

Full Council

Thursday, 21 May, 2015, at 1.30 pm or at the conclusion of Question Time, whichever is the later, in the Council Chamber, County Hall, Preston.

Agenda

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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

18 May 2015

Agenda Item 5

Minutes

At a meeting of the Full Council held at Council Chamber, County Hall, Preston, on Thursday, 12 February, 2015

Present:

County Councillor Kevin Ellard (Chair)

County Councillors

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

1. Apologies and Announcements

Apologies were presented on behalf of County Councillors Paul Hayhurst, Richard Newman-Thompson and Mark Perks.

Announcements

The Chairman reported the following sad deaths:

Mr Adrian Cutts, former Executive Director of Resources who died on the 16 January. He retired in 2009 after 17 years with the county council and was recognised for his dedication and his belief in making a difference for the people of Lancashire.

Former County Councillor Ron Pickup who died on the 2 February. Mr Pickup was elected to represent the County Council's Clitheroe electoral division as a Labour member in 1989, serving until 1993. He was then elected to represent the Whitworth electoral division on the County Council in 2001 and served until 2005.

Mr Harry Leslie Yeadon, former County Surveyor for Lancashire and Bridgemaster from 1974 to 1984, died on 8 February 2015 aged 92. He joined the county council in 1948 and retired in 1985. One of the final road projects started before his retirement was an access road from the M55 to the new car parks in Blackpool which was named Yeadon Way in his honour.

A number of members spoke in memory of the deceased following which the Full Council stood in silent tribute.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None disclosed.

3. The County Council's Budget

County Councillor Borrow moved the report of the Cabinet from its meeting on the 5 February 2015. It contained recommendations on:

- (i) **The 2015/16 Budget and Financial Strategy 2016/17 to 2017/18**
- (ii) **The Capital Investment Programme 2015/16 and beyond**
- (iii) **The Council Tax and Precept 2015/16**

In moving the report County Councillor Borrow outlined an **adjustment** to the proposals contained within the report. Details of the adjustment were set out in a document circulated to all members, which is appended to these minutes as **Annex 1**.

The motion was seconded by County Councillor Bill Winlow, Leader of the Liberal Democrat Group.

There then followed a period of debate on the Budget proposals.

Following the debate the Chairman adjourned the meeting for a period of ten minutes to give the County Treasurer the opportunity to consider an Amendment which was to be moved on behalf of the Conservative Group.

On resumption of the meeting Councillor Geoff Driver moved an **Amendment** to the Budget proposals on behalf of the Conservative Group, which was seconded by County Councillor Albert Atkinson.

Councillor Driver drew attention to a typographical error at paragraph 4 of the Amendment; the figure of £22.466m as shown in the original document should have read **£30.326m**.

A copy of the Amendment was circulated to all members and the corrected version is set out at **Annex 2** to these minutes.

There then followed a period of debate following which a recorded vote was taken. The names of county councillors who voted for or against the Amendment and those who abstained are set out below:

For (34)

| | | |
|----------------|-------------|--------------|
| T Ashton | G Driver | K Sedgewick |
| A Atkinson | G Gooch | J Shedwick |
| M Barron | M Green | D Smith |
| P Britcliffe | K Iddon | D Stansfield |
| K Brown | A James | V Taylor |
| I Brown | T Jones | C Wakeford |
| P Buckley | A Kay | D Westley |
| S Charles | J Lawrenson | P White |
| A Cheetham | D O'Toole | G Wilkins |
| A Clempson | M Otter | B Yates |
| F Craig-Wilson | P Rigby | |
| M Devaney | A Schofield | |

Against (46)

| | | |
|---------------|-------------|-------------|
| T Aldridge | J Fillis | J Oakes |
| A Ali | J Gibson | M Parkinson |
| A Barnes | J Hanson | N Penney |
| L Beavers | M Hassan | S Perkins |
| D Borrow | C Henig | C Pritchard |
| M Brindle | N Hennessy | S Pryn |
| T Brown | S Holgate | S Serridge |
| T Burns | D Howarth | R Shewan |
| D Clifford | M Johnstone | K Snape |
| C Crompton | D Lord | J Sumner |
| M Dad | T Martin | M Tomlinson |
| B Dawson | J Mein | D Watts |
| F De Molfetta | G Molineux | D Whipp |
| C Dereli | Y Motala | B Winlow |
| G Dowding | B Murray | |
| K Ellard | E Oades | |

Abstain (0)

The Conservative Group's Amendment was therefore lost.

