosure of Pecuniary and Non-Pecuniary Interests

The Full Council was notified that the following Members wished to make declarations of Pecuniary and Non Pecuniary Interests, as listed, in accordance with the County Council's Code of Conduct for Members:

<b>Name of Councillor</b>	<b>Agenda Item No.</b>	<b>Nature of Interest (non-pecuniary unless stated)</b>
R Bailey	Item 3 – Report of the Cabinet	Wife is an elected member of the North West Ambulance Service and is a Trustee of the Lancashire Defibrillator Campaign.

## 3. Report of the Cabinet (Part A)

### Report of the Cabinet

County Councillor Geoff Driver, Leader of the Council, moved the Report of the Cabinet from its meeting on the 7 February 2013. In moving the report he outlined a number of adjustments to the proposals contained within it. Details of the adjustments were set out in a document circulated to all members, which is appended to these minutes as Annex 1. It contained recommendations on:

- (1) The Revenue Budget 2013/14;
- (2) The Council Tax and Precept 2013/14; and
- (3) The Capital Investment Strategy 2013/14 to 2015/16.

The motion was seconded by County Councillor Albert Atkinson, Deputy Leader. A note from the Chief Executive and the County Treasurer providing advice to members on the proposed adjustments was also circulated to all members and is appended as Annex 1a.

The Chairman adjourned the meeting at this point for a period of fifteen minutes to give members the opportunity to read and consider the adjusted proposals.

On resumption of the meeting there then followed a period of debate.

County Councillor Jennifer Mein moved an Amendment to the Budget proposals on behalf of the Labour Group, which was seconded by County Councillor Ciaran Wells. A copy of the Amendment was circulated to all members and is set out at Annex 2 to these minutes.

The Chairman adjourned the meeting at this point for a period of fifteen minutes to give members the opportunity to read and consider the Amendment.

On resumption of the meeting County Councillor R Bailey declared a Non Pecuniary Interest on the grounds that his wife was an elected member of the North West Ambulance Service and a Trustee of the Lancashire Defibrillator Campaign.

There then followed a period of debate.

The Leader of the Council, as the mover of the original Motion, had the right of reply at the close of the debate, however in accordance with Procedural Standing Order 15.2. (6.2) his speech could last no more than five minutes.

In accordance with Procedural Standing Order 9(1) County Councillor Tony Jones moved that Procedural Standing Orders be suspended to enable the Leader to complete his reply. The Motion was seconded by County Councillor Geoff Roper.

On being put to the vote the Motion was carried and it was

**Resolved:** That Procedural Standing Orders be suspended for the remainder of the Leader's reply to the Labour Group's Amendment.

The Leader completed his reply to the Labour Group's Amendment to the Budget proposals.

On being put to the vote the Labour Group's Amendment was lost.

County Councillor Bill Winlow then moved an Amendment to the Budget proposals on behalf of the Liberal Democrat Group, which was seconded by County Councillor Mark Jewell. A copy of the Amendment was circulated to all members and is set out at Annex 3 to these minutes.

The Chairman adjourned the meeting at this point to give members the opportunity to read and consider the Amendment.

On resumption of the meeting there followed a period of debate.

On being put to the vote the Liberal Democrat Group's Amendment was lost.

County Councillor Sam Riches moved an Amendment to the Budget proposals on behalf of the Green Group, which was seconded by County Councillor Chris Coates. A copy of the Amendment was circulated to all members and is set out at Annex 4 to these minutes.

There then followed a period of debate.

On being put to the vote the Green Group's Amendment was lost.

County Councillor Paul Hayhurst moved an Amendment to the Budget proposals on behalf of the Independent Group, which was seconded by County Councillor

Liz Oades. A copy of the Amendment was circulated to all members and is set out at Annex 5 to these minutes.

There then followed a period of debate.

On being put to the vote the Independent Group's Amendment was lost.

As no further amendments were moved, the Chair put the motion on the County Council's Budget and asked the Full Council to approve the recommendations of the Cabinet, as adjusted, on the:

- i. The Revenue Budget 2013/14;
- ii. The Council Tax and Precept 2013/14; and
- iii. The Capital Investment Strategy 2013/14 to 2015/16.

**Resolved:**

**i. Revenue Budget 2013/14**

<b>Budget</b>	<b>2012/13* Adjusted Base Budget £m</b>	<b>2013/14 Proposed Cash Limit £m</b>
Adult & Community Services	356.004	346.400
Public Health	-	0.272
Children & Young People	162.367	157.683
Environment	179.460	185.934
Office of Chief Executive	23.353	21.475
County Treasurer's Directorate	23.168	20.355
Corporate Expenditure	20.849	14.250
Financing Charges	35.004	32.349
LCCG	-0.249	0.091
Strategic Investment Reserve	10.000	-10.000
Balances & Reserves	-0.400	-5.000
Contribution to LSPs	1.028	-
One-Year additional Investment in Highways Maintenance	6.367	-
Impact of Equal Pay Review to be allocated to services	-2.547	-

<b>Budget</b>	<b>2012/13* Adjusted Base Budget</b>	<b>2013/14 Proposed Cash Limit</b>
Application of Council Tax Freeze Grant		-3.670
Discretionary Local Council Tax Support Hardship Funds		0.750
Investment proposals		14.250
Funds set aside to assist with future downsizing		1.204
<b>Total</b>	<b>814.404</b>	<b>776.343</b>

*\* Reflects in year budget movements between directorates and changes to financing in 13/14 to provide consistency when comparing year on year cash limit movements.*

#### **A. Council Tax and Precept 2013/14**

1. That there be a 2% reduction in Council Tax for 2013/14, and to authorise, in pursuance of the provisions of the Local Government Finance Act 1992, and in order to meet the general expenses of the County Council for the financial year 2013/14:

Budget Requirement	£776.343m
Less formula grant	-£414.335m
Less New Homes Bonus grant	-£1.794m
<b>Equals council tax cash</b>	<b>£360.214m</b>

2. **Council Tax (on the basis of a budget requirement of £776.343m and the Council Tax base now calculated of 331,647.7) for each property valuation band:**

	£
Band A	724.09
Band B	844.77
Band C	965.45
<b>Band D (basic)</b>	<b>1,086.13</b>
Band E	1,327.49
Band F	1,568.85
Band G	1,810.22
Band H	2,172.26

3. The share for each District Council of the net total raised from the Council Tax of £360.214m:

	<b>£</b>
Burnley	22,706,708
Chorley	35,570,874
Fylde	29,779,610
Hyndburn	19,896,881
Lancaster	40,295,555
Pendle	23,644,911
Preston	37,165,318
Ribble Valley	22,866,370
Rossendale	19,629,692
South Ribble	36,252,619
West Lancashire	35,754,073
Wyre	36,651,089
<b>Total raised from the council tax</b>	<b>360,213,700</b>

## **B. Capital Investment Strategy 2013/14 to 2015/16**

1. That the proposals for the Capital Investment Strategy 2013/14 to 2015/16 as set out at Appendix A, including the annual Minimum Revenue Provision policy statement, be agreed and that the following schemes be added as a result of the revenue budget proposals set out above:
  - a) £5m to provide a centre of excellence for the care and treatment of dementia sufferers based on a new Residential Care Home and very sheltered accommodation on the site of Bowgreave Rise in Garstang.
  - b) To invest £0.613m to refurbish a number of Youth Zone satellites across Lancashire
  - c) To invest £0.315m to replace the 7 mobile outreach centres to enhance the Young People's Service particularly in the rural areas of the county
  - d) To invest £0.072m for 12 bespoke information units to create open access / self serve facilities to support the Young People's Service in each of the District Council areas.
  - e) To invest £1m in 4 pilot Changing Places for severely disabled adults to enable greater inclusion within the community.
  - f) That the recent notification of an un-ringfenced capital grant of £1.917m be used to support the capital investment necessary to deliver the entitlement for early education for two year olds from lower income households.
  
2. And in addition, that a further investment in highways maintenance of £6.4m be added to the capital investment programme in 2013/14. These proposals will result in the following capital investment programme:

	<b>Total Programme £m</b>	<b>2013/14 £m</b>	<b>2014/15 £m</b>	<b>2015/16 £m</b>
Adult and Community Services	18.302	6.180	8.439	3.683
Children and Young People	134.101	68.946	42.538	22.617
Environment	138.761	56.513	56.514	25.734
Corporate	49.055	36.435	11.287	1.333
Lancashire County Commercial Group	9.882	4.838	4.044	1.000
<b>Total</b>	<b>350.101</b>	<b>172.912</b>	<b>122.822</b>	<b>54.367</b>

3. This capital investment programme to be funded from capital resources as follows:

	<b>Total Programme £m</b>	<b>2013/14 £m</b>	<b>2014/15 £m</b>	<b>2015/16 £m</b>
Prudential Borrowing	14.432	1.415	5.831	7.186
Capital Receipts	48.872	9.274	7.608	31.990
Revenue Contributions	55.018	26.808	27.210	1.000
Internal Leasing	9.500	4.500	4.000	1.000
Central Government Grants	162.141	106.275	55.866	0
Other Grants and Contributions	43.850	21.240	20.307	2.303
Over programming	16.288	3.400	2.000	10.888
<b>Total</b>	<b>350.101</b>	<b>172.912</b>	<b>122.822</b>	<b>54.367</b>

## **Part B**

### **Matters for Information**

No matters were reported.

### **Notice of Motion**

No Notices of Motion had been received.

Phil Halsall  
Chief Executive

County Hall  
Preston





## **Minutes**

At a meeting of the Full Council held at Council Chamber - County Hall, on Thursday, 28 February, 2013

### **Present:**

County Councillor John Shedwick (Chairman)

### **County Councillors**

M Devaney	P Evans	M Parkinson
T Aldridge	S Fishwick	N Penney
T Ashton	M France	M Perks
G Askew	M Green	T Pimblett
A Atkinson	C Grunshaw	M Pritchard
K Bailey	Mrs J Hanson	S Riches
R Bailey	Dr Hassan	P Rigby
Mrs R Blow	P Hayhurst	G Roper
C Briggs	H Henshaw	T Sharratt
P Britcliffe	C Holtom	M Skilling
K Brown	K Iddon	D M Smith
T Brown	M Iqbal	D T Smith
M Calvert	J Jackson	P Steen
Mrs P Case	M Jewell	J Sumner
S Chapman	A Jones	V Taylor
Mrs S Charles	A Kay	A Thornton
C Coates	J Lawrenson	C Wells
Mrs F Craig-Wilson	S Leadbetter	G Wilkins
W Cropper	P Malpas	Mrs V Wilson
F De Molfetta	J Mein	T Winder
Mrs S Derwent	P Mullineaux	B Winlow
G Driver	D O'Toole	K Young
K Ellard	Mrs L Oades	M Younis
C Evans	M Otter	

## **1. Apologies and Announcements**

### **Apologies**

Apologies for absence were presented on behalf of County Councillors G Adam, M Barron, M Brindle, C Crompton, J Eaton, G Jones, A Knox, Y Motala, M Welsh, D Westley and S Wilkinson.

### **Announcements**

#### **Award in the New Year Honours List**

The Chairman was proud to announce that Mrs Eileen Bleasdale, Headteacher, Laneshawbridge Primary School, Colne, had been awarded an OBE in the New Year Honours List for her services to education.

The Chairman asked that the congratulations of all councillors to Mrs Bleasdale for her achievements be placed on record.

#### **County Council Elections 2013**

The Chairman acknowledged that this was the last meeting of the Full Council in this municipal year and the last meeting before the County Council elections in May. There were a number of Members who would not be standing for re-election and the Chairman took this opportunity to record the County Council's appreciation for the many years of service provided by those Members.

#### **Mr Richard Jones, Executive Director for Adult and Community Services**

The Chairman congratulated Richard Jones, Executive Director for Adult and Community Services on his recent appointment as Director of the Lancashire Area Team of the NHS Commissioning Board. He thanked Mr Jones for his hard work within the County Council and, on behalf of the Council, wished him well in his new role.

## **2. Disclosure of Pecuniary and Non-Pecuniary Interests**

None disclosed

## **3. Confirmation of Minutes from meeting held 13 December 2012**

**Resolved:** That the Minutes of the meeting of the County Council held on the 13 December 2012 be confirmed and signed by the Chair.

