

## **Full Council**

Thursday, 2 October, 2014, at 1.30 pm or at the conclusion of Question Time, whichever is the later, in the Council Chamber, County Hall.

## **Agenda**

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1. **Apologies and Announcements**
2. **Disclosure of Pecuniary and Non-Pecuniary Interests**
- A. Matters for Decision**
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(Pages 1 - 10)
  4. **Appointment to Independent Remuneration Panel** (Pages 11 - 12)
  5. **Timetable of Council Meetings 2015/16** (Pages 13 - 16)
- B. Matters for Information**
  6. **Report of the Cabinet (Part B)** (Pages 17 - 22)
  7. **Member Officer Working Group on Political Governance Structures - Update Report** (Pages 23 - 28)
  8. **Report of County Council Committees**

To receive reports from:

- (a) **The Overview and Scrutiny Committees** (Pages 29 - 36)
- (b) **Pension Fund Committee** (Pages 37 - 44)

9. **Report of the Combined Fire Authority** (Pages 45 - 48)

**C. Notice of Motion**

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

Jo Turton  
Chief Executive

County Hall  
Preston

29 September 2014

# Agenda Item 3

## Minutes

At a meeting of the Full Council held at Council Chamber - County Hall, on Thursday, 17 July, 2014

## Present:

County Councillor Kevin Ellard (Chair)

## County Councillors

M Brindle	J Fillis	M Otter
T Aldridge	J Gibson	M Parkinson
A Ali	G Gooch	N Penney
T Ashton	M Green	S Perkins
A Atkinson	J Hanson	M Perks
A Barnes	Dr M Hassan	C Pritchard
M Barron	P Hayhurst	S Prynne
L Beavers	C Henig	P Rigby
D Borrow	N Hennessy	A Schofield
P Britcliffe	S Holgate	K Sedgewick
I Brown	D Howarth	S Serridge
K Brown	K Iddon	J Shedwick
T Brown	M Iqbal	R Shewan
P Buckley	A James	D T Smith
T Burns	M Johnstone	K Snape
A Cheetham	A Jones	D Stansfield
A Clempson	A Kay	V Taylor
D Clifford	J Lawrenson	M Tomlinson
Mrs F Craig-Wilson	T Martin	C Wakeford
C Crompton	J Mein	D Watts
M Dad	G Molineux	D Westley
B Dawson	Y Motala	D Whipp
F De Molfetta	B Murray	P White
C Dereli	R Newman-Thompson	G Wilkins
M Devaney	D O'Toole	B Winlow
G Dowding	Mrs L Oades	B Yates
G Driver	J Oakes	

## 1. Apologies and Announcements

Apologies for absence were presented on behalf of County Councillors Susie Charles, Dorothy Lord and Jeff Sumner.

## **Announcements**

### **Death**

The Chairman reported the sad death on 15 May of former County Councillor and Honorary Alderman Eric Bamber. Tributes were paid in his memory on behalf of the Labour, Conservative and Liberal Democrat Groups who also offered condolences to his friends and family.

The council stood in silent tribute.

### **LARIA Awards (Local Area Research & Intelligence Association) Research Impact Awards 2014**

The Chairman was proud to announce that the county council had recently won three out of five LARIA awards and had been shortlisted in every category.

These awards recognised the impact of research at a local level and showcased the very best work in research and intelligence.

The Chairman gave brief details of the awards and members congratulated the relevant officers as set out below, some of whom were in attendance:

The County Council had won:

#### **Best use of local area research**

- Mel Greenslade,
- Scott Keay
- Jenny Davis

#### **Best use of health research**

- Gemma Jones
- Donna Gadsby

#### **New Researcher of the Year**

- Heather Walmsley

The County Council had been shortlisted for:

#### **Best community engagement/consultation**

- Mick Edwardson
- Sean Davies
- Heather Walmsley
- Rebecca Robinson

### **Best use of public data**

- Bryan Moulding,
- Jacqueline Evans,
- Paul Ayre
- Mike Walker

### **Ian Fisher**

The Chairman noted that Ian Fisher, County Secretary and Solicitor, was to leave the County Council at the end of the month. He thanked Ian, on behalf of the Full Council, for his excellent service over the years and wished him well for the future.

### **Lancashire Growth Deal**

At the Chairman's invitation, the Leader referred to the first wave of the Growth Deal which had been announced on 7 July. Lancashire Growth Deal was a new six year investment programme worth over £370million, agreed between the Government and Lancashire Enterprise Partnership (LEP). Lancashire had received the fourth largest allocation and work had already begun on projects to benefit the county. Members would be kept updated.

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

None disclosed.

## **3. Confirmation of Minutes from meeting held 15 May 2014**

**Resolved:** That the Minutes of the meeting of the County Council held on the 15 May 2014 be confirmed and signed by the Chair.

## **4. Report of the Cabinet (Part A)**

### **Lancashire Youth Justice Service Continuous Improvement Plan 2014/15**

The Cabinet had considered at its meeting on 15 July 2014 a report setting out the Lancashire Youth Justice Service Continuous Improvement Plan 2014/15 and agreed to recommend it to the Full Council for approval.

**Resolved:** That the Lancashire Youth Justice Service Continuous Improvement Plan 2014/15, as now presented, be approved.

**5. 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 8 May and 5 June 2014.

**Resolved:** That the report of the Cabinet from its meetings on the 8 May and 5 June 2014 be noted.

**6. Report of the Member / Officer Working Group on Political Governance Structures**

The Deputy Leader presented a report on the progress of the Member Officer Working Group on Political Governance.

**Resolved:** That the report of the Member Officer Working Group on Political Governance, as now presented, be noted.

**7. Report of Urgent Key Decisions**

**Resolved:** That the report of Urgent Key Decisions taken by the Leader and Deputy Leader of the County Council, as now presented, be noted.

**8a. The Overview and Scrutiny Committees**

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

<b>Committee</b>	<b>Date of Meeting</b>
Scrutiny Committee	09 May 2014
	20 May 2014
	13 June 2014
Health Scrutiny Committee	10 June 2014
Education Scrutiny Committee	17 June 2014

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

**8b. Audit and Governance Committee**

County Councillor Terry Brown presented the report of the Audit and Governance Committee from its meeting on the 30 June 2014.

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

### 8c. Pension Fund Committee

County Councillor Terry Burns presented the report of the Pension Fund Committee from its meeting on the 6 June 2014.

**Resolved:** That the report of the Pension Fund Committee, as now presented, be received.

### 9. Report of the Combined Fire Authority

County Councillor Frank De Molfetta presented the report of the Lancashire Combined Fire Authority from its meeting on the 23 June 2014.

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

### Notices of Motion (Part C)

The Chairman reported, in accordance with Procedural Standing Order 14.3.2, that a proposed Notice of Motion submitted by County Councillor Michael Green had been ruled 'out of order'.