County Councillor Graham Gooch then moved a further **Amendment** to the Budget proposals, which was seconded by County Councillor Michael Green. A copy of the Amendment was circulated to all members and is set out at **Annex 3** to these minutes.

A recorded vote was taken and the names of county councillors who voted for or against the Motion and those who abstained are set out below:

For (34)

| | | |
|----------------|-------------|--------------|
| T Ashton | G Driver | K Sedgewick |
| A Atkinson | G Gooch | J Shedwick |
| M Barron | M Green | D Smith |
| P Britcliffe | K Iddon | D Stansfield |
| K Brown | A James | V Taylor |
| I Brown | T Jones | C Wakeford |
| P Buckley | A Kay | D Westley |
| S Charles | J Lawrenson | P White |
| A Cheetham | D O'Toole | G Wilkins |
| A Clempson | M Otter | B Yates |
| F Craig-Wilson | P Rigby | |
| M Devaney | A Schofield | |

Against (46)

| | | |
|---------------|-------------|-------------|
| T Aldridge | J Fillis | J Oakes |
| A Ali | J Gibson | M Parkinson |
| A Barnes | J Hanson | N Penney |
| L Beavers | M Hassan | S Perkins |
| D Borrow | C Henig | C Pritchard |
| M Brindle | N Hennessy | S Prynn |
| T Brown | S Holgate | S Serridge |
| T Burns | D Howarth | R Shewan |
| D Clifford | M Johnstone | K Snape |
| C Crompton | D Lord | J Sumner |
| M Dad | T Martin | M Tomlinson |
| B Dawson | J Mein | D Watts |
| F De Molfetta | G Molineux | D Whipp |
| C Dereli | Y Motala | B Winlow |
| G Dowding | B Murray | |
| K Ellard | E Oades | |

Abstain (0)

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 at Annex 1, on the:

- (iv) **The 2015/16 Budget and Financial Strategy 2016/17 to 2017/18**
- (v) **The Capital Investment Programme 2015/16 and beyond**
- (vi) **The Council Tax and Precept 2015/16**

A recorded vote was taken and the names of county councillors who voted for or against the Motion and those who abstained are set out below:

For (46)

| | | |
|---------------|-------------|-------------|
| T Aldridge | J Fillis | J Oakes |
| A Ali | J Gibson | M Parkinson |
| A Barnes | J Hanson | N Penney |
| L Beavers | M Hassan | S Perkins |
| D Borrow | C Henig | C Pritchard |
| M Brindle | N Hennessy | S Prynne |
| T Brown | S Holgate | S Serridge |
| T Burns | D Howarth | R Shewan |
| D Clifford | M Johnstone | K Snape |
| C Crompton | D Lord | J Sumner |
| M Dad | T Martin | M Tomlinson |
| B Dawson | J Mein | D Watts |
| F De Molfetta | G Molineux | D Whipp |
| C Dereli | Y Motala | B Winlow |
| G Dowding | B Murray | |
| K Ellard | E Oades | |

Against (34)

| | | |
|----------------|-------------|--------------|
| T Ashton | G Driver | K Sedgewick |
| A Atkinson | G Gooch | J Shedwick |
| M Barron | M Green | D Smith |
| P Britcliffe | K Iddon | D Stansfield |
| K Brown | A James | V Taylor |
| I Brown | T Jones | C Wakeford |
| P Buckley | A Kay | D Westley |
| S Charles | J Lawrenson | P White |
| A Cheetham | D O'Toole | G Wilkins |
| A Clempson | M Otter | B Yates |
| F Craig-Wilson | P Rigby | |
| M Devaney | A Schofield | |