#### **4. Lancashire County Council Treasury Management Policy and Strategy 2013/14**

The report outlined the proposed Treasury Management Policy Framework for 2013/14 as required by the Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management Code of Practice (2011). It included the County Council's borrowing and investment strategies, together with the treasury management prudential indicators which sought to ensure that the Council's borrowing levels remained both sustainable and affordable.

The Leader of the County Council had considered the Treasury Management Policy Framework for 2013/14 set out at Appendices A and B to the report now presented and recommended it to the Full Council for approval.

**Resolved:** That the Treasury Management Policy and Strategy for 2013/14 as set out in Appendices A and B to the report now presented, be approved.

#### **5. Financial Threshold for Key Decisions**

The report explained that the Council was required, each year, to specify the financial threshold above which “domestic” decisions (affecting the internal workings of the Authority) should be treated as Key Decisions as defined in Standing Order 25(1)(b).

It was recommended that the financial threshold for Key Decisions should remain unchanged at £1.4m for 2013/14.

**Resolved:** That the financial threshold for Key Decisions, for the purposes of Standing Order 25(1)(b), remain at £1.4m for 2013/14.

#### **6. Members' Allowance Scheme 2013/14**

The report set out the proposed Members' Allowance Scheme for 2013/14. In moving the report the Leader recommended that members' allowances within the Scheme should not be increased for 2013/14. His proposal was seconded by County Councillor Albert Atkinson. On being put to the vote it was:

**Resolved:** That the 2013/14 Members' Allowance Scheme would remain unchanged from the 2012/13 Scheme.

#### **7. Pay Policy Statement 2013/14**

The report set out at Appendix A the proposed 2013/14 Pay Policy statement as required by the Localism Act 2011.

**Resolved:** That the 2013/14 Pay Policy Statement, as set out at Appendix A to the report now presented, be approved.

## **8. Local Transport Body for Lancashire**

The report explained that the Department for Transport (DfT) had confirmed its intention to devolve funding for local major transport schemes to newly established Local Transport Bodies (LTBs) from 2015/16.

To comply with Government guidance, the County Council, Blackpool Council and Blackburn with Darwen Council (BwD), as Lancashire's three local highway authorities, in conjunction with the Lancashire Enterprise Partnership (LEP), had to agree how best to discharge their shared responsibilities with regard to creating a LTB and managing a local major transport scheme programme.

To this end, Blackpool and BwD Councils had formally agreed to the formation of a specially constituted Committee of the LEP Board to perform the functions of the LTB, and with responsibility for prioritising and agreeing Lancashire's local major transport scheme programme.

Subject to formal approval of the County Council, it had been agreed by Blackpool and BwD Councils and the LEP Board that the Leader of the County Council, or his nominee, would be the Chair of the LTB, which would be known as 'Transport for Lancashire'. Following formal approval by the County Council the Articles of the LEP would be amended to ensure that this Committee had full delegated power to act.

Once 'Transport for Lancashire' had been established, local major transport funding estimated to be worth around £35m over a 4-year period would be made available by Government. With 'Transport for Lancashire' arrangements in place, strategic economic development and transport priorities/schemes could be clearly defined and agreed, which was critical to achieving Lancashire's economic and housing growth ambitions.

### **Resolved: That**

- i. The formation of a specially constituted Committee of the Lancashire Enterprise Partnership Board (with a local authority majority) to perform the functions of the Local Transport Body, and with responsibility for prioritising and agreeing Lancashire's local major transport scheme programme, as set out in section 1 of the report now presented, be agreed.
- ii. It be noted that the Leader of the County Council (or his nominee) would be the Chair of 'Transport for Lancashire'.

## 9. Employment Committee - Revised Terms of Reference

The report set out recommendations of the Employment Committee in respect of changes to the Committee's terms of reference.

**Resolved:** It be agreed that:

- i. The Employment Committee would retain decisions in relation to:
  - Named and Senior Officers (as set out in Appendix A to the report now presented).
  - The Council's pay and grading structure.
  - Collective disputes.
  - The determination of policy relating to employer discretions and/or consent of the LGPS and TPS.
  - Recommending approval of an annual Pay Policy Statement to Full Council.
  - The payment of fees and allowances into Employment Committee decisions on the Council's pay and grading structure.
  - Monitoring the operation of the Statement of Ethical Standards for Employees and the Register of Interests for Employees
- ii. Decisions in relation to employment policies, procedures and practices, including recruitment and selection, be delegated to the Director of Human Resource and Payroll.
- iii. In relation to 2 above, any collective agreements relating to the review and amendment of employment policies, procedures and practices should also be delegated to the Director of Human Resource and Payroll.
- iv. Decisions relating to the trade union facilities agreement be delegated to the Director of Human Resource and Payroll.
- v. Subject to the minor amendment to paragraph 1.1 referred to in the report now presented, the revised terms of reference of the Employment Committee as set out at Appendix A to the report now presented be agreed.

## 10. Report of the Cabinet (Part B)

The Leader of the Council moved Part B of the report of the Cabinet from its meetings on the on the 6 December 2012, 3 January 2013 and 7 February 2013.

**Resolved:** That the report of the Cabinet from its meetings on the 6 December 2012, 3 January 2013 and 7 February 2013, be noted.

**11. Amendments to the Scheme of Delegation to Chief Officers**

**Resolved:** That the report of amendments to the Scheme of Delegation to Chief Officers, as now presented, be noted.

**12. Urgent Key Decisions**

**Resolved:** That the report of urgent key decisions taken by the Leader, the Cabinet Member for Children and Schools and the Cabinet Member for Highways and Transport during the preceding three months, as now presented, be noted.

**13. The Overview and Scrutiny Committees**

County Councillor John Shedwick presented the reports of the Overview and Scrutiny Committees from their meetings as follows:

<b>Committee</b>	<b>Date of Meeting</b>
Scrutiny Committee	07 December 2012 18 January 2013
Health Scrutiny Committee	17 January 2012
Education Scrutiny Committee	25 January 2013

**Resolved:** That the reports of the Overview and Scrutiny Committees, as now presented, be received.

**14. Report of Audit and Governance Committee**

County Councillor Sam Chapman presented the report of the Audit and Governance Committee from its meeting on the 14 January 2013.

**Resolved:** That the report of the Audit Committee, as now presented, be received

**15. Report of the Combined Fire Authority**

County Councillor John Shedwick presented the report of the Lancashire Combined Fire Authority from its meetings on the 10 December 2012, 14 January 2013 and 11 February 2013.

**Resolved:** That the report of the Lancashire Combined Fire Authority, as now presented, be received.

## 16. Notices of Motion

The following **Notices of Motion** had been submitted under Procedural Standing Order 14.2.1(a).

1. It was moved by County Councillor Peter Britcliffe and seconded by County Councillor Michael Green that:

**"This County welcomes the opportunity given to us by David Cameron of an IN or OUT referendum on the issue of our membership of the European Union."**

Following a period of debate the Motion was put to the vote. Six County Councillors requested a recorded vote in accordance with procedural Standing Order 15.2 (9.4). The names of county councillors who voted for or against the Motion and those who abstained are set out below:

### **For (48)**

T Ashton	G Driver	M Otter
GW Askew	C Evans	M Perks
A Atkinson	P Evans	ME Pritchard
K Bailey	SMD Fishwick	P Rigby
RM Bailey	MP France	GW Roper
RN Blow	MA Green	JSC Shedwick
P Britcliffe	CJ Holtom	DM Smith
K Brown	K Iddon	DT Smith
M Calvert	JP Jackson	P Steen
PM Case	AP Jones	V Taylor
SA Chapman	AD Kay	AH Thornton
SMG Charles	RJC Lawrenson	GA Wilkins
F Craig-Wilson	S Leadbetter	VM Wilson
WJ Cropper	P Malpas	T Winder
SR Derwent	P Mullineaux	KA Young
M Devaney	DM O'Toole	M Younis

### **Against (8)**

CE Briggs	TE Sharratt
H Henshaw	M Skilling
MG Jewell	J Sumner
AE Pimblett	B Winlow

### **Abstained (15)**

T Aldridge	M Iqbal
T Brown	J Mein
CB Coates	EA Oades
F De Molfetta	M Parkinson
KR Ellard	N Penney
C Grunshaw	S Riches
J Hanson	CA Wells
M Hassan	

The Motion was carried and it was:

**Resolved:** That, this County welcomes the opportunity given to us by David Cameron of an IN or OUT referendum on the issue of our membership of the European Union.

2. It was moved by County Councillor Dr Misfar Hassan and seconded by County Councillor Mohammed Iqbal that:

**"This Council resolves to review the decision to amalgamate ACERS provisions.**

**The amalgamation of the ACERS (Alternative and Complementary Education and Residential Service) provision for children and young people with emotional behaviour difficulties and mental and physical health problems has been detrimental to the health of young people in Lancashire. Children with mental health issues are now in a more vulnerable position which is causing them further distress."**

Following a period of debate the Motion was put to the vote and was lost.

**Resolved:** That the Notice of Motion be not carried.

Phil Halsall  
Chief Executive

County Hall  
Preston



**Meeting of the Full Council  
Meeting to be held on 23 May 2013**

Report submitted by the Chief Executive

**Part A**

Electoral Division affected:  
All

**Membership of Committees and Related Appointments for 2013/14**  
(Appendix A refers)

Contact for further information:  
Josh Mynott (01772) 534580, Democratic Services, Office of the Chief Executive  
josh.mynott@lancashire.gov.uk

**Executive Summary and Recommendation**

The Full Council is asked to:

- i. determine the constitution and membership of Committees for 2013/14, as set out at a) below.
- ii. Consider the appointment of the Chairs and Deputy Chairs of Committees for 2013/14, as set out at b) below.

**Background and Advice**

**a) Constitution and Membership of various Committees of the County Council 2013/14**

Full Council is required to approve the constitution and membership of committees in accordance with political balance rules set out in the Local Government and Housing Act 1989.

This means that the makeup of each committee must reflect the proportions of seats held on the Full Council by each political group. The composition of each committee in line with these rules following the county council election on 2 May is set out at Appendix A. Nominations for membership are to be made in writing by the respective Groups to the County Secretary and Solicitor.

**b) Appointment of Chairs and Deputy Chairs of Committees 2013/14**

The Constitution requires that the County Council must, at its Annual Meeting, consider the appointment of various Chairs and Deputy Chairs of Committees for the following year.

Full Council is therefore asked to consider the appointment of a Chair and Deputy Chair for the following Committees for 2013/14.

- Urgency Committee
- Scrutiny
- Health Scrutiny
- Education Scrutiny
- Development Control
- Regulatory
- Commons and Town Greens Sub-Committee
- Audit and Governance
- Pension Fund
- Pension Fund Administration Sub-Committee
- Corporate Complaints Committee
- Student Support Appeals Committee
- Employment Committee
- Conduct Committee

### **Consultations**

N/A

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

It is a statutory requirement that the Full Council must approve political group balance allocations on Committees and Standing Orders require the appointment of Chairs and Deputy Chairs of Committees.

### **Local Government (Access to Information) Act 1985 List of Background Papers**

Paper	Date	Contact/Directorate/Tel
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Nil

Reason for inclusion in Part II, if appropriate

N/A

## Committee Structure May 2013

### 1. Committees

Committee	Total membership	Total County Cllrs	Lab	Con	Lib Dem	Ind	Co-opted
Full Council (Percentage of seats)	84	84	39 (46.43%)	35 (41.67%)	6 (7.14%)	4 (4.76%)	-
Audit and Governance	9	9	4	4	1	0	0
Conduct	5	5	2	2	1	0	0
Corporate Complaints	9	9	4	4	1	0	0
Student Support Appeals	4	4	2	2	0	0	0
Pension Fund	21	14	6	6	1	1	7 (v)
Pension Fund Admin Sub	7	5	2	2	1	0	2 (v)
Development Control	15	15	7	6	1	1	0
Regulatory	15	15	7	6	1	1	0
Commons and Town Greens	11	11	5	5	1	0	0
Employment	5	5	2	2	1	0	0
Urgency	10	10	5	4	1	0	0
Scrutiny	13	13	6	5	1	1	0
Health Scrutiny	25	13	6	5	1	1	12 (nv)
Education Scrutiny	18	13	6	5	1	1	5 (v)
Health and Wellbeing Board*	21	3	-	-	-	-	-

\*Health and Wellbeing Board members are specified in the constitution as the Cabinet Members for Health and Wellbeing (who will Chair the HWB); Adult and Community Services; and Children and Schools.