The Motion related to a recent decision by the Cabinet Member for Children, Young People and Schools about the transport policy for children with special educational needs and disabilities (SEND).

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

#### 1. It was moved by County Councillor Cynthia Dereli and seconded by County Councillor Richard Newman-Thompson that:

The Transatlantic Trade and Investment Partnership is a bi-lateral free trade agreement which is currently being negotiated by the US and the European Union. The talks aim to eliminate barriers to trade in goods and services, to guarantee investor rights and promote regulatory co-operation.

This Council notes:

1. that the Transatlantic Trade and Investment Partnership (TTIP) is currently being negotiated between the US and the EU supposedly to pursue the interest of free trade.
2. TTIP negotiations are being conducted behind closed doors between representatives of the EU and US without transparency or democratic accountability.

3. TTIP would open up access to government procurement markets and eliminate preferential treatment to local suppliers and introduce investment protection provisions that include investor state dispute settlement (ISDS) mechanisms which allow investors to challenge state actions which they perceive as threatening to their investment.
4. ISDS mechanisms allow for disputes between investors and governments to be heard by tribunals of “experts” rather than resolved by the host state’s courts. The United Nations Conference on Trade and Development (UNCTAD) recently explained that ***“foreign investors have recently used ISDS claims to challenge measures adopted by states in the public interest (for example, policies to promote social equity, foster environmental protection or protect public health).”***

This Council believes that:

1. the TTIP negotiations are potentially catastrophic for public services as the EU/US representatives are negotiating to hand over the right to regulate in the public interest without transparency or accountability to their electorates.
2. ISDS mechanisms would make it hard for any government to reverse liberalisation and privatisation without being sued by foreign investors. So whatever voters actually wanted, the trade treaty would place major barriers in the way of government giving expression to their democratic will.

This Council resolves:

1. to write to the Prime Minister and the Secretary of State for Business Innovation and Skills raising our serious concerns about the TTIP.
2. Offer support to the campaign by Unite to defend the NHS which is drawing attention to the potential impact of the TTIP.
3. Write to all borough/district councils in Lancashire to urge them to join us in opposing the potential impact of the TTIP.
4. to write to the County Councils Network and Local Government Association to urge them lobby on behalf of all Local Authorities on the potential impact of the TTIP.
5. Do all we can to publicise the dangers arising from this trade agreement for our NHS and other public services and jobs.

County Councillor Gina Dowding moved the following **Amendment** which was seconded by County Councillor Liz Oades.

At point 1 under "This Council resolves"

That the words "north west MPs and MEPs" be added after the word "Skills" and that "and urge them to apply for UK opt outs, particularly exempting health and social services." be added at the end of point 1.

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



The original motion was then put to the vote and was carried and it was therefore

**Resolved:** That,

This Council notes:

1. that the Transatlantic Trade and Investment Partnership (TTIP) is currently being negotiated between the US and the EU supposedly to pursue the interest of free trade.
2. TTIP negotiations are being conducted behind closed doors between representatives of the EU and US without transparency or democratic accountability.
3. TTIP would open up access to government procurement markets and eliminate preferential treatment to local suppliers and introduce investment protection provisions that include investor state dispute settlement (ISDS) mechanisms which allow investors to challenge state actions which they perceive as threatening to their investment.
4. ISDS mechanisms allow for disputes between investors and governments to be heard by tribunals of “experts” rather than resolved by the host state’s courts. The United Nations Conference on Trade and Development (UNCTAD) recently explained that ***“foreign investors have recently used ISDS claims to challenge measures adopted by states in the public interest (for example, policies to promote social equity, foster environmental protection or protect public health).”***

This Council believes that:

1. the TTIP negotiations are potentially catastrophic for public services as the EU/US representatives are negotiating to hand over the right to regulate in the public interest without transparency or accountability to their electorates.
2. ISDS mechanisms would make it hard for any government to reverse liberalisation and privatisation without being sued by foreign investors. So whatever voters actually wanted, the trade treaty would place major barriers in the way of government giving expression to their democratic will.

This Council resolves:

1. to write to the Prime Minister and the Secretary of State for Business Innovation and Skills raising our serious concerns about the TTIP.
2. Offer support to the campaign by Unite to defend the NHS which is drawing attention to the potential impact of the TTIP.
3. Write to all borough/district councils in Lancashire to urge them to join us in opposing the potential impact of the TTIP.
4. to write to the County Councils Network and Local Government Association to urge them lobby on behalf of all Local Authorities on the potential impact of the TTIP.

5. Do all we can to publicise the dangers arising from this trade agreement for our NHS and other public services and jobs.

**2. It was moved by County Councillor David Howarth and seconded by County Councillor Bill Winlow that:**

Council recognises that participation in school sports plays a vital role in the health and wellbeing of young people, and expresses concern that at a time when the United Kingdom has the highest rate of child obesity in Western Europe, research also refers to a sharp decline in those taking part in school sports.

It believes that to increase and develop participation in sport, our schools deserve appropriate facilities in which school playing fields are paramount, and regrets the loss of 257 school playing fields nationally since 1997 with numbers continuing to decline.

Council therefore resolves to protect against any further loss of school playing fields in Lancashire unless it can be determined that they are no longer needed.

Following a period of debate the motion was put to the vote and was carried and it was:

**Resolved:** That,

Council recognises that participation in school sports plays a vital role in the health and wellbeing of young people, and expresses concern that at a time when the United Kingdom has the highest rate of child obesity in Western Europe, research also refers to a sharp decline in those taking part in school sports.

It believes that to increase and develop participation in sport, our schools deserve appropriate facilities in which school playing fields are paramount, and regrets the loss of 257 school playing fields nationally since 1997 with numbers continuing to decline.

Council therefore resolves to protect against any further loss of school playing fields in Lancashire unless it can be determined that they are no longer needed.

**10. Exclusion of Press and Public**

**Resolved:** That the press and members of the public be excluded from the meeting during consideration of the following item of business on the grounds that there would be a likely disclosure of exempt information as defined in the paragraph of Part 1 of schedule 12A to the Local Government Act, 1972, indicated against the heading to the item. It was considered that in all the circumstances the public interest in maintaining the exemption outweighed the public interest in disclosing the information

## **11. Report of the Cabinet (Part A)**

### **Financing the County Council's Borrowing Requirement**

The Cabinet had considered at its meeting on 15 July 2014 a report setting out proposals for financing the County Council's borrowing requirement and agreed to recommend it to the Full Council for approval.

**Resolved:** That the recommendations set out in the report now presented be approved.

Jo Turton  
Chief Executive

County Hall  
Preston



# Agenda Item 4

## Meeting of the Full Council Meeting to be held on 2 October 2014

Report submitted by: The Chief Executive

Part A

Electoral Division affected:  
None

### Appointment to Independent Remuneration Panel

Contact for further information:  
Chris Mather, (01772) 533559, Office of the Chief Executive

#### Executive Summary

This report proposes the reappointment of a member of the Independent Remuneration Panel.