Abstain (0)

The Motion was carried and it was,

Resolved:

- 1. Revenue Budget 2015/16**

Allocation of the 2015/16 Revenue Budget to Services

| Revenue budget 2015/16 | Gross Budget £m | Income £m | Net Budget £m |
|--|--------------------|------------------|------------------|
| Cost of Being in Business | 105.937 | (53.906) | 52.031 |
| Service Offer Proposals | | | |
| Social Care | 494.685 | (119.486) | 375.199 |
| Other Services We Provide To Adults | 16.979 | (3.698) | 13.281 |
| Coroners Service | 2.159 | - | 2.159 |
| Public Health & Wellbeing | 105.564 | (75.110) | 30.454 |
| Other Services For Children & Young People | 133.614 | (79.112) | 54.502 |
| Highway Services | 75.316 | (44.498) | 30.818 |
| Bus & Rail Travel | 48.671 | (15.533) | 33.138 |
| Waste Management | 104.908 | (20.152) | 84.756 |
| Other Environment Services | 16.500 | (10.629) | 5.871 |
| Cultural Services | 20.460 | (5.130) | 15.330 |
| Economic Development and Skills | 19.571 | (18.913) | 0.658 |
| Care and Urgent Needs | 1.548 | - | 1.548 |
| Total for the Service Offers | 1,039.975 | (392.261) | 647.714 |
| Financing Charges | 50.794 | (18.400) | 32.394 |
| Use of one off resources | | (5.464) | (5.464) |
| Revenue budget 2015/16 | 1,196.706 | (470.031) | 726.675 |

2. Capital Investment Strategy 2015/16 and future years

The adoption of the proposals for the Capital Investment Strategy 2014/15 and future years as set out at Appendix A to the report now presented be approved.

3. Council Tax and Precept 2015/16

The Full Council authorises, 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 2015/16:

a) Budget, Council Tax Requirement and Precept for 2015/16:

| | |
|--------------------------------|----------------|
| Budget Requirement | 726.675 |
| Less formula grant | 158.963 |
| Less Retained Business Rates | 176.724 |
| Less New Homes Bonus grant | 3.884 |
| Equals council tax cash | 387.104 |
| Divided by tax base | 342,636.38 |
| Gives Band D council tax | 1,129.78 |
| 2014/156 council tax | 1,107.74 |
| Percentage increase | 1.99% |

b) **Council Tax (on the basis of a budget requirement of £726.675m and the Council Tax base of 342,636.38) for each property valuation band:**

| | £ |
|-----------------------|------------------|
| Band A | £753.19 |
| Band B | £878.72 |
| Band C | £1,004.25 |
| Band D (basic) | £1,129.78 |
| Band E | £1,380.84 |
| Band F | £1,631.90 |
| Band G | £1,882.97 |
| Band H | £2,259.56 |

c) The share for each District Council of the net total raised from the Council Tax of £387.104m:

| | £ |
|-----------------------------------|---------------------|
| Burnley | £24,437,141 |
| Chorley | £38,982,178 |
| Fylde | £31,944,530 |
| Hyndburn | £21,289,574 |
| Lancaster | £43,496,530 |
| Pendle | £25,552,573 |
| Preston | £39,123,152 |
| Ribble Valley | £24,519,615 |
| Rosendale | £21,808,030 |
| South Ribble | £38,925,994 |
| West Lancashire | £37,946,587 |
| Wyre | £39,077,847 |
| Total raised from the council tax | <u>£387,103,752</u> |

4. Lancashire County Council Treasury Management Policy and Strategy 2015/16

The County Council considered a report which outlined the proposed Treasury Management Policy Framework for 2015/16 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 and the proposed Minimum Revenue provision Policy, together with the treasury management prudential indicators which sought to ensure that the Council's borrowing levels remained both sustainable and affordable.

The Cabinet had considered the Treasury Management Policy Framework for 2015/16 set out at Appendices A, B and C to the report now presented and recommended it to the Full Council for approval.