### 2. Joint Committees

Committee	Total membership	Total County Cllrs	Lab	Con	Lib Dem	Ind	Others (incl co-opted)
Combined Fire Authority**	25	19	9	8	1	1	6#
Joint Lancashire Health Scrutiny	20	9	4	4	1	0	11^

# Three full members each from Blackpool and Blackburn with Darwen Councils

^ Three full members each from Blackpool and Blackburn with Darwen Councils, two full members from Cumbria County Council where matters under consideration also affect Cumbria; plus three nonvoting co-opted members.

\*\* See separate report



# Agenda Item 9

## Meeting of the Full Council Meeting to be held on the 23 May 2013

Report submitted by the Chief Executive

**Part A**

Electoral Division affected:  
All

### **Police and Crime Panel for Lancashire Constitution, Terms of Reference, Panel Arrangements and Operational Procedures.**

(Appendices A, B and C refer)

Contact for further information: Roy Jones (01772) 533619, Democratic Services,  
Office of the Chief Executive [Roy.jones@lancashire.gov.uk](mailto:Roy.jones@lancashire.gov.uk)

#### **Executive Summary**

To consider the constitution of the Police and Crime Panel and note the arrangements and Operational Procedures of the Police and Crime Panel in the light of the outcome of the County Council election and experience gained during the first year of operation.

#### **Recommendation**

Full Council is asked to:

- i. confirm the revised constitution of the Police and Crime Panel for Lancashire on the basis as set out in this report;
- ii. appoint a member to the Police and Crime Panel for 2013/14;
- iii. note the Terms of Reference of the Panel and the arrangements/operational procedure as set out in this report;
- iv. reaffirm the appointment of Ian Fisher, County Secretary and Solicitor, as the Secretary to the Panel.

#### **Background and Advice**

The Police Reform and Social Responsibility Act 2011 introduced Police and Crime Panels (PCP) as formal joint committees of all the local authorities in a police force area, with the following main responsibilities.

- making recommendations on the Police and Crime Commissioners (PCC) Police and Crime Plan and Annual Reports.
- consider the PCCs appointment of a Chief Constable with the Panel having power of veto over the appointment

- consider the level of precept to be set by the PCC, again with a power of veto,
- review certain senior appointments by the PCC,
- scrutinise and support the activities of the PCC,

For Lancashire the police force area includes the County Council, 12 District Councils and the two Unitary Councils. The first meeting of the Police and Crime Panel for Lancashire was held on the 31 July 2012.

### **Constitution of the PCP**

In Lancashire, the Panel was initially made up of 15 elected members, one from each Authority. Up to an additional 3 elected members can be added in order to achieve the 'balanced appointment objective' so that when taken together the members of the Panel represented the political make up of all the relevant local authorities for the police area and had the skills, knowledge and experience necessary for it to discharge its functions effectively. Having considered the provisions in legislation and options available for applying a political balance to the Panel, it was agreed that the constitution of the PCP for 2012/13 should be based on a calculation of current political balances across the whole membership of authorities, with the Independent members being grouped together as a whole. It was subsequently agreed to appoint an additional three elected members to achieve political balance at that time. The Home Secretary subsequently approved this basis in order to achieve the political balance objective.

In addition to the above members the Panel also agreed to appoint 2 independent co-opted members, who are not elected representatives, to serve on the Panel until July 2016.

The Panel's make up for 2012/13 was accordingly -

#### **18 Elected Members** (plus 2 Independent persons)

Labour 8	Conservative 8	Lib Dem 1	Independent Member 1
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It has previously been agreed that Council members of the Panel will serve a 12 month term on the Panel, and that the political balance of the Panel will be reviewed after local elections each May.

Following the County Council elections on the 2<sup>nd</sup> May the political balance has been recalculated, and the revised balance that now best achieves political balance across the 15 local authorities is:

#### **17 Elected Members** (plus 2 Independent persons)

Labour 8	Conservative 7	Lib Dem 1	Independent Member 1
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Each Local Authority is therefore asked to agree to the balance of the Panel for 2013/14 as above and to appoint a member to the Panel (two local Authorities by agreement will be asked to appoint an additional member). The Home Secretary will

be notified of the revised Panel arrangements to satisfy political balance requirements.

As reported previously local authorities combined must 'agree' to the balance of the Panel and the Home Office has powers to intervene and make appointments if agreement cannot be reached locally, though it has been made clear that the best Panel arrangements are those which are locally determined.

Each local authority in the Lancashire police area has been consulted on the proposed establishment of the Police and Crime Panel as outlined above and the names of representatives appointed to serve on the Panel will be provided at Full Council.

### **Terms of Reference, Arrangements and Roles and Responsibilities**

A copy of the current Terms of Reference of the Panel is set out at Appendix 'A' to this report.

The arrangements for the Panel are set out at Appendix 'B' and the Operational Procedure at Appendix 'C'. Both documents are based on legislation, guidance and regulations which were available and updated to reflect further government guidance and decisions taken by the Panel during 2012/13. It should be noted that at the next scheduled meeting in July the Panel will be asked to consider any adjustments that may be required following the operation during the first year.

### **Programme of Meetings for the Panel**

During its first year of operation the PCP met six times with the next scheduled meeting due to be held at 10.00am on the 8 July 2013 in Committee Room 'A' at the Town Hall, Corporation Street, Blackpool.

With the agreement of the Panel meetings have rotated between Preston, Blackburn and Blackpool and in the light of experience the following suggested programme of meetings for 2013/14 is to be put to the PCP in July for consideration.

- Tuesday 15 October, 2013, at the Town Hall, King William Street, Blackburn.
- Monday 27 January 2014 at County Hall, Preston.
- Tuesday 11 February 2014 at the Town Hall, King William Street, Blackburn.
- Monday 7 April 2014 at County Hall, Preston
- Monday 7 July 2014 at the Town Hall, Corporation Street, Blackpool.

### **Host Authority**

Lancashire County Council has previously been appointed as the Host Authority for the administration and support to the PCP, and the County Secretary and Solicitor appointed as Secretary to the Panel.

## Allowances

The Home Secretary has previously indicated that members of PCPs will be entitled to an annual allowance of £920 (£460 pro rata for 2012/13). Confirmation of the payment for 2012/13 for members of the panel is awaited from the Home Office.

## Decisions Required

Full Council is asked to:

- i. confirm the revised constitution of the Police and Crime Panel for Lancashire on the basis as set out in this report;
- ii. appoint a member to the Police and Crime Panel for 2013/14;
- iii. note the Terms of Reference of the Panel and the arrangements/operational procedure as set out in this report;
- iv. reaffirm the appointment of Ian Fisher, County Secretary and Solicitor, as the Secretary to the Panel.

## Consultations

All local authorities represented on the PCP were previously consulted and agreed to the basis of the political balance on the Panel.

## Implications:

This item has the following implications, as indicated:

## Risk management

The requirement for an independent Police and Crime Panel for Lancashire is in accordance with the provisions of the Police Reform and Social Responsibility Act 2011.

## Local Government (Access to Information) Act 1985

### List of Background Papers

Paper	Date	Contact
Report to Full Council	May 2012	M Neville, Office of the Chief Executive 01772 533431
<a href="#">Local election results</a>	3 May 2013	
Responses received from Individual local authorities regarding nominated representatives	May 2013	
Reason for inclusion in Part II, if appropriate		
N/A		



**Lancashire Police and Crime Panel  
Terms of Reference**

The Panel will exercise the following powers under the Police Reform and Social Responsibility Act 2011, and all other enabling powers, discharging its functions in accordance with the Policing Protocol Order 2011.

- 1) To review and make a report or recommendation(s) on the draft police and crime plan, or draft variation, given to the Panel by the Police and Crime Commissioner (the Commissioner).
- 2) To review, put questions to the Commissioner at a public meeting, and make a report or recommendation (as necessary) on the Commissioner's annual report.
- 3) To hold a confirmation hearing in public and review, make a report and recommendation (as necessary) in respect of proposed appointments by the Commissioner of Chief Constable, Chief Executive, Chief Finance Officer, and Deputy Police and Crime Commissioner.
- 4) To hold a scrutiny meeting in private and make a recommendation to the Commissioner on a proposal by the Commissioner to call upon the Chief Constable to retire or resign.
- 5) To review and make a report and recommendation (as necessary) on the proposed precept.
- 6) To review or scrutinise decisions made, or other action taken, by the Commissioner in connection with the discharge of his/her functions.
- 7) To make reports or recommendations to the Commissioner with respect to the discharge of the Commissioner's functions.
- 8) To support the effective exercise of the Commissioner's functions.
- 9) To fulfil functions in relation to complaints about conduct matters, in accordance with the Panel's responsibilities as provided for by the Police Reform and Social Responsibility Act 2011.
- 10) To appoint, if necessary, an Acting Police and Crime Commissioner.
- 11) To suspend the Commissioner if it appears to the Panel that the Commissioner has been charged in the United Kingdom or Isle of Man with an offence which carries a maximum term of imprisonment exceeding two years.



**Lancashire Police and Crime Panel  
Panel Arrangements**

**1 General Principles**

- 1.1 Lancashire County Council shall act as the host authority for the Police and Crime Panel. The County Council will act as Secretary to the Panel and shall be responsible for ensuring that the necessary officer support is provided and that any necessary arrangements are made to promote the role of the Panel.
- 1.2 The Panel must be made up of a minimum of 15 councillors and 2 independent co-opted members.
- 1.3 The constitution of the Panel should take account of, as far as is practical, both political and geographical proportionality, as well as the necessary knowledge, skills and experience to discharge its functions effectively – “the balanced appointment” objective.
- 1.4 Additional members may be co-opted on to the Panel to enable the balanced appointment objective to be met, as long as the size does not exceed 20 and the Secretary of State approves the co-options. Additional Members may or may not be councillors.

**2 Membership**

- 2.1 The constituent councils on the Panel are the County Council, the two unitary authority councils and the twelve district councils in Lancashire.
- 2.2 The Panel’s membership will be made up of one councillor from each constituent Council and the 2 independent co-opted members, plus any additional Councillors from specific authorities in order to achieve the “balanced appointment” objective.
- 2.3 All County Councillors and District Councillors are eligible to be members of the Panel.
- 2.4 All Councillors on the Panel will serve a term of 12 months.
- 2.5 Each constituent council may send a substitute member to meetings, as notified to the Secretary to the Panel, and this substitute member will be permitted to act as a substitute member with full voting rights at meetings of the Panel and any Task Groups appointed by the Panel. A substitute member must be from the same party as the member appointed by the constituent council. If the panel member is an independent councillor then any substitute must also be an independent councillor.

### **3. Independent Members**

- 3.1 The Panel has previously agreed to co-opt two independent members onto the Panel for a term of four years (July 2016).
- 3.2 The lead authority will undertake the selection process on behalf of the Panel for co-opting independent members which will include a reasonable period of public advertisement for the positions. The closing date for the receipt of applications will not be less than two weeks from the date the advertisement is first placed.
- 3.3 Information packs will be prepared and sent to those requesting application forms.
- 3.4 The applications will be considered against agreed eligibility criteria and then the Chairman and Deputy Chairman of the Panel and three other Panel members will be invited to meet to consider applications and interview candidates, in accordance with the “balanced appointment objective”.
- 3.5 Following the interviews, the five members will make recommendations to the Panel about the appointments.
- 3.6 Additional members who are councillors will be appointed by the Panel for a 12 month term.

### **4 Vacancies**

- 4.1 A vacancy on the Panel arises when a County Councillor, District Councillor or an independent member ceases to be a member of the Panel for any reason.
- 4.2 Each council will fill vacancies for elected members in accordance with the arrangements in their constitution. Vacancies for independent members will be filled in accordance with the selection process outlined in section 3.

### **5 Resignation and Removal of Members**

Arrangements to be decided

### **6. Conditions for reappointment of members**

- 6.1 Councillors may serve more than one 12 month term.
- 6.2 Co-opted members may be eligible to apply for a subsequent four year term but may not serve more than two consecutive four year terms.