#### Recommendation

The Full Council is asked to approve the reappointment of Mr Dennis Mendoros OBE, DL, as a member of the Independent Remuneration Panel for a further four years until 5 October 2018.

#### Background and Advice

The County Council is required by Regulations to put in place a Remuneration Panel to make recommendations to the Authority about the allowances to be paid to members and co-opted members of the County Council. The existing members of the Panel are:

Name	Appointment Expiry Date
Gordon Johnson, (Chair)	31 December 2015
Dennis Mendoros, OBE, DL	5 October 2014
Mrs Gail Stanley MBE, DL	17 January 2016
Mrs Irene Divine	28 March 2017
Terence Whitehead	28 March 2017
Keith Leaver	28 March 2017

Members of the Panel are appointed for a four-year period and the Panel's Terms of Reference enable a member to be appointed for a second term of office. Mr Mendoros was appointed to the Panel in October 2006 so he is about to complete his second term of office. There is nothing in Regulations to prevent a member from being re-appointed beyond a second term and the Full Council is therefore

requested to consider the reappointment of Mr Dennis Mendoros for a third term of office.

Mr Mendoros has extensive knowledge of the Council's Members' Allowance Scheme and he has confirmed that he would wish to continue to serve on the Panel. It is therefore proposed that Mr Mendoros be reappointed to serve on the Panel for a further four years until 5 October 2018.

### **Consultations**

N/A

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

No significant risks have been identified.

**Financial:** Members of the Panel receive an annual allowance £354 per annum plus travel costs.

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

Paper	Date	Contact/Directorate/Ext
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Nil

### **Reason for inclusion in Part II, if appropriate**

N/A

# Agenda Item 5

## Meeting of the Full Council Meeting to be held on 2 October 2014

Report submitted by: The Chief Executive

**Part A**

Electoral Division affected:  
All

## Lancashire County Council Timetable of Meetings 2015/16 (Appendix A refers)

Contact for further information:  
Chris Mather, 01772 533559, Office of the Chief Executive,  
[Chris.mather@lancashire.gov.uk](mailto:Chris.mather@lancashire.gov.uk)

### Executive Summary

This report sets out a draft timetable of Full Council, Cabinet and Committee meetings for the period 1 June 2015 to 31 May 2016.

### Recommendation

The Full Council is asked to approve the timetable of Full Council, Cabinet and Committee meetings for the period 1 June 2015 to 31 May 2016 inclusive.

### Background and Advice

Attached at Appendix A is a draft timetable of Full Council, Cabinet and Committee meetings for the period 1 June 2015 to 31 May 2016 inclusive.

### Consultations

N/A

### Implications:

### Risk Management

No significant risks have been identified.

**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



Lancashire County Council Timetable of Meetings 2015/16

Appendix 'A'

		JUN '15	JUL '15	AUG '15	SEP '15	OCT '15	NOV '15	DEC '15	JAN '16	FEB '16	MAR '16	APR '16	MAY '16
<b>Audit and Governance Committee</b>	2.00 pm Monday	29			28				25			4	
<b>Cabinet (w)</b>	2.00 pm Thursday	11	9		10	8	5	3	7^ 21	4^	10	14	12
<b>Cabinet Committee on Performance Improvement</b>	2.00 pm Monday	8	28*			5	30			1	7		
<b>Cabinet Committee on the Lancashire County Commercial Group</b>	2.00 pm Thursday		30			22			14		17		
<b>Commons and Town Greens Sub-Committee</b>	10.00 am Wednesday		29				18				16		
<b>Corporate Complaints Committee #</b>	10.00 am Monday	23*	22*		21	19	23		11	8	9*	11	9
<b>Development Control Committee (w)</b>	10.00 am Wednesday		8		2	14		9	20		2	13	25
<b>Education Scrutiny Committee (w)</b>	10.00 am Tuesday		21				17					5	
<b>Employment Committee</b>	2.00 pm Monday	15	15*		14	12	16	14	18	22	14	18	16
<b>Executive Scrutiny Committee (w)</b>	2.00 pm Tuesday	9	7		8	6	3	1	5^ 19	2^	8	12	10
<b>Full Council (w)</b>	1.30 pm Thursday		23			1		17		11(B) 25			26(AGM)
<b>Health Scrutiny Committee (w)</b>	10.30 am Tuesday	2	15*		1	13	24		26		15	26	
<b>Lancashire Health and Wellbeing Board</b>	2.00 pm Thursday		16			29			28			19	
<b>Pension Fund Committee</b>	10.00 am Friday	5			4		27					1	
<b>Regulatory Committee (w)</b>	10.30 am Wednesday		1		9	21		2	13	24		6	
<b>Scrutiny Committee (w)</b>	10.30 am Friday	19	17		18	16	13	11	15	26		8	13
<b>Student Support Appeals Committee #</b>	10.00 am Monday	1	27		3*	7*	2	8*	18	29		25	

^ = Provisional meeting

B = Budget

# = Meeting not open to press and public

\* = Change of day

AGM = Annual General Meeting

(w) = Meeting is webcast



# Agenda Item 6

## Meeting of the Full Council Meeting to be held on 2 October 2014

Report submitted by: The Chief Executive

**Part B**

Electoral Division affected:  
None

## 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 15 July 2014 and 11 September 2014 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.

### List of Background Papers

Paper	Date	Contact/Directorate/Tel
Agenda and Minutes of Cabinet	15 July 2014 11 September 2014	Dave Gorman, Office of the Chief Executive, (01772) 534261

Reason for inclusion in Part II, if appropriate

N/A



## **Meeting of the Full Council - 2 October 2014**

### **Report of the Cabinet Meeting held on 15 July 2014**

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>

### **Annual Reports of the County Council Champions**

Cabinet considered a report setting out the annual reports of each of the County Council's six Champions for 2013/14.

Cabinet noted the annual reports of the County Council's six Champions for 2013/14 as set out at Appendices 'A' - 'F' to the report.

### **Money Matters - The Financial Outlook for 2015/16 to 2017/18**

Cabinet considered a report setting out an update to the financial forecast based on the information on demand flowing from the 2013/14 outturn, and various other announcements since the budget was set in February 2014.

Cabinet:

- (i) Noted the issues identified in the updated financial forecast as set out at Appendix 'A';
- (ii) Determined what representations, if any, should be made in relation to the new burdens identified within the forecast.

### **Appointments to Outside Bodies 2014/15**

Cabinet considered a report setting out details of the appointment of County Council representatives to various outside bodies for 2014/15.