Resolved: That the Treasury Management Policy and Strategy for 2015/16 as set out in Appendices A, B and C to the report now presented, be approved.

Part B - Matters for Information

No matters were reported.

Part C - Notice of Motion

No Notices of Motion had been received.

Jo Turton
Chief Executive

County Hall
Preston

Minutes

At a meeting of the Full Council held at Council Chamber, County Hall, Preston,
on Thursday, 26 February, 2015

Present:

County Councillor Kevin Ellard (Chair)

County Councillors

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

1. Apologies and Announcements

Apologies and Announcements

Apologies

Apologies for absence were presented on behalf of County Councillors T Ashton, S Charles, A Kay, M Perks, C Wakeford, P White and D Watts

Death

The Chairman reported the sad death on 21 February of former County Councillor Jeremiah Jenkinson.

Mr Jenkinson was elected as a Conservative county councillor to the Preston Rural electoral division in 1977 until 1981 and was then elected to represent South Ribble West from 1981 until 1993. He was also a South Ribble borough councillor and was Mayor of South Ribble from 1985 to 1986.

A number of members spoke in his memory and offered condolences to his family. The Full Council stood in silent tribute.

New Year Honour

The Chairman was proud to announce that Julie Morrow, Head of Appletree Nursery School in Lancaster and Stoneygate Nursery School in Preston, and their associated Children's Centres, had been awarded an OBE in the New Year Honours List for her services to children and families.

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

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None disclosed.

3. Confirmation of Minutes from meeting held on 18 December (Special Meeting) and 18 December (Ordinary Meeting)

Resolved: That the Minutes of the meetings of the County Council held on the 18 December 2014 be confirmed and signed by the Chair.

4. Appointment of Section 151 Officer

The Full Council was asked to approve the appointment of Damon Lawrenson as the Council's Section 151 officer with effect from 2 March 2015 on the basis set out in the report now presented.

Resolved: That the appointment of Damon Lawrenson as the County Council's Section 151 officer with effect from 2 March 2015, on the basis set out in the report now presented, be approved.

5. The Localism Act 2011 - Pay Policy Statement 2015/16

The Leader reported that the Employment Committee, at its meeting on 23 February, had agreed that the 2015/16 Pay Policy statement, as set out in the report now presented, be approved by the Full Council. The Pay Policy statement would be amended to reflect the new senior officer management structure from 1 April 2015.

Resolved: That the 2015/16 Pay Policy Statement, as set out at Appendix A to the report now presented, and amended from 1 April 2015 to reflect the new senior officer management structure, be approved.

6. Members Allowance Scheme 2015/16

The report set out the proposed Members' Allowance Scheme for 2015/16.

Resolved: That the 2015/16 Members' Allowance Scheme, as set out in the report now presented, be approved.

7. Financial Threshold for Key Decisions 2015/16

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 2015/16.

Resolved: That the financial threshold for Key Decisions, for the purposes of Standing Order 25(1)(b), remain at £1.4m for 2015/16.

8. Appointment of Chair and Deputy Chair - Audit and Governance Committee

The Full Council was asked to approve the appointment of:

- i. County Councillor Clare Pritchard to replace County Councillor Terry Brown as chair of the Audit and Governance Committee with immediate effect.

- ii. County Councillor Terry Brown to replace County Councillor Darren Clifford as deputy chair of the Audit and Governance Committee with immediate effect.

Resolved: That County Councillor Clare Pritchard and County Councillor Terry Brown be appointed Chair and Deputy Chair of the Audit and Governance Committee respectively, with immediate effect.

9. 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 8 January and 5 February 2015.

Resolved: That the report of the Cabinet from its meetings on the 8 January and 5 February 2015

10. Report of Urgent Key Decisions

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

11a. The Overview and Scrutiny Committees

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

| Committee | Date of Meeting |
|---------------------------|-------------------------------------|
| Scrutiny Committee | 05 December 2014 16 January 2015 |
| Health Scrutiny Committee | 13 January 2015 |

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

11b. Audit and Governance Committee

County Councillor Clare Pritchard presented the report of the Audit and Governance Committee from its meeting on the 26 January 2015.