## **7. Costs of the Panel**

- 7.1 The costs of the Panel will be borne by the constituent councils. The Home Office has agreed to provide funding for administrative costs.
- 7.2 An annual lump sum allowance will be paid to each member of the Panel in recognition of their personal commitment and expenses arising in undertaking their role on the Panel. The allowance will be agreed annually by the Panel.
- 7.3 The lead authority will have responsibility for the financial arrangements to support the operation of the Panel, including the receipt of funds (whether paid by the Home secretary or otherwise) and the making of payments between the constituent councils and to panel members.



**Lancashire Police and Crime Panel  
Operational Procedure**

**1 Chairman of the Police and Crime Panel**

- 1.1 The Chairman will be appointed by the Panel at its Annual meeting each year and will be drawn from amongst the councillors sitting on the Panel.
- 1.2 The Deputy Chairman will be appointed by the Panel at its Annual meeting each year and will be drawn from amongst the councillors sitting on the Panel.
- 1.3 In the event of the resignation of the Chairman or Deputy Chairman or the removal of the Chairman/Deputy Chairman, a new Chairman/Deputy Chairman will be appointed at the next meeting and will be drawn from amongst the councillors sitting on the Panel.
- 1.4 The Panel will elect a councillor member to preside at a meeting if the Chairman and Deputy Chairman are not present
- 1.5 The Panel may consider the removal of the Chairman during the year if it is satisfied that he/she:
  - a) has, without reasonable excuse, failed to carry out the duties for a continuous period of six months;
  - b) has acted improperly, recklessly or negligently in relation to his/her duties;
  - c) is otherwise unable or unfit to perform his/her duties;
  - d) or that the circumstances are such that they are exceptional and would warrant the removal of the Chairman eg. a conviction or caution in respect of a relevant criminal offence.

**2 Meetings of the Police and Crime Panel**

- 2.1 There shall be a minimum of four ordinary meetings of the Panel held in public in each municipal year in order to carry out the functions of the Panel. The Panel will determine the schedule of dates and times of its ordinary meetings each year, including a date for its Annual Meeting.
- 2.2 Extraordinary meetings of the Panel may also be called from time to time by the Chairman or by four members of the Panel giving notice to the Secretary to the Panel.
- 2.3 An extraordinary meeting may also be called by the Secretary to the Panel if he/she considers it to be necessary.

- 2.4 Ordinary meetings of the Panel will:
- Receive any declarations of interest from members.
  - Approve the minutes of the last meeting.
  - Consider reports from officers and Panel members.
- 2.5 The Secretary to the Panel will give notice to the public of the time and place of any meeting in accordance with Access to Information requirements. At least five clear working days before a meeting, the Secretary shall send notice of the meeting to every Panel member. The notice shall give the date, time and place of each meeting and specify the business to be transacted, and shall be accompanied by such reports as are available.
- 2.6 The publication of reports or recommendations is subject to the exclusion of any exempt or confidential information as defined in the rules on access to information in the Local Government Act 1972 (as amended).

### **3 Quorum**

- 3.1 A meeting of the Panel cannot take place unless not less than one third of the whole number of its members is present.
- 3.2 In the event of a meeting being inquorate, it shall stand temporarily adjourned for 15 minutes and if, thereafter, there is still not a quorum the meeting shall stand finally adjourned. At the point of adjournment, or subsequently, the Chairman may agree arrangements for the meeting to be reconvened.

### **4 Work Programme**

- 4.1 The Panel will set its own work programme and, in doing so, may wish to take into account the priorities defined by the Commissioner and the wishes of its members.
- 4.2 The work programme must include the functions described in the Terms of Reference for the Panel.

### **5 Agenda Items**

Any member of the Panel shall be entitled to give notice to the Secretary of the Panel that he or she wishes an item relevant to the functions of the Panel to be included on the agenda for the next available meeting.

### **6 Reports from Police and Crime Panel**

- 6.1 Where the Panel makes a report to the Commissioner on the discharge of its functions, it must choose to publish the report or recommendations



- 6.2 The Panel must by notice in writing require the Commissioner, as appropriate, within one month of the date on which the Commissioner receives the report or recommendations to:
- a) Consider the report or recommendations;
  - b) Respond to the Panel indicating what (if any) action the Commissioner proposes to take;
  - c) Where the Panel has published the report or recommendations, publish the response;
  - d) Where the Panel has provided a copy of the report; or recommendations to a member, provide a copy of the response to the member.
- 6.3 If the Panel cannot unanimously agree on the terms of any report to the Commissioner then a report agreed by the majority of the Panel will be submitted for consideration together with a separate report prepared by the minority.

## **7. Police and Crime Commissioner and Officers Giving Account**

- 7.1 The Panel may scrutinise and review decisions made or actions taken in connection with the Commissioner's role.

As well as reviewing documentation, in fulfilling its scrutiny role it may require the Commissioner, and members of the Commissioner's staff, to attend before the Panel (at reasonable notice) to answer any questions which appear to the Panel to be necessary in order to carry out its functions.

- 7.2 Where the Commissioner, or a member of the Commissioner's staff, is required to attend the Panel under this provision the Secretary will inform them in writing giving, where practicable, reasonable notice of the meeting. The notice will state the nature of the item on which he or she is required to attend to give account and whether any papers are required for production for the Panel. Where it is necessary to produce a report, sufficient time will be given to allow preparation of that report.
- 7.3 Where, in exceptional circumstances, the Commissioner is unable to attend on the required date an alternative date for attendance may be arranged, following consultation with the Chairman of the Panel.
- 7.4 If the Panel require the Commissioner to attend a meeting, the Panel may (at reasonable notice) request the Chief Constable to attend on the same occasion to answer any questions which appear to the Panel to be necessary in order for it to carry out its functions.

## **8 Attendance by Others**

The Panel may invite people other than those referred to in Paragraph 7

above to address it, discuss issues of local concern and/or answer questions. It may, for example, wish to hear from residents, stakeholders, councillors who are not members of the Panel and officers in other parts of the public sector.

## **9 Task Groups**

- 9.1 Time limited task groups may be established from time to time by the Panel to undertake specific, task-based work.
- 9.2 Task groups may not co-opt other persons.
- 9.3 The special functions of the Panel specified in paragraph 9.4 below may not be discharged by a task group of the Panel.
- 9.4 In this paragraph 'special functions' means the functions conferred on the Panel by:
  - a) Section 28(3) of Police Reform and Social Responsibility Act (the Act) (scrutiny of Police and Crime Plan).
  - b) Section 28 (4) of the Act (scrutiny of annual report).
  - c) Paragraphs 10 and 11 of Schedule 1 of the Act (review of senior appointments).
  - d) Schedule 5 of the Act (issuing precepts) Part 1 of Schedule 8 of the Act (scrutiny of appointment of the Chief Constable).
- 9.5 The work undertaken by a task group will be scoped and defined by the Panel beforehand, together with the timeframe within which the work is to be completed and the reporting time for the outcome of the work.

## **10 Carrying out 'Special Functions'**

Reports and recommendations made in relation to the functions outlined in the Terms of Reference will be carried out in accordance with the procedure outlined at section 7 above.

### **10.1 Senior appointments**

- 10.1.1 Where the Panel exercises its powers to review the Commissioner's proposed appointments of Chief Constable, Chief Executive, Chief Finance Officer and Deputy Police and Crime Commissioner, the meetings held to confirm these appointments must be held in public.
- 10.1.2 The Panel will be notified by the Commissioner of the need for a confirmatory hearing in respect of proposed senior appointments. This will be held at the next available meeting of the Panel unless the appointment timescale requires an earlier hearing, in which case an extraordinary meeting will be arranged.

- 10.1.3 In relation to the appointment of the Chief Constable, the Panel is required to hold a hearing within the period of three weeks from the day on which it receives notification from the Commissioner.
- 10.1.4 At a confirmatory hearing the candidate is requested to appear for the purpose of answering questions relating to the appointment. Following this hearing, the Panel is required to review the proposed appointment and make a report to the Commissioner.
- 10.1.5 For a confirmatory hearing for the proposed appointment of the Chief Constable, in addition to the requirement to review and report, the Panel must make a recommendation on the appointment and has the power to veto the appointment.
- 10.1.6 Having considered the appointment, the Panel will be asked to either:
- a) support the appointment without qualification or comment;
  - b) support the appointment with associated recommendations, or
  - c) veto the appointment of the Chief Constable (by the required majority of at least two thirds of the persons who are members of the Panel at the time when the decision is made).
- 10.1.7 If the Panel vetoes the appointment of the candidate, the report to the Commissioner must include a statement that the Panel has vetoed the appointment with reasons.

## **10.2 Appointment of an Acting Police and Crime Commissioner**

- 10.2.1 The Panel must appoint a person to act as Commissioner if:
- a) no person holds the office of Commissioner;
  - b) the Commissioner is incapacitated; or
  - c) the Commissioner is suspended.
- 10.2.2 The person appointed as acting Commissioner must at the time of the appointment be a member of the Commissioner's staff.
- 10.2.3 In appointing a person as acting Commissioner in a case where the Commissioner is incapacitated, the Panel must have regard to any representations made by the Commissioner in relation to the appointment.
- 10.2.4 The appointment of an acting Commissioner ceases to have effect upon the occurrence of the earliest of these events:
- a) the election of a person as Commissioner;
  - b) the termination by the Panel, or by the acting Commissioner, of the appointment of the acting Commissioner;
  - c) in a case where the acting Commissioner is appointed because the Commissioner is incapacitated, the Commissioner ceasing to be incapacitated, or

- d) in a case where the acting Commissioner is appointed because the Commissioner is suspended, the Commissioner ceasing to be suspended.

### **10.3 Proposed precept**

10.3.1 The Commissioner will notify the Panel of the precept which he/she is proposing to issue for the financial year. The Panel must review the proposed precept and make a report to the Commissioner including recommendations.

10.3.2 Having considered the precept, the Panel will either:

- a) support the precept without qualification or comment;
- b) support the precept and make recommendations, or
- c) veto the proposed precept (by the required majority of at least two thirds of the persons who are members of the Panel at the time when the decision is made).

10.3.3 If the Panel vetoes the proposed precept the report to the Commissioner must include a statement that the Panel has vetoed the proposed precept with reason and the Panel will require a response to the report and any such recommendations.

### **10.4 Complaints**

10.4.1 Non-criminal complaints in relation to the Commissioner or other office holders should be dealt with and/or delegated in accordance with the Act and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 .

### **10.5 Suspension of the Police and Crime Commissioner**

10.5.1 The Panel may suspend the Commissioner if it appears to the Panel that:

- a) the Commissioner has been charged in the United Kingdom, the Channel Islands or the Isle of Man with an offence, and
- b) the offence is one which carries a maximum term of imprisonment exceeding two years.

10.5.2 The suspension of the Commissioner ceases to have effect upon the occurrence of the earliest of these events:

- a) the charge being dropped;
- b) the Commissioner being acquitted of the offence;
- c) the Commissioner being convicted of the offence but not being disqualified under Section 66 of the Act by virtue of the conviction; or
- d) the termination of the suspension by the Panel.

10.5.3 In this section references to an offence which carries a maximum term of imprisonment exceeding two years are references to:

- a) an offence which carries such a maximum term in the case of a person who has attained the age of 18 years, or
- b) an offence for which, in the case of such a person, the sentence is fixed by law as life imprisonment.

## **10.6 Suspension and Removal of the Chief Constable**

10.6.1 The Panel will receive notification from the Commissioner if he/she suspends the Chief Constable.

10.6.2 The Commissioner must notify the Panel in writing of his/her proposal to call upon the Chief Constable to retire or resign together with a copy of the reasons given to the Chief Constable in relation to that proposal.

10.6.3 The Commissioner must provide the Panel with a copy of any representations from the Chief Constable about the proposal to call for his/her resignation or retirement.

10.6.4 If the Commissioner is still proposing to call upon the Chief Constable to resign, he/she must notify the panel accordingly (the 'further notification').

10.6.5 Within six weeks from the date of receiving the further notification the Panel must make a recommendation in writing to the Commissioner as to whether or not he/she should call for the retirement or resignation. Before making any recommendation the Panel may consult Her Majesty's Chief Inspector of Constabulary and must hold a scrutiny hearing.

10.6.6 The scrutiny hearing is a Panel meeting held in private to which the Commissioner and Chief Constable are entitled to attend to make representations in relation to the proposal to call upon the Chief Constable to retire or resign. Appearance at the scrutiny hearing can be by attending in person, or participating by telephone or video link.

10.6.7 The Panel must publish the recommendation it makes at 10.6.5 by any means the Panel considers appropriate and must send a copy to each of the constituent councils.