Cabinet:

- (i) Considered and approved the representation and appointments listed in Appendix 'A' for outside bodies for 2014/15 and authorised Group Secretaries to fill any remaining vacancies or make any changes and to notify the Chief Executive of the appointments, and;
- (ii) Approved the deletion of the bodies listed in Appendix 'B', in light of the information received regarding their existence.

## **Lancashire Waste PFI Project (Part II)**

Cabinet considered a report setting out proposals in relation to the Lancashire Waste PFI Project.

Cabinet approved the recommendations set out in the report.

## **Report of the Cabinet Meeting held on 11 September 2014**

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>

## **Money Matters – Update on the County Council's Financial Position for 2014/15**

Cabinet considered a report setting out the budget monitoring for 2014/15 which reflected the position as at 31 July 2014.

Cabinet:

- (i) Noted the forecast position for the 2014/15 revenue budget and capital investment programme;
- (ii) Noted the additional one off resources of £1.9m available to the Council and approve their transfer to the Downsizing Reserve;
- (iii) Noted the forecast position on the Council's reserves, and:
  - a. Approved the transfer of any sum in excess of £36m within County Fund Balance at the end of 2014/15 to the Downsizing Reserve;
  - b. Approved the transfer of the balance of £1.3m not required to achieve the original policy objectives of the Strategic Investment Reserve to the Downsizing Reserve;
  - c. Approved the allocation of £3.2m from the Downsizing Reserve for transitional costs associated with the Transformation Programme. The use of this allocation will be controlled by the Chief Executive and will be subject to regular reporting back to the Cabinet as part of the ongoing budget monitoring process.

## **Financing the Council's Borrowing Requirement - Establishment of a Public Limited Company**

Cabinet considered a report setting out proposals for the establishment of a Public Limited Company to facilitate the financing of the County Council's borrowing requirement.

Cabinet:

- (i) Approved, the formation of, and the County Council's full participation in, a Public Limited Company, **\*\*Name of Company to be confirmed\*\***, expressly to facilitate the Capital funding of the County Council, to enable the County

- Council to comply with the withholding tax provisions, and taking up £50,000 of shares in the Company;
- (ii) Noted that a further report will be submitted to Cabinet in due course setting out proposals for the constitution, structure and membership of the Public Limited Company.





# Agenda Item 7

## Meeting of the Full Council Meeting to be held on 2 October 2014

Report submitted by: The Chief Executive

**Part B**

Electoral Division affected:  
None

### Member Officer Working Group on Political Governance Structures – Update Report

(Appendix A refers)

Contact for further information:

Josh Mynott, (01772) 534580, Office of the Chief Executive,  
josh.mynott@lancashire.gov.uk

#### Executive Summary

Full Council is asked to note the progress of the Member Officer Working Group on Political Governance. A summary of the latest meeting is attached at Appendix A

#### Recommendation

That the update be noted

#### Background and Advice

Full Council at its meeting on the 12 December 2013 debated a Notice of Motion on a possible return by the authority to a Committee system and resolved:

"The County Secretary and Solicitor is instructed to bring a report to the Full Council Meeting on the 27 February 2014 setting out the options and necessary actions that need to be taken to discontinue the existing Leader and Cabinet system of decision making and revert back to a Committee system.

We also instruct the Interim Chief Executive to give an indicative time scale for the introduction of such a change, given that several other County Councils have made or are making this transition."

The Full Council at its meeting on the 27 February considered the report and decided:

"To establish a cross party member officer working group, on the basis of 3 Labour, 2 Conservative, 1 Liberal Democrat and 1 Independent Member, to thoroughly investigate options for any change in political management structure and make recommendations to the Council on a future governance structure.

1. That regular progress reports be provided by the working group to the Full Council
2. That the member officer working group be requested to report back on its proposals to the Full Council in December 2014."

In noting the request to provide regular update reports, the Working Group agreed to report back on progress to the Full Council meetings on 17 July and 2 October, and to meet as frequently as required but at least monthly up until December 2014. This report represents the second update, and includes a summary of the meeting held on 8 September 2014.

The Membership of the Working Group is as follows:

**County Councillors:**

County Councillor David Borrow (Chair)  
County Councillor Matthew Tomlinson  
County Councillor Niki Penney  
County Councillor Bill Winlow  
County Councillor Michael Green  
County Councillor Geoff Driver  
County Councillor Paul Hayhurst

**Officers:**

Ian Young, Deputy County Solicitor  
Paul Bond, Head of Policy and Performance  
Roy Jones, Assistant County Secretary  
Josh Mynott, Committee Support Team Leader.

**Consultations**

N/A

**Implications:**

This item has the following implications, as indicated:

**Risk management**

None

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

Paper	Date	Contact/Directorate/Tel
As set out in Appendix A		Josh Mynott / OCE / 01772 534580
Reason for inclusion in Part II, if appropriate		
N/A		



### Report of the Member Officer Working Group – Political Governance Structures

#### **Meeting 3: 8 September 2014 - Summary**

At its meeting on the 25 July, the Working Group considered a report setting out some of the key features, and advantages and disadvantages, of committee, cabinet and hybrid systems. At that meeting, it was agreed that officers develop more detailed draft structures for the three alternative governance models, taking into account the issues raised by the working group.

At the meeting on 8 September, the Working Group therefore considered a report on three initial models for political governance (Cabinet, Committee and Hybrid), presented for consideration.

In considering the models presented, it was recognised that full account would need to be taken of the organisational transformation in the Council and to the resources which would be required for each of the models.

Some concerns were raised about a suggested change to the O&S Call In procedure which, it some felt, would result in making a Call In harder to achieve. It was explained that the suggestion had been made following comments from scrutiny members about some recent Call Ins. It was felt that, where a matter had been subject to a full debate at the Executive Scrutiny Committee and a decision had subsequently been made by the Cabinet or Cabinet member which did not contradict the resolution of the ESC, that a further debate on the same issue generated by a Call In request did not substantially add value in terms of democracy, debate or accountability. It was recognised that a Call In process could be developed which distinguished between decisions already considered and approved without modification by ESC and those which hadn't been, with a higher threshold to submit a request for the former. It was also agreed that the precise nature of the threshold and the appropriate level would be given consideration at a future meeting of the Working Group.

Some members expressed the view that Full Council required reinvigorating to improve debate and allow current issues to be discussed in more depth. This would include a review of the current Question Time. It was agreed that this would be the subject of further consideration by the Working Group.

There was general support for the proposals, across the three models in relation to the proposals for non-executive committees. It was also recognised that further detail would need to be agreed on issues such as committee numbers, allocation of chairs and levels of remuneration.

It was agreed that the three models outlined should now be developed further, in line with the comments made by the Working Group, in order to add further details to the proposals and to address issues such as committee sizes, frequency of meetings, required constitutional changes, as well as critically the relationship to the organisational transformation and the impact on resources.