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

12. Report of the Combined Fire Authority

County Councillor Frank De Molfetta presented the report of the Lancashire Combined Fire Authority from its meetings on the 15 December 2014 and 16 February 2015.

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

Notices of Motion submitted under Procedural Standing Order 14.2.1(a).

County Councillor Gina Dowding had submitted a Notice of Motion under Procedural Standing Order 14.2.1(a) that related to the Defra report 'Shale Gas Rural Economy Impacts', however, she withdrew it at this point because a similar Motion had been submitted by County Councillor Marcus Johnstone as set out at number 1 below.

1. It was moved by County Councillor Marcus Johnstone and seconded by County Councillor Gina Dowding that:

Lancashire County Council calls on the Government to release a full version of the report 'Shale Gas Rural Economy Impacts' which was published by Defra in July 2014.

The report was heavily redacted when published and to date the Government has not been willing to release the full document. The Council however recognises that there is community concern regarding regulatory regimes and the availability of information relating to shale gas development.

In the interests of transparency the Council calls on the Government to release the report in full.

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

Resolved: That,

Lancashire County Council calls on the Government to release a full version of the report 'Shale Gas Rural Economy Impacts' which was published by Defra in July 2014.

The report was heavily redacted when published and to date the Government has not been willing to release the full document. The Council however recognises that there is community concern regarding regulatory regimes and the availability of information relating to shale gas development.

In the interests of transparency the Council calls on the Government to release the report in full.

2. It was moved by County Councillor David Whipp and seconded by County Councillor Dorothy Lord that:

County Council notes the continuing poor ambulance response times affecting Lancashire, especially in the east of the county, with performance significantly under target for Red 1 calls (the most urgent cases). Council also notes that a contributory factor to this underperformance is the queueing affecting Accident and Emergency departments.

County Council resolves that the North West Ambulance Service ,be requested to take urgent action to improve response times for casualties in those areas of Lancashire most affected by poor Red 1 performance.

There then followed a period of debate during which a number of further changes and additions were suggested.

The mover of the original Motion accepted the changes suggested and a revised Motion as set out below:

County Council notes the continuing poor ambulance response times affecting Lancashire, especially in the east of the county, with performance significantly under target for Red 1 calls (the most urgent cases). Council also notes that a contributory factor to this underperformance is the queueing affecting Accident and Emergency departments.

County Council resolves that:

The North West Ambulance Service and north west CCGs be requested to take urgent action to improve response times for casualties in those areas of Lancashire most affected by poor Red 1 performance.

The county council resolves that the chairman and chief executive of the North West Ambulance Service and north west CCGs be requested as a matter of urgency to attend a meeting of the LCC Health Scrutiny Committee Steering Group to advise what measures are being undertaken to improve response times across the county including those areas most affected by poor Red 1 performance.

The revised Motion was put to the vote, and it was:

Resolved: That,

County Council notes the continuing poor ambulance response times affecting Lancashire, especially in the east of the county, with performance significantly under target for Red 1 calls (the most urgent cases). Council also notes that a contributory factor to this underperformance is the queueing affecting Accident and Emergency departments.

County Council resolves that:

The North West Ambulance Service and north west CCGs be requested to take urgent action to improve response times for casualties in those areas of Lancashire most affected by poor Red 1 performance.

The county council resolves that the chairman and chief executive of the North West Ambulance Service and north west CCGs be requested as a matter of urgency to attend a meeting of the LCC Health Scrutiny Committee Steering Group to advise what measures are being undertaken to improve response times across the county including those areas most affected by poor Red 1 performance.

3. It was moved by County Councillor Lord and seconded by County Councillor Whipp that:

County Council notes that passengers on Preston/Colne journeys suffer a second class rail service, with poor rolling stock, unreliable timekeeping, overcrowding, crumbling infrastructure and cancellations.

County Council calls for urgent action to remedy these failings to improve the situation in the short term and resolves to support the long term future, and consequent improvement in services, with the re-opening of the Colne to Skipton line to create an additional trans-Pennine route.