## **11. Rules of debate**

The Panel to determine.

## **12. Public participation**

The Panel to determine.



**Meeting of the Full Council  
Meeting to be held on 23 May 2013**

Report submitted by the Clerk to the Combined Fire Authority

**Part A**

Electoral Division affected:  
All

**Combined Fire Authority (CFA)  
Appointment of County Council Representatives 2013/14**

Contact for further information:

Diane Brooks, (01772) 866720, Principal Member Services Officer, Lancashire Fire & Rescue Service

dianebrooks@lancsfireandrescue.org.uk

**Executive Summary**

The appointment of County Council representatives to serve on the Lancashire Combined Fire Authority (CFA) for 2013/14.

**Recommendation**

The Full Council is asked to approve the appointment of 19 members to serve on the Lancashire Combined Fire Authority until the Annual Meeting of the Full Council in 2014 on the basis of 9 Labour members, 8 Conservative members, 1 Liberal Democrat member and 1 Independent member.

**Background and Advice**

The Constitution of the Full Council requires the Council at its Annual Meeting to approve the appointment of County Council members on the Combined Fire Authority.

The Full Council is asked to appoint 19 members to the CFA until the Annual Meeting of the Full Council in 2014. The political balance of County Council representatives on the Combined Fire Authority is 9 Labour, 8 Conservatives, 1 Liberal Democrat and 1 Independent.

**Consultations**

N/A

**Implications:**

N/A

### **Risk management**

The County Council is at risk of not complying with statutory requirements if it does not consider the recommendations set out in this report.

### **Local Government (Access to Information) Act 1985 List of Background Papers**

Paper	Date	Contact/Directorate/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A



**Meeting of the Full Council  
Meeting to be held on 23 May 2013**

Report submitted by the Chief Executive

**Part A**

Electoral Division affected:  
None

**Appointments to the Local Government Association – General Assembly, Urban Commission, Rural Commission, Special Interest Group on Coastal Issues and County Councils’ Network**

Contact for further information:

Janet Mulligan, (01772) 533361, Office of the Chief Executive

Janet.mulligan@lancashire.gov.uk

**Executive Summary**

The Local Government Association (LGA) has invited Member Authorities to appoint their representatives to serve on its General Assembly for 2013/14 and to attend the Annual General Meeting of the General Assembly on 2 July 2013. In addition, the Full Council is invited to appoint representatives to serve on the LGA Urban and Rural Commissions, and the Special Interest Group on Coastal Issues for 2013/14.

Full Council is also entitled to appoint representatives to serve on the County Councils Network (CCN), a Special Interest Group of the LGA, in 2013/14.

**Recommendation**

The Full Council is asked to:

- i. Appoint up to four representatives to serve on the LGA General Assembly for 2013/14.
- ii. Agree that those representatives (or nominated substitutes) together with up to four observers, be authorised to attend the Annual Meeting of the Assembly to be held in Manchester Central on 2 July 2013, and to determine which representative(s) will carry the County Council’s 12 votes.
- iii. Confirm the County Council’s two nominated representatives to serve on the LGA Urban Commission in 2013/14.
- iv. Consider whether the County Council should remain a member of the Rural Commission in 2013/14 and, if so, to nominate up to two representatives.
- v. Appoint one member to serve on the Special Interest Group on Coastal Issues.
- vi. Appoint up to four representatives to serve on the County Councils Network in 2013/14.

## **Background**

### **i) LGA General Assembly**

The County Council is entitled to appoint up to four representatives to serve on the Local Government Association (LGA) General Assembly for 2013/14. The General Assembly Annual Meeting this year is in Manchester Central on 2 July 2013.

The County Council is also entitled to 12 corporate votes at the General Assembly (equal to the number of District Councils in the Authority's area) and has the right to nominate the representative(s) who will carry and exercise the 12 votes.

### **ii) LGA Urban and Rural Commissions**

The County Council is entitled to appoint up to two representatives to attend meetings of both the LGA Urban and Rural Commissions, either two elected Members or one Member and one officer.

The County Council is entitled to 12 votes on the Urban Commission (equal to the number of District Councils in its area) and one vote on the Rural Commission.

### **iii) The LGA's Special Interest Group on Coastal Issues**

The Local Government Association's Special Interest Group on Coastal Issues comprises elected members from coastal local authorities. Its principal aim is to establish improved governance, management and community well-being to ensure that the UK has the best managed coast in Europe, and to identify appropriate and sustainable funding strategies to support this aim. The Group meets at the LGA offices in London three times per year and elsewhere in a coastal location in England annually for its Annual General Meeting. The County Council is invited to appoint one member.

### **iv) County Councils' Network (CCN)**

The County Council is entitled to up to four places on the County Councils Network (CCN), a Special Interest Group of the LGA established to promote the voice of counties within the LGA and the values and interests of the English Counties.

## **Consultations**

N/A

**Implications:** e.g. Financial, Legal, Personnel, Human Rights, Crime and Disorder or Other

This item has the following implications:

N/A

**Risk Management:**

There are no risk management implications arising from this item

**Local Government (Access to Information) Act 1985  
List of Background Papers**

Paper	Date	Contact/Directorate/Ext
LGA Alert No. 10/13, 12/13 & 13/13	March/April 2013	Janet Mulligan, Office of the Chief Executive Ext 33361

Reason for inclusion in Part II, if appropriate

N/A



**Meeting of the Full Council  
Meeting to be held on 23 May 2013**

Report submitted by the Chief Executive

**Part A**

Electoral Divisions affected:  
All

**Appointments to the North Western Inshore Fisheries and Conservation Authority**

Contact for further information:  
Roy Jones, (01772) 533619, Office of the Chief Executive,  
Roy.jones@lancashire.gov.uk

**Executive Summary**

Appointments to the North Western Inshore Fisheries and Conservation Authority.

**Recommendation**

The Full Council is asked to:

1. approve the appointment of two county councillors to serve on the North Western Inshore Fisheries and Conservation Authority until the next County Council elections, and
2. authorise the County Secretary and Solicitor, in consultation with the Leader, to approve any changes to the appointments at 1. above.

**Background and Advice**

The former North Western and North Wales Sea Fisheries Committee ceased to exist from 1 April 2010 when the relevant provisions of the Marine and Coastal Access Act 2009 were brought into force.

In 2010 the Department for Environment, Food and Rural Affairs (Defra) consulted on the arrangements for the new authorities and following that consultation, the North Western Inshore Fisheries and Conservation Order 2010 came into force on 1 October 2010. Since that time the county council has been represented on the North Western Inshore Fisheries and Conservation Authority by former County Councillors S Leadbetter and A Thornton.

Full Council is now invited to appoint two members to serve on the North Western Inshore Fisheries and Conservation Authority until the next County Council elections.

It is proposed that for administrative efficiency, any subsequent changes to these appointments should be approved by the County Secretary and Solicitor in consultation with the Leader.

### **Consultations**

N/A.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

In the light of the substantial financial contribution that the County Council is required to make to the North Western Inshore Fisheries and Conservation Authority, it is important that its interests are protected by representatives on the Committee.

### **Financial**

The determination of funding of each Inshore Fisheries and Conservation Area has been agreed nationally and the County Council has a statutory duty to contribute. The County Council is the second highest contributor, below Cumbria County Council, and is required to provide funding in the region of £380k for 2013/14. The NWFICA committee, of which the appointed Councillors will be members, agrees any proposed increase to levies paid by member authorities including the County Council.

### **Local Government (Access to Information) Act 1985 List of Background Papers**

Paper	Date	Contact/Directorate/Tel
The Marine and Coastal Access Act	2009	Roy Jones/Office of the Chief Executive/01772 533619
North Western Inshore Fisheries and Conservation Order	2010	

Reason for inclusion in Part II, if appropriate

N/A.

# Agenda Item 13

## Meeting of the Full Council Meeting to be held on 23 May 2013

Report submitted by the Chief Executive

**Part B**

Electoral Division affected:  
As indicated in each item

### Report of the Cabinet (Annex 1 refers)

Contact for further information:  
Dave Gorman, (01772) 534261, Office of the Chief Executive,  
[dave.gorman@lancashire.gov.uk](mailto:dave.gorman@lancashire.gov.uk)

#### Executive Summary

The report of Cabinet from its meetings on 21 March and 11 April, on matters which have not previously been reported to the Full Council is attached at Annex 1.

The reports considered by Cabinet can be viewed via the County Council's website:  
<http://council.lancashire.gov.uk/mgCommitteeDetails.aspx?ID=122>

#### Recommendation

That the report of the Cabinet, as now presented, be noted.

### Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Tel
Agenda and Minutes of the Cabinet	21 March 2013 11 April 2013	Dave Gorman, Office of the Chief Executive, (01772) 534261

Reason for inclusion in Part II, if appropriate

N/A





## Meeting of the Full Council – 23 May 2013

### Report of the Cabinet Meeting held on 21 March 2013

The agenda and minutes of the meeting may be viewed on the County Council's website at the following link:

<http://council.lancashire.gov.uk/mgCommitteeDetails.aspx?ID=122>

### Lancashire Superfast Broadband Project Update

The Cabinet considered a report setting out an update on the progress made to date and forward plans for the Lancashire SFBB Project.

Cabinet agreed that:

- (i) The report, now presented, be noted;
- (ii) The Assistant Chief Executive and the Project Team be thanked for the progress made to date.

### Young People's Travel

The Cabinet considered a report setting out the take-up of the scheme to date and the various options for young people's travel for the future.

Cabinet agreed that:

- (i) The report, now presented, be noted;
- (ii) That the existing scheme be extended until 31 August 2013 pending further discussions with bus operators;
- (iii) That the Youth Council Steering Group be thanked for their contribution.

### Update on Preston and Rossendale Bus Stations

The Cabinet received a verbal update on the current situation regarding Preston and Rossendale Bus Stations.

Cabinet agreed that:

- (i) The update, now presented, be noted;
- (ii) A further update be presented to the next meeting of Cabinet on 11 April 2013.

## **Economic Development**

The Cabinet considered a report setting out a summary of progress on the County Council's key economic development priorities, over the last year, as these initiatives are expected to continue to form the core of the delivery programme for 2013/14.

Cabinet agreed that:

- (i) The progress made in delivering the County Council's economic development priorities in 2012/13, set out in the report now presented, be noted;
- (ii) The Director of Economic Development and his staff be thanked for the progress made to date.

## **Report of the Cabinet Meeting held on 11 April 2013**

The agenda and minutes of the meeting may be viewed on the County Council's website at the following link:

<http://council.lancashire.gov.uk/mgCommitteeDetails.aspx?ID=122>

## **Establishment of the County Benefits Service - Progress Report**

The Cabinet considered a report setting out:

- A Summary of the objectives and scope of the new County Benefits Service;
- The steps taken to commence building the new service since December 2012;
- The high-level plans for development and improvement of the service in the next six months;
- The impact of welfare reform on demand for advice.

Cabinet agreed that:

- (i) The contents of the progress report on the establishment of the County Benefits Service, now presented, be noted;
- (ii) That Martin Jungnitz and the staff of his service be thanked for the progress undertaken to date.

## **The Waste Management Budget 2007/08 to 2012/13 and the Background to the Appointment of Global Renewable Lancashire Ltd as the County Council's Waste PFI Contractor**

The Cabinet considered a report setting out the changes to the waste management budget over recent years and the root cause of the major increases in costs, together with the detail of the procurement process that led to the appointment of GRLL.

Cabinet agreed that the report on the waste management budget 2007/08 – 2012/13 and the background to the appointment of GRLL as the County Council's Waste PFI contractor, now presented, be noted.

### **Update on Preston and Rawtenstall Bus Stations**

The Cabinet received a verbal update on the current situation regarding Preston and Rawtenstall Bus Stations.

Cabinet agreed that:

- (i) The update, on the development of new bus stations at Preston and Rawtenstall, now presented, be noted;
- (ii) Preston City Council and Rossendale Borough Council be informed of the County Council's concern at the length of time it has taken for the respective Councils to reach decisions on the development of new bus stations in Preston and Rawtenstall so that the funding in the County Council's Capital Programme, set aside for those developments, can now be utilised.

### **Bluebell Way - Business Park Opportunity**

The Cabinet considered a report setting out details of the opportunity to develop the County Council's Bluebell Way site in Preston, as a new business park aimed at supporting and incubating business start-ups.