The Working Group considered the issue of the governance around locality working. A number of issues were discussed in relation to the current Three Tier Forums, and it was agreed that any arrangements had to reflect genuine joint working at a strategic level, with all tiers of local government taking a full and active part in meetings. Consideration should be given to the appropriate geographic footprint for engagement, and also to the appropriate issues where engagement would achieve most. It was recognised that the current arrangements on a District footprint were resource intensive for the County Council, and that there was pressure from many districts for more County resource to be invested in the current Forums, a position that would prove unsustainable going forward as the Council progresses through the transformation and restructuring process.

The Working Group also noted the recent decision of Chorley Borough Council to investigate options relating to Unitary Status, and views expressed publicly by Wyre Borough Council on the same issue.

It was agreed that officers should develop a number of options for future locality working for discussion at a future Working Group meeting

The Working Group agreed that officers should seek further evidence from other authorities as appropriate. It was agreed that this could be achieved through email and telephone contact, and that no visits by officers or members to other authorities (or visits by other authorities to Lancashire) would be necessary at this stage.

**Decisions:**

- That the initial proposals for three governance models be developed by officers for further consideration at the next meeting.
- That the comments in relation to Full Council be noted and subject to future consideration
- That officers develop options for future locality working for discussion at a future Working Group meeting

**Meeting of the Full Council**  
**Meeting to be held on 2 October 2014**

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 July - September 2014.

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 the committee, together with minutes of the relevant meeting 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.

The Executive Scrutiny Committee met on 9 September 2014 to consider all reports considered by Cabinet and Key Decisions by individual cabinet members.

**Recommendation**

That the report of the Overview and Scrutiny Committee, as now presented, be noted.

## **Background Papers**

<b>Paper</b>	<b>Date</b>	<b>Contact/Directorate/Ext</b>
Agenda and minutes: <b>Scrutiny Committee</b>	11 July 2014	Janet Mulligan/Office of the Chief Executive/33361
<b>Health Scrutiny Committee</b>	22 July 2014 02 September	
<b>Education Scrutiny Committee</b>	15 July 2014	
<b>Executive Scrutiny Committee</b>	09 September 2014	

Reason for inclusion in Part II, if appropriate

N/A



**Meeting of the Full Council – 2 October 2014**

**Report on the Scrutiny Committee Meetings held on 11 July 2014**

**Chair: County Councillor Bill Winlow**

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>

**11 July 2014**

**Transport Asset Management Plan (TAMP) 2015-2030**

A report was presented on the Transport Asset Management Plan 2015-2030 (TAMP) which the Cabinet Member for Highways and Transport approved on 10 June 2014. In agreeing the TAMP, the Cabinet Member also agreed to the submission of the TAMP for consideration by the County Council's Scrutiny Committee, with a request that the Scrutiny Committee established a task and finish group to monitor the implementation of the TAMP.

It was agreed that a Task Group be established to monitor the implementation of the TAMP, which would meet quarterly, commencing in November 2014, for a period of approximately 18 months. The Task Group would consist of seven members, three from the Labour Group, two from the Conservative Group and one from each of the Liberal Democrat and Independent Groups.



## **Meeting of the Full Council – 2 October 2014**

### **Report on the Health Scrutiny Committee Meetings on 22 July and 2 September 2014**

**Chair: County Councillor Steven Holgate**

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

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

#### **22 July 2014**

##### **Starting Well: A scrutiny overview of pregnancy, early years and healthy lifestyles**

The Health Scrutiny Committee had previously agreed to structure its work programme around the three key strands of Lancashire's Health and Wellbeing Strategy: Starting Well, Living Well and Ageing Well. As part of Starting Well the Committee had requested additional information about pregnancy, early years and healthy lifestyles.

The report now presented therefore provided a focus on: pregnancy, early years initiatives and support for families to make healthy lifestyle choices. It provided brief background information to each of these themes and suggested how elected members could contribute to the Public Health agenda.

It was agreed that a further report on the 'Starting Well' theme be brought to the September meeting of this Committee, after which the Committee would consider clear recommendations regarding its preferred Public Health priorities.

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

It was reported that on 2 May the Steering Group had met with Mark Hindle, Chief Executive of Calderstones NHS Trust to update members on the Trust's annual and 5 year plans and also received a further update from Lancashire Care Foundation Trust on inpatient facilities.

On 13 June the Steering Group had met with University Hospitals Morecambe Bay Trust to discuss the forthcoming publication of the CQC inspection report and other recent developments.

It was confirmed that there had been an exchange of correspondence between the Steering Group and University Hospitals Morecambe Bay Trust about pharmacy services and there was to be a meeting between the two parties to discuss this issue.

**2 September 2014**

### **Lancashire Children and Young People Plan: our starting well strategy**

The Committee received a presentation about the Children and Young People's Plan (CYPP) 2014-17. It was the key multi agency strategy for children and young people in Lancashire, which had been endorsed by the Health and Wellbeing Board and adopted as the Starting Well strand of the Health and Wellbeing Strategy.

### **School Nursing and Health Visiting**

As part of the ongoing scrutiny of the 'Starting Well' element of the Health & Wellbeing Strategy the Committee had also agreed to look at the services relating to school nursing and health visiting.

To enable an effective understanding of the whole approach to these services officers representing both commissioners and service providers attended Committee to provide members with information relating to the different roles and responsibilities they each carry out.

Following the discussion, it was agreed that further information as set out in the minutes be provided to the Committee, via the Steering Group or the Scrutiny Officer, as appropriate.

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

It was reported that on 4 July the Steering Group had received an update on the implications of the Care Act, Home Care Procurement and Telecare.

The Steering Group had also met with officers from Lancashire Teaching Hospitals Trust (LTHT) to discuss a presentation to be provided to the Care Quality Commission at the start of the inspection process and receive feedback on a draft bulletin for scrutiny members.

On 25 July the Steering Group had met relevant officers to discuss East Lancashire Clinical Commissioning Group's commissioning of services from Calderstones NHS Trust

## **Meeting of the Full Council – 2 October 2014**

### **Report on the Education Scrutiny Committee Meeting 15 July 2014**

**Chair: County Councillor Cynthia Dereli**

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>

#### **Lancashire Learning Excellence**

The report provided an update on the school facing traded services which were delivered by the county council to education providers within Lancashire and beyond the county. Lancashire had a long history of delivering high quality services to support schools and other educational providers in delivering to children and young people.

It was explained that the 2011 Education White Paper "The importance of teaching" stressed that local authorities should develop a new relationship with their schools around delivering services. Lancashire undertook a major review with all school partners across the Autumn of 2011 and Spring 2012 focussing on the types of traded services which were valued and which schools wanted the county council to deliver. That consultation led to a refinement in the services that were offered through Lancashire Learning Excellence and the way in which services were presented through the schools portal.

It was agreed that a further update report be brought back to the Education Scrutiny Committee at an appropriate point in 2015.