County Council instructs the Chief Executive to write to Government and relevant bodies to express the County Council's concerns and achieve these aims.

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

Resolved: That,

County Council notes that passengers on Preston/Colne journeys suffer a second class rail service, with poor rolling stock, unreliable timekeeping, overcrowding, crumbling infrastructure and cancellations.

County Council calls for urgent action to remedy these failings to improve the situation in the short term and resolves to support the long term future, and consequent improvement in services, with the re-opening of the Colne to Skipton line to create an additional trans-Pennine route.

County Council instructs the Chief Executive to write to Government and relevant bodies to express the County Council's concerns and achieve these aims.

Jo Turton
Chief Executive

County Hall, Preston

Meeting of the Full Council
Meeting to be held on 21 May 2015

Report submitted by the Director of Governance, Finance and Public Services

Part A

Electoral Division affected:
All

Political Governance Working Group
(Appendix A refers)

Contact for further information:
Josh Mynott, (01772) 534580, Democratic Services Manager
josh.mynott@lancashire.gov.uk

Executive Summary

At the meeting of the Full Council on 18 December 2014, the initial recommendations of the Political Governance Working Group were presented. At that meeting, it was agreed that a small number of outstanding issues should continue to be explored by the Working Group, with a further report to this meeting.

Recommendation

Full Council is asked to:

1. Consider the recommendation of the Political Governance Working Group on governance arrangements, and resolve whether to:
 - i. Disestablish the Commons and Town Greens Sub Group and Standing Joint Health Scrutiny Committee.
 - ii. Amend the Overview and Scrutiny Call In rules to include the following:

"Where a decision was subject to consideration by the Executive Scrutiny Committee, and where

 - i. no amendments had been proposed by the Executive Scrutiny Committee, and
 - ii. the decision made was as set out to the Executive Scrutiny Committee

Then the Call In request must come from 5 county councillors representing more than one single political group."
 - iii. Amend the Call In rules to allow a submission to be made electronically via email.

2. Request the Political Governance Working Group to conduct a review of Locality working and Full Council procedures and report on the outcome to a future meeting of Full Council.
3. Authorise the Director of Governance, Finance and Public Services to approve any consequential amendments to the Constitution arising from the decisions at 1 above.

Background and Advice

At the meeting of the Full Council on 18 December 2015, the initial recommendations of the Political Governance Working Group were presented. At that meeting, it was agreed by Full Council that the current system of cabinet and Scrutiny decision making should be retained. However there were a small number of related issues which the Full Council requested that the Working group consider further.

The issues that have been given further consideration by the Working Group were:

- Consideration of whether certain committees, particularly the Corporate Complaints Committee, the Commons and town Greens Sub Committee and the standing Joint Health Scrutiny Committee were still required or whether they should be disestablished.
- Whether there should be changes to the size of Committees, including the idea of whether a standard committee size of 13 could be applied across all committees.
- Changes to the Overview and Scrutiny Call In rules in relation to decisions which had been subject to consideration by the Executive Scrutiny Committee
- The future of locality working and the 3 Tier forums
- The potential for changes to be made to Full Council processes and procedures to ensure that meeting remained relevant and engaging for councillors and the public.

All Councillors were given an opportunity to comment on a number of these issues, and comments made were considered by the Working Group.

The proposals of the Working Group are outlined at Appendix A.

Consultations

All members of the County Council were consulted on the proposals related to the Complaints Committee, the "Call In" rules, Committee membership and Full Council procedures.

Implications:

This item has the following implications, as indicated:

Risk management

The County Council must ensure that its decision making arrangements continue to be effective and efficient in discharging all statutory duties.

In relation to "Call In", all Local Authorities operating a Cabinet and Scrutiny model are required to have arrangements for a "Call In" to be made, but may make their own rules for how the process should work.