Cabinet agreed that:

- (i) The intention to re-develop Bluebell Way as a new business park aimed at business start-ups and established small businesses, as set out in the report now presented, be noted;
- (ii) The Leader of the County Council and the Cabinet Member for Economic Development, Environment and Planning, in conjunction with the Chief Executive and County Treasurer, be authorised to finalise plans to develop Bluebell Way as a new business Park.



**Meeting of the Full Council  
Meeting to be held on 23 May 2013**

**Part B**

Electoral Division affected:  
All

## **Report of Urgent Key Decisions**

Contact for further information:  
Janet Nuttall, (01772) 533110, Office of the Chief Executive,  
[janet.nuttall@lancashire.gov.uk](mailto:janet.nuttall@lancashire.gov.uk)

### **Executive Summary**

Urgent Key Decisions taken by the Leader of the County Council, the Cabinet Member for Adult and Community Services, the Cabinet Member for Highways and Transport, and the County Treasurer during the preceding three months.

### **Decision Taken**

That the urgent key decisions, as now presented, be noted.

It is a requirement of Standing Order 28 that any Urgent Key Decisions taken must be reported to the Full Council for information on a quarterly basis. The following Urgent Key Decisions have been taken by the Leader of the County Council, the Cabinet Member for Adult and Community Services, the Cabinet Member for Highways and Transport, and the County Treasurer

### **1) Urgent Key Decision taken by the Leader of the County Council**

The following decision was taken on 26 February 2013:

#### **Neutral Vendor Managed Service (Agency Staff) Contract**

The Leader of the County Council approved the extension and transfer of contracts detailed in the full report.

This decision should be implemented immediately for the purposes of Standing Order 34(3) as any delay could adversely affect the execution of the County Council's responsibilities. The reason for this is to ensure one of the contracts can be awarded in time for 1 March 2013

The following decisions were taken on 4 April 2013:

## **One Connect Limited**

The Leader of the County Council approved the proposed adjustments to the overall arrangements with One Connect Limited (OCL) on the terms set out in the full report.

This decision should be implemented immediately for the purposes of Standing Order 34(3) as any delay could adversely affect the execution of the County Council's responsibilities. The reason for this is so that the proposals can be implemented immediately to ensure service continuity.

## **Contract for Payroll Services to Direct Payment Recipients**

The Cabinet Member for Adult and Community Services agreed to:

- (i) Note the report:
- (ii) Recommend that the Leader of the County Council approves a waiver of Procurement Rule 6 to enable the County Council to extend the existing payroll contract with the current provider for a maximum further period of six months.

Following approval of recommendations (i) and (ii) above, The Leader of the County Council approved the waiver of Procurement Rule 6, and in doing so extend the existing payroll contract with the current provider for a maximum further period of six months.

This decision should be implemented immediately for the purposes of Standing Order 34(3) as any delay could adversely affect the execution of the County Council's responsibilities. The reason for this is that the current contract expires on 5 April 2013.

The following decision was taken on 16 April 2013:

## **Procurement of Public Health Related Services 2013-2014**

The Leader of the County Council approved the waiving of the relevant Procurement Rules and in particular those set out in Procurement Rules 5 and 6 to enable the County Council to extend the Public Health Related Services contracts on the terms detailed in the full report.

This decision should be implemented immediately for the purposes of Standing Order 34(3) as any delay could adversely affect the execution of the County Council's responsibilities. The reason for this is to ensure that the delivery of vital public health services is not put at risk.

The following decision was taken 29 April 2013:

## **Professional/Technical Consultancy Services Framework**

The Leader of the County Council approved the award of a Technical Consultancy Framework Contract to the provider, on the terms detailed in the full report.

This decision should be implemented immediately for the purposes of Standing Order 34(3) as any delay could adversely affect the execution of the County Council's responsibilities. The reason for this is the risk posed to the delivery of the County Council's capital programme including major highway projects.

### **2) Urgent Key Decisions taken by the Leader of the County Council and the Cabinet Member for Adult and Community Services**

The following key decision was taken on 26 March 2013:

#### **East Lancashire Learning Disability Day Support Services operated by Lancashire Care Foundation Trust**

The Leader of the County Council and the Cabinet Member for Adult and Community Services approved the recommendations set out in the report.

This decision should be implemented immediately for the purposes of Standing Order 34 as any delay could adversely affect the execution of the County Council's responsibilities.

### **3) Urgent Key Decision taken by the Cabinet Member for Highways and Transport**

The following decision was taken on 15 February 2013:

#### **Bus Service Revisions - Preston Proposed in light of changes to Commercial Bus Service**

The Cabinet Member for Highways and Transport gave approval to Option 3 in the report, to provide a new replacement bus service on this route for a period of up to 4 months to allow for a full review of the subsidised local bus services in the area to take place, with an estimated net annual subsidy of £55,000.

This decision should be implemented immediately for the purposes of Standing Order 34(3) as any delay could adversely affect the execution of the County Council's responsibilities. The reason for this is to ensure bus service provision is maintained.

The following decisions were taken on 26 April 2013:

### **Withdrawal of Commercial Bus Service – Preston, South Ribble and Chorley**

The Cabinet Member for Highways and Transport approved the proposal to replace Saturday journeys on Service 115 Preston - Chorley for a trial period of 6 months in accordance with the County Council's financial guidelines.

This decision should be implemented immediately for the purposes of Standing Order 34(3) as any delay could adversely affect the execution of the County Council's responsibilities. The reason for this is to ensure bus service provision is maintained.

### **Bowland Rambler Sunday Bus Service Contribution**

The Cabinet Member for Highways and Transport approved the proposal to provide a contribution of £3,000 to the Bowland Ramblers Sunday Bus service for Summer 2013.

This decision should be implemented immediately for the purposes of Standing Order 34(3) as any delay could adversely affect the execution of the County Council's responsibilities. The reason for this is to ensure bus service provision is provided in time for commencement of service.

## **4) Urgent Key Decision taken by the County Treasurer**

The following decision was taken on 13 February 2013:

### **Procurement of a supplier to supply Lancashire County Council with Occupational Health Services**

The County Treasurer, approved the appointment of a provider for the provision of occupational health services to Lancashire County Council on the terms detailed in the full report under paragraph 1.22 of the Scheme of Delegation to Chief Officers.

This decision should be implemented immediately for the purposes of Standing Order 34(3) as any delay could adversely affect the execution of the County Council's responsibilities. The reason for this is the need to renew the contract in time for 1 April 2013.



**Local Government (Access to Information) Act 1985  
List of Background Papers**

Paper	Date	Contact/Directorate/Tel
<a href="#"><u>Report to the Leader of the County Council</u></a>	26 February 2013	Andy Milroy, Office of the Chief Executive, (01772) 536050
<a href="#"><u>Report to the Leader of the County Council</u></a>	4 April 2013	Andy Milroy, Office of the Chief Executive, (01772) 536050
<a href="#"><u>Report to the Leader of the County Council</u></a>	16 April 2013	Andy Milroy, Office of the Chief Executive, (01772) 536050
<a href="#"><u>Report to the Leader of the County Council</u></a>	29 April 2013	Andy Milroy, Office of the Chief Executive, (01772) 536050
<a href="#"><u>Report to the Leader of the County Council and the Cabinet Member for Adult and Community Services</u></a>	26 March 2013	Andy Milroy, Office of the Chief Executive, (01772) 536050
<a href="#"><u>Report to the Leader of the County Council and the Cabinet Member for Adult and Community Services</u></a>	4 April 2013	Andy Milroy, Office of the Chief Executive, (01772) 536050
<a href="#"><u>Report to the Cabinet Member for Highways and Transport</u></a>	15 February 2013	Stuart Benson, Office of the Chief Executive, (01772) 534022
<a href="#"><u>Report to the Cabinet Member for Highways and Transport</u></a>	26 April 2013	Stuart Benson, Office of the Chief Executive, (01772) 534022
<a href="#"><u>Report to the Cabinet Member for Highways and Transport</u></a>	26 April 2013	Stuart Benson, Office of the Chief Executive, (01772) 534022
<a href="#"><u>Report to the County Treasurer</u></a>	13 February 2013	Andy Milroy, Office of the Chief Executive, (01772) 536050



**Meeting of the Full Council  
Meeting to be held on 23 May 2013**

Report submitted by the Chief Executive

**Part B**

Electoral Division affected:  
All

**Report of the Overview and Scrutiny Committees**  
(Annexes 1 - 3 refer)

Contact for further information:  
Janet Mulligan, 01772 533361, Office of the Chief Executive  
[Janet.mulligan@lancashire.gov.uk](mailto:Janet.mulligan@lancashire.gov.uk)

**Executive Summary**

The most recent cycle of meetings of the Overview and Scrutiny Committees took place in the period February - March 2013.

The reports of the committees are attached as Annexes 1 - 3 as follows:

- Annex 1 - Scrutiny Committee**
- Annex 2 - Health Scrutiny Committee**
- Annex 3 - Education Scrutiny Committee**

Copies of the agenda and reports considered by each committee, together with minutes of the relevant meetings may be viewed on the County Council's web site at the following link:

<http://council.lancashire.gov.uk/mgListCommittees.aspx#scrutiny?bcr=1>

Officers specified in each report can also be contacted for further information.

**Recommendation**

That the reports of the Overview and Scrutiny Committees, as now presented, be noted.

## Background Papers

Paper	Date	Contact/Directorate/Ext
Agenda and minutes:		Janet Mulligan/Office of the Chief
<b>Scrutiny Committee</b>	08 February 2013 15 March 2013	Executive/33361
<b>Health Scrutiny Committee</b>	05 March 2013	
<b>Education Scrutiny Committee</b>	12 March 2013	

Reason for inclusion in Part II, if appropriate

N/A

## Meeting of the Full Council – 23 May 2013

### Report on the Scrutiny Committee Meetings held on 8 February and 15 March 2013

**Chair: County Councillor P Britcliffe**

The agenda and minutes of the meetings may be viewed on the County Council's web site at the following link:

<http://council.lancashire.gov.uk/ieListMeetings.aspx?Committeeld=120>

#### 8 February 2013

##### **Regional Growth Fund: Business Support Funding Streams**

The Committee received a report on "Regional Growth Fund: Business Support Funding Streams".

The Committee welcomed the £26.6 million invested into Lancashire through the Regional Growth Fund and the local work that has gone into helping to secure it.

It also agreed that at its next meeting, the Committee would consider a proposal for a task group to explore a range of issues around support to economic development. A draft terms of reference would be based on the issues that members had already highlighted as needing further exploration and consideration. The task group would report back after the local elections.

#### 15 March 2013

##### **Approach to Corporate Property**

The Committee received a report on the approach to corporate property. The report provided an overview of Corporate Asset Management. All the property that the county council held was seen as a corporate asset.

The principle objectives were:

- To have a property portfolio which was fit for purpose and fully supported the delivery of services to the people of Lancashire;
- To reduce revenue expenditure by rationalisation of the property portfolio, and;
- To realise capital receipts and/or wider economic benefits from the disposal/re-use of the County Council's surplus property.

A programme of area based cross-Directorate reviews had been agreed at the Corporate Asset Management Group and was phased for completion over the next 18 months.

The Committee welcomed the report and it was agreed that the Corporate Property Management Team would bring forward suggestions as to how to increase Member involvement.

### **Road Safety**

A report on Road Safety was presented to the Committee.

The Cabinet Member had approved the new Lancashire Road Safety Strategy in January 2012. The strategy aimed to build on the progress made in reducing road casualties in recent years and supported the priorities set out in the County Council's Local Transport Plan. The strategy was informed by detailed analysis of the causes of accidents, their distribution and other factors such as the type of transport involved and the age of people involved. These determined the appropriate actions in each district.

It was agreed that comments and ideas of Members recorded in the minutes be submitted to the Cabinet Member. It was also agreed that following the elections, the Committee bring to the attention of all Members the role that elected councillors can play in supporting the county council's Environment Directorate in their work in improving road safety, in particular their work with schools and local communities.

## **Meeting of the Full Council – 23 May 2013**

### **Report on the Health Scrutiny Committee Meeting 5 March 2013**

#### **Chair: County Councillor Maggie Skilling**

The agenda and minutes of the meeting may be viewed on the County Council's web site via the following link:

<http://council.lancashire.gov.uk/mgCommitteeDetails.aspx?ID=182>

#### **Cabinet Member Response to the Dementia Pathway Task Group**

The Cabinet Member for Adult and Community Services provided a formal response to the recommendations of 'Living Well with Dementia in Lancashire', the Dementia Care Pathway Task Group report a copy of which was attached to the report presented.