#### **Lancashire Youth Council Consultation Report**

The report explained that, in September 2013, the Chair of the Education Scrutiny Committee had asked members of Lancashire Youth Council to carry out a consultation that would enable them to identify any barriers to education that young people faced.

It summarised the findings from a consultation carried out by the Youth Council, which indicated that young people were facing a number of issues that were seen by them as barriers to learning, many of which were already being addressed both within the education establishment and by external partners and organisations.

Education Scrutiny Committee was asked to consider and comment on the findings of the consultation and in particular on the three recommendations identified by the Youth Council, set out in the report.

Members acknowledged that mental health issues were well recognised as a barrier to learning and that factors such as the rapid growth of social media had led to the

emergence of many complex issues with potentially serious outcomes for young people.

It was agreed that:

- County council officers be asked to consider the three recommendations of the Youth Council, as set out in the report presented, and report back to the Education Scrutiny Committee on action taken;
- A task group be established to investigate issues around emotional health and wellbeing of young people as a barrier to learning, and support the work of the Youth Council in this connection.

### **Report of the Pupil Premium and Attainment Task Group**

The report of the Pupil Premium and Attainment Task Group was presented and its recommendations were supported by the Education Scrutiny Committee.

The Chair accepted a suggestion that the task group report be regarded as a 'living document' and Bob Stott, Director for Universal and Early Support Services, undertook to raise with Jonathan Hewitt, Head of Quality and Continuous Improvement, how further examples of good practice could be included.

It was agreed that:

- An initial response from the Cabinet Member for Children and Young People be provided to the Committee at its next meeting in October;
- A checklist or guidance for schools' leadership and governors as set out at recommendation 7 be provided to the Committee at its meeting in March 2015; and
- A full response from the Cabinet Member for Children and Young People be provided to the Committee at its meeting in March 2015.

**Meeting of the Full Council**  
**Meeting to be held on 2 October 2014**

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 5 September 2014 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?CommitteId=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	5 September 2014	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 5 September 2014.

### **Part I**

#### **1. Annual Report and Statement of Accounts of Lancashire County Pension Fund for the year ended 31 March 2014**

The Committee considered the Annual Report and Accounts of the Pension Fund for 2013/14.

It was noted that the Statement of Accounts was currently being audited by the external auditor and the auditor's opinion, together with any changes required as a result of the audit process would be included in the published Annual Report, when this had been completed.

A copy of the Annual Report 2013/14 was presented at Appendix 'A'. The content of the Annual Report included the following sections:

- An overview of the management and financial performance of the fund;
- The Governance Compliance Statement;
- Administration of the Fund;
- Knowledge and Skills Framework
- Investments of the Fund;
- The accounts and financial statements;
- Actuarial Valuation;
- The Governance Policy Statement;
- The Communication Policy Statement;
- The Funding Strategy Statement;
- The Statement of Investment Principles

It was noted that the County Council's Constitution required the Pension Fund Annual Report to be approved by the Committee and submitted to the Full Council for information.

### **Decision Taken**

The Committee approved the 2013/14 Lancashire County Pension Fund Annual Report, as now presented, for submission to the Full Council.

NB. The Annual Report can be viewed [here](#).

#### **2. Shareholder Voting and Engagement Report**

The Committee considered a comprehensive report on the Fund's shareholder voting arrangements and activity, and engagement activity for the period 1 April to 30 June 2014. The report also set out details of potential class actions in relation to companies

in which the Lancashire County Pension fund currently owned shares or had previously owned shares.

It was noted that PIRC were collating UK proxy voting outcomes for the 2014 voting 'season' and would provide a report following the end of the September quarter. This would enable PIRC to review voting recommendations provided on behalf of Fund, as well as reviewing market trends and the significance of developments affecting those outcomes.

The expected report would also provide a commentary on the proxy season from the viewpoint of how institutional investors voting outcomes had impacted on individual company results, as well as the impact of highlighting new issues and the broader support for governance changes that investors had been arguing for. In addition, it would have a full statistical analysis of the Fund's voting record. This information would be included in future reports to the Committee.

### **Decision Taken**

The Committee noted the report.

## **9. Lancashire County Pension Fund Risk Register**

The Committee considered the Fund's Risk Register six monthly update report.

It was noted that the Risk Register had been reviewed by risk owners and that two new risks had been identified. The Committee's attention was also drawn to the areas currently designated as 'high' risk.

### **Decision Taken**

The Committee noted the report.

## **10. Opportunities for Co-operation with Other Funds Within the Local Government Pension Scheme**

The Committee considered a report on possible opportunities for collaborative working with other Local Government Pension Schemes.

It was noted that the Committee had in its various responses to Government consultation documents supported the proposition that increased collaboration between funds would be beneficial. The Committee was informed that a range of opportunities for collaboration were presenting themselves and an approach to dealing with the opportunities including potential areas for discussion was presented.

### **Decision Taken**

The Committee agreed that officers be authorised to engage in exploratory discussions with other Local Government Pension Schemes on possible opportunities for co-operative working.

## **11. Extension of Contract for Actuarial Services**

The Committee considered a report on the contract arrangements for the provision of actuarial services to the Fund.

It was noted that the current three year contract with the Fund's Actuary, Mercers, was due to expire and that it was proposed to take up the option to extend the contract for a further three years to September 2017. This would enable the Fund to continue to work with the Actuary beyond the completion of the next schedule actuarial valuation (31 March 2016) thus providing continuity and consistency of service. A procurement process would be undertaken following the expiry of the contract in September 2017.

### **Decision Taken**

The Committee noted the proposed extension of the current contract for the provision of actuarial services to the Fund to September 2017.

## **12. Transaction of Urgent Business**

The Committee's responses to the following Government consultation exercises were presented:

- Opportunities for Collaboration, Cost Savings and Efficiencies within the Local Government Pension Scheme;
- Draft scheme governance regulations for the Local Government Pension Scheme

It was noted that the responses had been approved under the County Council's Urgent Business Procedure as the closing dates for submissions were prior to the next scheduled meeting of the Committee.

The Committee welcomed the responses and fully endorsed the views and concerns which had been expressed to Government. Members were particularly concerned about increased risks caused by:

- reduced accountability, control and oversight to deliver an effective strategy to eliminate the Fund's deficit;
- the Government's focus on fee reduction measures;
- the pooling of LGPS assets to a single strategy based around a common investment vehicle;
- the requirement to change asset allocation from active to passive management;
- the Government's one size fits all solution for all public sector pension schemes, which appeared to ignore the fundamental differences between the LGPS, which already had effective and inclusive governance arrangements which could be built on and the unfunded schemes which did not; and
- the potential conflict between the new Pension Board and pre-existing committees, and the exclusion of democratically elected councillors from the Board.