Local Government (Access to Information) Act 1985

List of Background Papers

| Paper | Date | Contact/Tel |
|-------|------|-------------|
|-------|------|-------------|

N/A

Reason for inclusion in Part II, if appropriate

N/A

Proposals for changes to governance arrangements:

1. Committees

Commons and Town Greens Sub Committee

Given that the committee has met extremely infrequently over the last few years, it is felt that the need for such a separate sub committee no longer exists. It is proposed that the Commons and Town Greens Sub Committee be disestablished, and its functions re-absorbed by the Regulatory Committee.

Joint Health Scrutiny Committee

Whilst there is a continuing statutory requirement for the County Council to work with other Local Authorities on NHS proposals which cross local authority boundaries, it is felt that the current standing Joint Health Scrutiny Committee has not proved to be a flexible enough arrangement, given the different configurations the County Council is required to deal with due to its large number of geographical neighbours. It is proposed that this committee be disestablished, and alternative ad hoc arrangements be established.

Complaints Committee

Consultation responses from councillors were overwhelmingly positive about the value of this committee, and in favour of its retention. Therefore, the Complaints Committee will be retained as at present.

Other Committees

No other changes are proposed at present. However, the committee structure should be kept under constant review to ensure that it fits the needs of the authority. Any further changes will be fully discussed with councillors.

2. Committee size

The views of councillors were that there would be no particular benefit in amending committee sizes across the board, and that instead the number of members of each committee could and should be assessed on the individual nature and functions of the committee. No changes to committee sizes is therefore proposed.

3. Overview and Scrutiny Call In rules

There was an acceptance that the Call In rules should be amended in relation to decisions which had passed through the Executive Scrutiny Committee without any proposed amendments. However, it was equally important to retain the power of Call In in order to ensure accountability. It is therefore proposed to amend the Call In rules to include the following:

"Where a decision was subject to consideration by the Executive Scrutiny Committee, and where

i. no amendments had been proposed by the Executive Scrutiny Committee, and

ii. the decision made was as set out to the Executive Scrutiny Committee

Then the Call In request must come from 5 county councillors representing more than one single political group."

It is also proposed that the current rules which require a Call In to be submitted in writing be amended to allow a submission to be made electronically via email.

4. Locality Working

The Working Group have agreed that a review of Locality Working and the 3 Tier Forums should be commenced with the agreement of Full Council and a further report on the outcome of a review will be submitted to a subsequent Full Council meeting.

5. Full Council procedures

Full Council is requested that options continue to be explored, and a report setting out any proposed options come to a later meeting of Full Council for consideration.

**Meeting of the Full Council
Meeting to be held on 21 May 2015**

Report submitted by: The Chief Executive

Part A

Electoral Division affected:
All

Membership of Committees and Related Appointments for 2015/16
(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 2015/16, as set out at a) below.
- ii. Consider the appointment of the Chairs and Deputy Chairs of Committees for 2015/16, as set out at b) below.

Background and Advice

a) Constitution and Membership of various Committees of the County Council 2015/16

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 2013 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 2015/16

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 2015/16.

- Urgency Committee
- Scrutiny
- Executive Scrutiny
- Health Scrutiny
- Education Scrutiny
- Development Control
- Regulatory
- Commons and Town Greens (subject to a decision to be taken on the political governance structure proposed in a separate report of this agenda)
- 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 |
|-------|------|-------------------------|
|-------|------|-------------------------|

Nil

Reason for inclusion in Part II, if appropriate

N/A

Committee Structure May 2015

| 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 | 8 | 8 | 4 | 3 | 1 | 0 | 0 |
| Urgency | 13 | 13 | 6 | 5 | 1 | 1 | 0 |
| Scrutiny | 13 | 13 | 6 | 5 | 1 | 1 | 0 |
| Executive 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 | 4 | 3 | - | 1 | - | - |

*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; and a fourth member to be nominated by the Liberal Democrat Group.

| Joint 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 Committee+ | 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

+ Subject to decision taken in relation to separate report on this agenda for full council 21 May 2015

**Meeting of the Full Council
Meeting to be held on 21 May 2015**

Report submitted by: The Chief Executive

Part A

Electoral Division affected:
None

**Appointments to the Local Government Association – General Assembly,
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 2015/16 and to attend the Annual General Meeting of the General Assembly on 30 June 2015. In addition, the Full Council is asked to appoint one representative to serve on the LGA Special Interest Group on Coastal Issues for 2015/16 and up to four representatives to serve on the County Councils Network (CCN) for 2015/16.