#### **Health Scrutiny - Legacy and Future Work Plan**

The Steering Group of the Health Scrutiny Committee had produced a report detailing some of the successes achieved and to consider what the key priorities for health scrutiny should be over the coming months. A summary of all the topics discussed by both the Committee and the Steering Group was attached to the report.

In terms of future priorities and topics for inclusion in a work plan, members considered priorities for additional or new scrutiny and the following topics were suggested:

- University Hospitals of Morecambe Bay Trust
- Health reforms
- Restructuring within the NHS
- The Liverpool Care Pathway
- Training for the provision of dementia care and care homes for the elderly
- Dementia friendly councils and cities (within and outside the UK)
- Communication - ensuring that people knew where to get help
- Clinical Commissioning Groups and how they fulfil their new roles

It was explained that much work had been ongoing through the Steering Group, on behalf of the Committee, with the CCGs, Acute Trusts and other providers to build relationships moving forward. It was also intended to explore the opportunity to have an independent expert to offer advice and insight to the Committee, which would be helpful when the Committee was considering information provided by the NHS.

### **Report of the Health Scrutiny Committee Steering Group**

On 8 January the Steering Group had met to discuss the consultation on specialised services currently being undertaken by the NHS Commissioning Board.

On 29 January the Steering Group had met to discuss and provide a response to the consultation on the short breaks strategy carried out by the Children & Young People's Directorate.

It was reported also that on 26 February the Steering Group had met with representatives from Lancashire North CCG, Fylde and Wyre CCG and West Lancs CCG to discuss how best they could share information and work together with scrutiny in the future.

A summary of each meeting was attached to the report.

### **Minutes of the Joint Lancashire Health Scrutiny Committee**

The Joint Lancashire Health Scrutiny Committee had met on 22 January 2013. The agenda and minutes of that meeting were available via the following link for information.

<http://council.lancashire.gov.uk/mgCommitteeDetails.aspx?ID=684>



## **Meeting of the Full Council – 23 May 2013**

### **Report on the Education Scrutiny Committee Meeting 12 March 2013**

#### **Chair: County Councillor Mrs P Case**

The agenda and minutes of the meeting may be viewed on the County Council's web site via the following link:

<http://council.lancashire.gov.uk/mgCommitteeDetails.aspx?ID=181>

#### **Elective Home Education - the operation of the revised EHE policies since their introduction in April 2012**

The Committee received a report regarding the operation of the revised EHE policies since their introduction in April 2012 following the review in Autumn 2011 of the procedures which also took into account the recommendations from the 2009 Overview and Scrutiny EHE Task Group.

#### **Children in Care - Educational Progress**

The Committee received a report which provided updated information on the new procedures and strategies now in operation for improving the educational achievement and progress of Lancashire's Children Looked After (CLA) both within Lancashire and those educated outside Lancashire, as measured by performance in National Curriculum Key Stage attainments and GCSE results in Summer 2012. The attainment data presented demonstrated comparative performance with other authorities and with attainment in previous years and showed that in some measures the attainment of Lancashire CLA had improved significantly in 2012.

It was agreed that a report on the attainment of children and young people who fall under the remit of the Lancashire Youth Offending Team be brought to a future meeting of the Committee. Also that a report on the attainment of CLA in out of county placements be brought to a future meeting of the committee.

#### **Update on the current Lancashire County Council position on Academies**

The Committee received a report setting out the County Council's current position in relation to academies within Lancashire which updated the information provided to the Committee at its meeting on 6 November 2012.

**A summary of the results at the end of Key Stage 2 and Key Stage 4 at Lancashire and District level.**

The Committee received a report on the validated data giving the overall attainment of pupils in Lancashire schools at the end of Key Stages 2 and 4. The results had been analysed at District level and showed progress over the past four years.

**Meeting of the Full Council  
Meeting to be held on 23 May 2013**

Report submitted by the Chief Executive

Electoral Division affected: All
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**Report of the Audit and Governance Committee**  
(Annex 1 refers)

Contact for further information:  
Cath Rawcliffe, Tel: (01772) 533380, Office of the Chief Executive  
[cath.rawcliffe@lancashire.gov.uk](mailto:cath.rawcliffe@lancashire.gov.uk)

**Executive Summary**

The report of the Audit and Governance Committee from its meeting on 25 March 2013 is attached at Annex 1.

Copies of the agenda reports considered by the committee are available to view via the following link:

<http://council.lancashire.gov.uk/ieListDocuments.aspx?CId=728&MId=1693&Ver=4>

Councillors can also contact the officers specified in each report for further information about each item.

**Recommendation**

That the report of the Audit and Governance Committee, as now presented, be noted.

**Local Government (Access to Information) Act 1985  
List of Background Papers**

Paper	Date	Contact/Directorate/Ext
Agenda & Minutes of the Audit and Governance Committee	25 March 2013	Cath Rawcliffe, Office of the Chief Executive, Tel: 01772 533380



## Report of the Audit and Governance Committee - Matters for Information

The following matters were considered by the Audit and Governance Committee at its meeting on 25 March 2013:

### 1. Internal Audit Service Progress Report

Ruth Lowry, chief internal auditor, presented a report on the work undertaken by the Internal Audit Service for the period to 28 February 2013.

It was reported that during the period since December 2012, the Internal Audit Service had reported assurance in relation to emergency planning, payment of staff expenses, officers' declarations of interest and of gifts and hospitality, and the carbon reduction commitment.

Reference was made to a briefing meeting held on 11 March 2013 between members of the committee and officers to discuss the progress being made to re-invigorate the council's information governance arrangements. The committee was advised that measures had been put in place and that the County Secretary and Solicitor had been appointed to the role of senior information risk officer (SIRO). Despite this assurance the committee reiterated their concern that the council was not compliant with the standards required for information governance. It considered that the council's information governance arrangements exposed the council to significant risk which should be reflected in the county council's annual governance statement with an indication that appropriate action would be taken to remedy the situation. It was agreed that the Chair of the committee would write to the chief executive and the monitoring officer drawing attention to these concerns.

**Decision Taken:** i) That the internal audit progress report for the period to 28 February 2013 as now presented, be noted.

ii) That the significant risk posed by the council's information governance arrangements be reflected in the county council's annual governance statement for the year ending 31 March with an indication that appropriate action would be taken to remedy the situation following the transfer of the senior information risk officer (SIRO) responsibilities to the Council.

iii) That the Chair of the committee be requested to write to the chief executive and the monitoring officer drawing attention to the concerns of the committee in relation to the council's information governance arrangements.

### 2. Internal Audit Plan for 2013/14

Ruth Lowry, chief internal auditor, presented the outline annual internal audit work plan for 2013/14 which set out the plan of work to be undertaken by the county council's Internal Audit Service for the coming financial year.

Reference was made to the services provided to the council by One Connect Limited (OCL). It was suggested that the annual internal audit plan should provide details of each OCL service area to be audited.

Reference was also made to the council's risk management arrangements. Following discussion and questions to the chief internal auditor, it was agreed that a report on risk management would be presented to a future meeting.

**Decision Taken:** i) That subject to the inclusion of each OCL service area to be audited, the outline audit plan and process for 2013/14 be approved.

ii) That a report on risk management be presented to a future meeting of the committee.

### **3. External Audit Lancashire County Council and Lancashire County Pension Fund Annual Audit Plans 2012/13**

Karen Murray and Fiona Blatcher, Director and Associate Director of Grant Thornton respectively presented the External Audit Plans for the audit of the county council and the pension fund for 2012/13.

The Audit Plans set out the main risk areas which the audits would focus on. These included the council's financial statements and value for money.

**Decision Taken:** - That the External Audit Plans for the audit of the County Council and the County Pension Fund for 2012/13, and the fees therein, be noted.

### **4. External Audit Lancashire County Council Annual Certification Work Report 2011/12**

Karen Murray, Director, Grant Thornton, presented a report on a summary of the Audit Commission's work on certifying the council's 2011/12 claims and returns.

**Decision Taken:** That the report be noted.

**Meeting of the Full Council**  
**Meeting to be held on 23 May 2013**

Report submitted by the Chief Executive

**Part B**

Electoral Division affected:  
All

**Report of the Pension Fund Committee**  
(Annex 1 refers)

Contact for further information:

Chris Mather, Tel: (01772) 533559, Office of the Chief Executive

[Chris.mather@lancashire.gov.uk](mailto:Chris.mather@lancashire.gov.uk)

**Executive Summary**

The Report of the Pension Fund Committee from its meeting on 22 March 2013 is attached at Annex 1.

Copies of the agenda and reports considered by the Committee are available on the County Council's website at the following link:

<http://council.lancashire.gov.uk/ieListMeetings.aspx?CommitteeId=183>

Members can also contact the officers specified in each report for further information about each item.

**Recommendation**

That the report of the Pension Fund Committee, as now presented, be noted.

**Local Government (Access to Information) Act 1985**  
**List of Background Papers**

Paper	Date	Contact/Directorate/Ext
Agenda & Minutes of the Pension Fund Committee	22 March 2013	Chris Mather, Office of the Chief Executive, Tel: 01772 533559





## Report of the Pension Fund Committee - Matters for Information

The following matters were considered by the Pension Fund Committee at its meeting on 22 March 2103.

### Part I matters

#### 1. Report of the Administration Sub-Committee

The Committee received the minutes of the Pension Administration Sub-Committee from its meeting on 6 February 2013.

It was noted that the Sub-Committee had considered reports on:

- The transfer of Your Pension Service to One Connect Limited
- Membership of Local Government Pension Scheme and Auto-enrolment
- Statutory Consultation on the new Local Government Pension Scheme 2014 and related proposals

The Committee's attention was particularly drawn to the following:

#### 1. The transfer of Your Pension Service to One Connect Limited

The Sub-Committee had requested that assurances from One Connect Limited with regard to maintaining the quality of the Service and the security of information be brought to the attention of the Committee.

The Committee was informed that the following statement had been provided to give assurance to the Committee that the high quality of the existing service to members and their families as set out in the current Service Level Agreement would be maintained. Specifically, One Connect Limited undertook to ensure that:

- Any expansion of the Service would not affect current service standards.
- The Service would continue to be cost effective; and
- The integrity of the service, including data integrity, would remain secure.

The Committee also noted that the transfer would enable Your Pension Service to benefit from One Connect Limited's commercial skills, as well as its ongoing focus on high performance, continuous service improvement and placing the customer at the heart of the organisation. The transfer would see benefits arising from One Connect Limited's systems expertise which would enhance, improve and grow existing and future business without detriment to current levels of service.

In summary, the future delivery of the Service would remain in line with current standards and performance targets as set out within the existing Service Level Agreement.

There was a lengthy discussion on this matter and some further concerns were expressed about the transfer of the Service particularly around the need to maintain data security and also the high level of service to members and their families. The Committee was informed that existing staff would continue to deliver the same high quality service and that security of information would not be compromised. It was also noted that the County Treasurer would continue to be accountable for the delivery of the Service under the terms of the Service Level Agreement. Any examples of data breaches should immediately be brought to the attention of the County Treasurer.

It was reported that the transfer of Your Pension Service had been included on the original list of council services to be transferred to One Connect Limited.

Mr Harvey asked that his opposition to the transfer of Your Pension Service be recorded

## 2. Membership of Local Government Pension Scheme and Auto-enrolment

The Sub-Committee requested a further break-down of County Council employee opt-outs following auto-enrolment on 1 January 2013.

The Committee was informed that as at end of February the opt out rate was 37% (opt out target was less than 50%). A detailed breakdown of the opt outs by job groups, postcode, gender, age salary and fulltime/part time was presented. The Committee was also informed that the number of County Council employees in the Lancashire County Pension had increased by 7% (target increase was 5%).

The Committee also received an update on the situation in Cyprus. It was reported that on 19 March 2013, due to the banking crisis in Cyprus, the Chancellor of the Exchequer decided that all public sector pension payments to Cypriot bank accounts should be temporarily halted.