It was suggested that Lancashire Members of Parliament be informed of the Fund's views and concerns about the Government's proposals. The Committee agreed that the MPs should be asked to support the consultation responses and to raise the concerns with Government

The Committee was informed that a report on the proposed establishment and membership of the new Pension Board as from 1 April 2015 would need to be presented to Full Council in December 2014. This would follow consultations with stakeholders and consideration of the proposals by the Committee at its meeting on 28 November.

It was felt that a further briefing session should be held prior to the next meeting of the Committee on the implications of the consultation documents and on the proposals for the establishment of the new Pension Board.

### **Decision Taken**

The Committee:

1. Noted the report.
2. Agreed that Lancashire Members of Parliament be asked to support the Fund's responses to the Government's consultation documents.
3. Agreed that a briefing session on the implications of the Government's consultation documents, and on the proposed arrangements for the establishment of a new Pension Board be held prior to the next meeting of the Committee.

## **Part II**

### **5. Investment 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 30 June 2014, focussing on the key areas of:

- the funding position;
- cash flow;
- fund investment performance;
- management performance;
- investment allocations; and
- risk management of the Fund including liability, credit, liquidity, investment and operational risks.

### **Decision Taken**

The Committee noted the report.

## **6. 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 meetings held on 6 June and 21 July 2014. The Committee's attention was specifically drawn to the following key areas:

- The Investment Context in which the Fund was operating;
- Updates on property activity;
- Asset Trust Investment Format;
- Ground rent proposal; and
- Liability Risk Management

### **Decision Taken**

The Committee noted the report.



# Agenda Item 9

## Meeting of the Full Council Meeting to be held on 2 October 2014

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:

Diane Brooks, 01772 866720, Lancashire Fire & Rescue Service  
dianebrooks@lancsfirerescue.org.uk

### Executive Summary

Annex 1 sets out a summary report of the Lancashire Combined Fire Authority following its meeting on the 8 September 2014. 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.	8 September 2014	Diane Brooks Lancashire Fire & Rescue Service

Reason for inclusion in Part II, if appropriate

N/A





## **Report of the Lancashire Combined Fire Authority (CFA) 8 September 2014**

### **1. Chairman's Acknowledgement**

The Chairman recognised the work of Area Manager Chris Waters and Area Manager Keith Marsh who were both retiring at the end of September and the Authority wished them well for the future.

### **2. Ministerial Statement on Fire and Rescue Services**

In June 2013 the Authority had considered a paper which outlined the main findings from Sir Ken Knight's Review of efficiencies and operations in fire and rescue authorities in England alongside the progress that Lancashire Fire and Rescue Service (LFRS) had made against the key areas identified in the Review. At that time it was anticipated the government would give its views on the Review in the autumn.

A written Ministerial Statement had been issued on 15 July 2014 which was considered by Members. The Statement did little to change the direction of travel for LFRS which remained around increasing efficiency and working collaboratively where appropriate. One new piece of information was that the government was to commission an independent review of the conditions of service for all fire and rescue staff and the way in which they were negotiated and decided.

### **3. Openness of Local Government Bodies Regulations 2014**

The Openness of Local Government Bodies Regulations 2014 came into force on 6 August 2014. These Regulations applied to the Authority. They made provision for any person attending one of the Authority's meetings (while that meeting is open to the public) to be permitted to report on the meeting. The Regulations define the term 'reporting' as:

- (a) filming, photographing or making an audio recording of proceedings at a meeting;
- (b) using any other means for enabling persons not present to see or hear proceedings at a meeting as it took place or later; or
- (c) reporting or providing commentary on the proceedings at such a meeting, orally or in writing, so that the report or commentary was available as the meeting took place or later, to persons not present.

The Regulations do not require the Authority to permit oral reporting or oral commentary on a meeting as it takes place, if the person reporting or providing the commentary is present at the meeting. They allow any person who attends a public meeting for the purpose of reporting on it to use any communication method, including the internet, to publish, post or otherwise share the results of their reporting activities and the Authority must provide, so far as practicable, reasonable facilities. Members considered the government's plain English guide which provides practical information to help the public and practitioners exercise the new rights to film, blog, tweet and use other social media to report meetings and access information about decisions taken by officers. Members considered and approved a draft 'Guidance for Reporting at Meetings' which set out some of the practical considerations and clarified the role of the meeting Chairman in order to support any person who wished to attend an Authority meeting.

Subject to the rules concerning the disclosure of confidential exempt information, the Regulations also required the Authority to make publicly available, as soon as reasonably practicable a 'written record' to be produced in a specified format of a decision delegated to an officer either:-

- (a) under a specific express authorisation; or
- (b) under a general authorisation to officers to take such decisions and, the effect of the decision is to:
  - (i) grant a permission or licence;
  - (ii) affect the rights of an individual; or
  - (iii) award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position

The written record must be retained for a period of 6 years with any background papers for a period of 4 years. The Regulations also make it an offence for a person to intentionally obstruct, or refuse to make available for inspection by members of the public, documents relating to these decisions.

The Authority considered that it already complied with the principles of this. For example, in terms of delegated authority decisions these were reported back through the urgent business process or through other reports to other Committees. Members considered and agreed that a full report be presented to the Authority meeting in December 2014 on the practical effects of the implementation of the Regulations.

FRANK DE MOLFETTA  
Chairman

LFRS  
Fulwood

## Meeting of the Full Council – 2 October 2014

### Agenda Part C - Notices of Motion submitted under Procedural Standing Order 14. 2.1(a)

#### 1. By County Councillor Fabian Craig-Wilson:

At the meeting of the Council on 12 December 2013, Council affirmed its "commitment to work with other public and private sector partners to enable the additional funding and facilities required to be identified to make a Dementia centre of excellence happen in North Lancashire in the near future."

It is disappointing that no proposals have yet been brought forward and Council therefore resolves to request officers to submit a report to the Council meeting on 18th December 2014 setting out proposals for a Centre of Excellence for Dementia Care in North Lancashire.

#### 2. By County Councillor Julie Gibson:

Council notes the recent work that has been carried out in Skelmersdale by the Trading Standards Team involving the seizing of faulty electronic cigarette chargers and unmarked liquid nicotine.

Council notes that the removal of such harmful products shows the commitment to the safety and well-being of residents within the Skelmersdale area and the whole of Lancashire.

Council resolves to

- i) Continue to work with all partners to highlight the danger of purchasing dangerous goods, in order to promote community safety and protect the well-being of all residents across the County.
- ii) Support the Medicines and Healthcare Regulatory Authority (MHRA) who are currently considering Product Licences for e-cigarettes/liquids.
- iii) Call on the Government to implement, as soon as practically possible, the provisions, under the Children and Families Act 2014, which include a prohibition on the supply of nicotine products to under 18s.