Members were informed that Your Pension Service currently processed pension payments for 32 pensioners who currently had a Cyprus address location, of which 17 pensioners had a UK bank account. However, 15 pensioners were paid via Citibank, who processed overseas payments on behalf of Your Pension Service. Citibank had confirmed that these payments had been frozen. The Service had contacted all 15 affected pensioners to ask them if they would like their payments redirected to a UK bank account. Six pensioners had chosen to have their payments redirected whilst the rest had decided to leave their payments frozen until the situation had been resolved.

### **Decision Taken:**

The Committee noted:

1. the minutes of the Pension Fund Administration Sub-Committee meeting held on 6 February 2013.
2. the update on the situation in Cyprus, as mentioned above.

## **2. 2013 Actuarial Review – Framework for Setting Contribution Rates**

The Committee considered a report on a proposed framework within which employer contribution rates would be set as a result of the 2013 actuarial valuation of the Fund.

The Committee was informed that the 2013 actuarial valuation of the Fund was probably the most significant valuation in the history of the Local Government Pension Scheme. There were a number of significant factors coming together at one point in time which would impact on the actuary's calculations. These included:

- The introduction of the new CARE scheme from April 2014 which would affect the calculation of the future service contribution rate.
- The continuing instability in the financial markets, particularly the bond markets which impacted on various factors used within the actuary's calculations.
- The introduction and the effects of auto-enrolment which would impact on fund membership, contributions received and future liabilities.
- The continuation of public sector austerity which would have an impact both on pay growth, scheme membership and the cash flow profile.
- The need to continue to make progress in reducing the past service deficit within the context of ongoing pressure on employers' budgets.

The Committee was asked to approve the proposed framework presented at Appendix 'A' as a basis for engagement with Fund employers and the initial development of the Funding Strategy Statement. By setting a clear set of ground rules for the valuation now the Committee would be ensuring that all stakeholders were clear on the parameters for the valuation and had time to prepare to deal with their impact. It also allowed the Committee to fulfil its responsibility to engage with Fund employers around the preparation of the Funding Strategy Statement which formed one of the key outputs from the valuation process.

It was noted that a further report would be presented to the Committee on 29 November 2013

### **Decision Taken:**

The Committee approved the proposed framework, as presented at Appendix 'A', as a basis for engagement with Fund employers and the initial development of the Funding Strategy Statement.

## **3. Credit and Fixed Income Strategy**

The Committee considered a report on the Investment Panel's proposed approach to the management of the Fund's allocation to Credit and Fixed Income investments in order to achieve the objectives of the Fund.

The Committee was informed that the Panel recommended that, subject to appropriate ongoing governance and risk management, the Pension Fund should seek higher returns than the historic investment portfolio (comprising mainly Sterling Investment Grade Bonds and Gilts) could be expected to deliver.

The Panel considered that the current economic situation and particularly the change in the regulatory environment to which banks were subject was presenting opportunities to achieve better yields in the Credit and Fixed Income sphere without necessarily taking on significantly more risk.

The Panel therefore supported a strategy that sought to diversify away from Investment Grade credit into other areas, including but not limited to: *secured* lending to certain higher risk counterparties; long-term lending, preferably secured, where the Fund could earn an attractive term and liquidity premium; non-sterling lending to governments and other high-grade counterparties; investment opportunities driven by changes to banking regulation; and loans delivering a degree of inflation protection through indexation.

The proposed credit and fixed income strategy was presented at Appendix 'A'.

#### **Decision Taken:**

The Committee approved the credit and fixed income strategy, as presented at Appendix 'A'.

#### **4. The Management of Local Investment Allocations**

The Committee at its meeting in November 2012 requested that officers bring forward proposals for the management of a local investment allocation.

This matter had been discussed by the Investment Panel and a report on the proposed adoption of various principles in managing an allocation of this sort (around 3% of the Fund) was presented at Appendix 'A' for the Committee's consideration.

The Committee agreed that whilst local investment could have a place in the assets of the Pension Fund, it was vital that the focus on the over-riding investment objectives of the Fund was maintained through ensuring robust appraisal and due diligence processes which were demonstrably independent and therefore able to provide an objective appraisal of any opportunities presented to the Fund. Members stressed that local investment must not override the fiduciary duties of the Fund. The Committee also agreed that:

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- Local investment would be defined as the Lancashire Sub-region i.e. the 1974 county area covered by the county council and the two unitary councils of Blackburn with Darwen and Blackpool.
- At least initially local investment should be concentrated in the area of property in line with the Investment Strategy's preference for real income generating assets. A number of current local developments could present strong opportunities for the Funding including the Enterprise Zone and the Preston City deal;
- The Fund should avoid exposure to construction risk; and
- Any allocation should be managed by an external manager in line with a clear investment mandate. The manager would undertake both the impartial evaluation of opportunities and the ongoing management of any local allocation.

The Committee noted that the Greater Manchester Pension Fund had a successful local investment allocation in the North West region including Lancashire. It was agreed that officers should seek a meeting with representatives of the Greater Manchester Fund to discuss the issue of local investment allocations and to learn from that Fund's experience.

Following this a report setting out a procurement strategy for the appointment of an appropriate manager, together with details of the relevant local investment mandate would be presented to the Committee. It was noted that a procurement exercise in respect of the Fund's property mandate would be undertaken during the 2013/14 financial year and it was proposed to include the local allocation within that mandate.

#### **Decision Taken:**

The Committee:

1. approved the implementation, in line with the Investment Strategy, of an allocation of 3% of the Fund to local property within the Lancashire area as set out in Appendix 'A'.
2. requested officers to seek a meeting with representatives of the Greater Manchester Pension Fund to discuss local investment allocation issues and to learn from that Fund's experience.
3. requested officers to bring forward a procurement strategy paper for the appointment of an appropriate manager, together with details of the relevant local investment mandate to the next meeting of the Committee.

#### **5. Fiduciary duties and ethical investment**

The Committee at its meeting on 30 November 2013 requested a report setting out the Fund's fiduciary duties with regard to ethical investment decisions. A particular concern that was raised at that meeting related to investments in the tobacco industry and any conflict which this could bring with the imminent transfer of public health responsibilities to the County Council from April 2013.

The Committee considered a report which set out the meaning of fiduciary duties pertaining to the Fund, relevant case law, relevant research and regulatory duties. With specific regard to investments in tobacco related interests, and any potential conflict with the transfer of public health responsibilities to the County Council, the report explained how these two seemingly conflicting positions could be reconciled through the maintenance of appropriate separation of duties in carrying out these particular responsibilities.

The Committee agreed that the judgements arising from relevant case law made it clear that in order to meet its fiduciary duties, the Fund could not unilaterally decide to divest from an individual investment type without regard to the overall objectives of the Fund, or without taking appropriate professional advice including risk and return considerations.

**Decision Taken:** The Committee noted the report.

## **6. Fund Shareholder Voting and Engagement Report**

The Committee considered a comprehensive report on the Fund's shareholder voting arrangements and voting activity for the period 1 October to 31 December 2012. It was noted that the Fund had voted on 193 occasions during this period and had opposed or abstained in 38% of votes.

**Decision Taken:** The Committee noted the report.

### **Part II matters**

## **7. Fund Performance Report**

(Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act, 1972. It was considered that in all the circumstances of the case the public interest in maintaining the exemption outweighed the public interest in disclosing the information)

The Committee considered a report on the performance of the Fund as at 19 March 2013, focussing on the key areas of:

- the funding position;
- cash flow;
- investment performance and allocation; and
- risk management of the Fund, including compliance with statutory and Fund limits.

**Decision Taken:** The Committee noted the report.

## **8. Investment Panel Report**

(Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act, 1972. It was considered that in all the circumstances of the case the public interest in maintaining the exemption outweighed the public interest in disclosing the information)

The Committee received a report from the Investment Panel setting out the work of the Panel at its meeting held on 29 January 2013. The Committee's attention was specifically drawn to the following key areas:

- The investment context in which the Fund was currently operating particularly in the context of the US economy and Europe's financial markets.
- Investment decisions in respect of emerging market debt;
- A Local Investment Strategy; and
- Further allocation work i.e. Regulatory Driven Investment.

**Decision Taken:** The Committee noted the report.

**Meeting of the Full Council  
Meeting to be held on 23 May 2013**

Report submitted by the Chief Executive

**Part B**

Electoral Division affected:  
All

**Report of the Lancashire Combined Fire Authority  
(Annex 1 refers)**

Contact for further information:  
Chris Keely, 01772 866908, Lancashire Fire & Rescue Service  
chriskeely@lancsfirerescue.org.uk

**Executive Summary**

Annex 1 sets out a summary report of the Lancashire Combined Fire Authority following its meeting on the 22 April 2013. This is now presented to the Full Council for information.

**Recommendation**

That the report of the Lancashire Combined Fire Authority, as now presented, be noted.

**Background Papers**

Paper	Date	Contact/Directorate/Ext
Proceedings of the Lancashire Combined Fire Authority.	22 April 2013	Chris Keely/Lancashire Fire & Rescue Service

Reason for inclusion in Part II, if appropriate

N/A





## Report of the Lancashire Combined Fire Authority - 22 April 2013

### 1. Draft Integrated Risk Management Plan 2013-17

The draft Integrated Risk Management Plan (IRMP) 2013-2017 provides details of what Lancashire Fire and Rescue Service (LFRS) intends to do over the forthcoming four years to meet the challenging needs and risks within Lancashire.

Integrated Risk Management Planning is the way that all Fire and Rescue Services identify and manage risks. Maintaining a clear and current understanding of the risks that affect Lancashire's communities underpins everything LFRS does – driving its governance and planning arrangements.

The approach taken in producing the IRMP 2013-2017 includes a strong emphasis placed on engaging with staff at an early stage of the process.

Some of the key changes in the IRMP 2013-2017 are:

1. This is the first IRMP published in a fully digital format. This will enable LFRS to amend and add to it throughout its life to ensure that it remains a 'living document' during its four-year life. Publishing the IRMP in a fully digital format enables the use of alternative forms of media, for example: video footage, animation clips and photographs to enhance and strengthen the text whilst also making the plan a more intuitive and interesting document to read not only for our own staff but importantly for members of the public. This will also reduce costs when compared to previous printed versions.
2. A comprehensive strategic assessment of risk has been undertaken to outline the type of risks considered and how maintaining an understanding of the scale, nature and effects of foreseeable risk helps LFRS to provide effective and integrated prevention, protection and response services.
3. Our priorities have moved from two to four priorities to better reflect the areas LFRS will focus its activities and resources on. A notable change is the inclusion of the priority – *valuing our staff* which is in recognition of the hugely important role the workforce provides in 'making Lancashire safer'.
4. Our values have moved away from a prescribed national set of Fire and Rescue Service values to a set of values which are specific to Lancashire and defined by staff from within the Service through 'IRMP Staff Engagement Forums'.
5. Framing future activity around a twin approach – **Improvement Programme** and **Savings Programme**. During the period of the IRMP a programme of reviews covering all parts of the Service will be undertaken to drive out inefficiencies and identify any costs that can be saved. These activities will form the Savings Programme. Importantly, the Service will not stand still – there is a need to protect the achievements which have been made in making our communities safer and to strive to develop new ways of getting even better results. These activities will form the Improvement Programme.

The Corporate Risk Management Plan provides an important framework in order to improve our service and reduce risk to the community for the period 2013-17 and forms an integral part of wider planning arrangements.

The Authority approved the draft Integrated Risk Management Plan 2013-17 to proceed to public consultation on 6 May 2013 for a period of 6 weeks.

### **Member Champion Activity**

In December 2007, the Authority introduced the "Champion" role and allocated a £5,000 budget per Member in respect of three subject areas and in July 2012 the "Champion" role was extended to four subject areas. These positions are currently filled by: -

- Equality and Diversity - County Councillor George Adam
- Older People - County Councillor James Eaton
- Environment - County Councillor Shelagh Derwent
- Road Safety – Councillor Fred Jackson

Member Champions provided verbal update reports to the Authority on activity for the fourth quarter (January to March 2013). All have undertaken their respective roles in accordance with the defined terms of reference, and have made a significant contribution to their area of responsibility, reflecting great credit on the Authority as a consequence.

### **Retiring Members**

The Authority expressed gratitude to retiring Members who were not standing for re-election for their significant contributions to the work of the CFA. The Chairman also thanked all CFA Members, senior officers and staff for their support.

JOHN SHEDWICK  
Vice-Chairman

LFRS  
Fulwood