#### 3. By County Councillor Geoff Driver:

The findings in the reports of Mr Peter Clarke and Mr Ian Kershaw into the so-called 'Trojan Horse' in schools in Birmingham should be of concern to everyone. Council wishes to be assured that this problem does not exist in Lancashire and therefore resolves to request Officers to submit a report to the Council meeting on 18 December 2014 setting out the measures in place to prevent it.

#### **4. By County Councillor Geoff Driver:**

All right-minded people will be sickened by the findings of Professor Alexis Jay in her report on the sexual exploitation of young girls in Rotherham.

Professor Jay's inquiries uncovered many deeply disturbing facts including a perceived reluctance on the part of the Police to act for fear of being accused of racism. It is equally disturbing to discover that Rotherham Council did not appear to do enough to protect these children from this abuse for fear of alienating Labour voters in the Pakistani-heritage Community.

To some extent, Council can be assured that Lancashire County Council has mechanisms and procedures in place that will enable sexual exploitation of children to be identified and properly dealt with. However, it must be recognised that mechanisms and procedures will not in themselves fully protect children in Lancashire.

In order to eliminate this abomination from our society, there must also be an acceptance by everyone involved in child protection that the safeguarding of children must override every other consideration.

Council therefore resolves:

- firstly, to request confirmation from the Police and Crime Commissioner, the Crown Prosecution Service and the Chief Constable that they will investigate all allegations of sexual exploitation, regardless of the ethnicity of the alleged perpetrators, and
- secondly, to seek an assurance from this Administration that it will never allow Party Political considerations to interfere in the processes designed to protect children in Lancashire from sexual exploitation.

#### **5. By County Councillor Bill Winlow:**

Lancashire County Council:

- notes the result of the Scottish Referendum held on September 18<sup>th</sup> and is inspired by the strong and enthusiastic support for the democratic process shown by the people of Scotland.
- welcomes the increasing public discussion on the possible devolution of powers and finance to the North of England, and its implications for the people of Lancashire and the North West.
- recognizes the need for a new constitutional settlement, and supports demands for the transfer of significant legislative, executive and financial power from London to the nations and regions of Britain.

- supports the view that any extra powers given to Scotland should also be available to Wales, Northern Ireland and the English regions
- believes that decisions should be taken at the lowest practical level so that the people most likely to be affected by them should have the greatest opportunity to ensure that account is taken of their views
- notes that the North of England is more than just the large cities, and that the many areas not within cities and clear city regions must also gain greater powers and finance in order to build successful and prosperous futures.

Lancashire County Council therefore calls for the creation of a North West Constitutional Convention, representing the whole of economic and civil society as well as the region's political parties, to consider the experience of regional governance elsewhere in Europe, to reflect upon the options available for our region, and to propose arrangements for governance in the North West that, having taken account of our region's diversity, is best designed to promote its well-being and success.

Lancashire County Council instructs the Chief Executive to:

- copy this resolution to the Prime Minister, Deputy Prime Minister, all North West and North East MPs, the DCLG, BIS, the LGA and the main political parties.
- take soundings from neighbouring local authorities, political parties and others in civil society with a view to convening an initial meeting at County Hall, Preston.

## **6. By County Councillor David Whipp:**

That County Council notes:

- 1) the review currently being carried out of Neighbourhood Policing in Lancashire.
- 2) the very inadequate service being provided to callers of the anti-social behaviour number 101, through lengthy waiting times for many callers; and that the inadequate service has been attributed to staff shortages following centralisation of police communications rooms at Hutton.
- 3) the increasing prevalence of unplanned public enquiry desk closures at police stations in parts of the county, again, attributed to staff shortages.

This county council believes that neighbourhood policing in Lancashire during the past decade has been a great success and has been a foundation stone of public confidence in the county's police service; and that any review should seek to preserve and enhance the provision of neighbourhood policing within communities.

County Council is concerned that the inadequate response to 101 calls and the unscheduled closures of police stations through staff shortages is of great concern and is undermining confidence in the police service in Lancashire.

Accordingly, County Council resolves to request the Police and Crime Commissioner for Lancashire to:

- 1) ensure that the Chief Constable retains a robust and effective Neighbourhood Policing service within any new structures introduced following the review being undertaken;
- 2) take urgent action to restore call answering of 101 anti-social behaviour calls to adequate levels, and;
- 3) take urgent action to fill civilian staff vacancies and ensure police stations remain open.

## **7. By County Councillor Matthew Tomlinson**

This Council notes the shocking findings of the Jay report into the sexual exploitation of young people in Rotherham

Council recognises that Child Sexual Exploitation and Human Trafficking are complex and multi-faceted issues which affects all communities, irrespective of race, religion, ethnicity or social background. As such it can only be addressed by all responsible agencies coming together in a coordinated way.

Council acknowledges the efforts of the Police, the Health Service, the Probation Service, Schools, voluntary and faith groups and others across Lancashire who work with this Council to minimise the effects of CSE and to bring the perpetrators before the law. In particular, Council notes the ground breaking work of the Lancashire Safeguarding Children's Board and the Multi Agency Safeguarding Hub (MASH) in bringing partners together to work in a coordinated fashion.

Council calls upon all agencies involved in Safeguarding and Child Protection in Lancashire to examine the findings of the Jay report in order to assure themselves that the systematic failings of agencies in places such as Rotherham, Oxfordshire and Cambridgeshire cannot be repeated in Lancashire.

## **8. By County Councillor Lorraine Beavers**

Lancashire County Council believes that the government's "Bedroom Tax" is an unnecessary burden on hard-working families and is having devastating consequences on those affected by its implementation in Lancashire.

Council supports the Affordable Homes Bill, currently passing through Parliament, and welcomes it as a first step toward the abolition of the "Bedroom Tax". Council notes with concern, however, that all of Lancashire's Conservative MPs voted against it during the second reading.

Council registers its opposition to the "Bedroom Tax" and resolves to call on the Secretary of State for the Department of Work and Pensions, Rt Hon Ian Duncan Smith MP, and all Lancashire MPs, to support the *Affordable Homes Bill* as a first step toward its complete abolition.

## **9. By County Councillor David Borrow**

This council notes that Lancashire County Council will have to make estimated savings of £500 million between 2010-2017 as a result of a combination of cuts to Government grants, increased costs and growth in demand of children's services and adult social care.

Council asks the Chief Executive to write to all Lancashire MPs to request that they secure a meeting with the Chancellor, Rt Hon George Osborne MP, to help lobby the Government to deliver a fairer funding deal for our county and to help us protect the services relied upon by our County's most vulnerable residents.

## **10. By County Councillor Azhar Ali**

This council opposes the privatisation and dismantling of the NHS and supports the private members bill being introduced by Clive Efford MP on the 21 November in Parliament to repeal the Health and Social Care Act. Furthermore it calls on all Lancashire MPs to vote and support this bill.

29 September 2014