Recommendation

The Full Council is asked to:

- i. Appoint up to four representatives to serve on the LGA General Assembly for 2015/16
- ii. Agree that those representatives (or nominated substitutes) together with a representative of the Liberal Democrat Group acting in an observer capacity, be authorised to attend the Annual Meeting of the Assembly to be held in Harrogate on 30 June 2015, and to determine which representative(s) will carry the County Council’s 12 votes.
- iii. Appoint one member to serve on the Special Interest Group on Coastal Issues for 2015/16.
- iv. Appoint up to four representatives to serve on the County Councils Network in 2015/16.

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 2015/16. The General Assembly Annual Meeting this year is in Harrogate on 30 June 2015.

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) 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.

iii) 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 | 18 March 2015 | 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 21 May 2015**

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 2015/16**

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 2015/16.

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 2016 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 2016. 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 |
|-------|------|-------------------------|
|-------|------|-------------------------|

N/A

Reason for inclusion in Part II, if appropriate

N/A

Meeting of the Full Council
Meeting to be held on the 21 May 2015

Report submitted by: The Chief Executive

Part A

Electoral Division affected:
All

Police and Crime Panel for Lancashire

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

Executive Summary

The appointment of the County Council's representative to serve on the Police and Crime Panel for Lancashire.

Recommendation

The Full Council is asked to approve the appointment of one member to serve on the Police and Crime Panel for Lancashire until the Annual Meeting of the Full Council in 2016.

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 is made up of 15 elected members, one from each Authority, and an additional 3 elected members to achieve the 'balanced appointment objective' so that when taken together the members of the Panel represent the political make up of the relevant local authorities for the police area.

The Panel has also appointed 2 independent co-opted members, who are not elected representatives, to serve on the Panel until July 2016.

In July 2014 the Panel resolved:

That the constitution of the Police and Crime Panel for Lancashire, on the basis of appointments made by each local authority, be noted and agreed as 18 Elected Members on the basis of 9 Labour, 7 Conservative, 1 Liberal Democrat and 1 Independent Member, reflecting the political leadership of each authority and three additional appointments to satisfy political balance requirements.

It has previously been agreed that Council Members of the Panel will serve a 12 month term and that the political balance of the Panel will be reviewed after local elections in May. As the County Council do not have any elections in May it is not expected that there will be any required change in the Council's representation.

County Councillor Jenny Mein was appointed as the County Council's representative on the Panel for 2014/15

Terms of Reference, Arrangements and Roles and Responsibilities

The Terms of Reference of the Panel, Arrangements for the Panel and Operational Procedure for the Panel have previously been noted and agreed by the County Council. There have been slight changes since in relation to appointment of sub committees, task groups and the approval of a public questions procedure.

Decision Required

Full Council is asked to appoint a member to the Police and Crime Panel for 2015/16.

Consultations: N/A

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 |
|---|------|---------|
| Nil | | |
| Reason for inclusion in Part II, if appropriate - N/A | | |

**Meeting of the Full Council
Meeting to be held on 21 May 2015**

Report submitted by the Director of Governance, Finance and Public Services

Part A

Electoral Division affected:
All

Electoral Review of Lancashire County Council's Area
(Appendix A refers)

Contact for further information:

Paul Bond, (01772) 534676, Head of Legal and Democratic Services

paul.bond@lancashire.gov.uk

Roy Jones, (01704 533619, Legal and Democratic Services

Roy.jones@lancashire.gov.uk

Executive Summary

The Local Government Boundary Commission for England (LGBCE) has commenced an electoral review of the County Council's electoral arrangements. The review is being undertaken because of electoral imbalances that have arisen since the last review in 2003/04.

The review process, to be carried out over 2015/16, will eventually lead to an order on new electoral arrangements being laid in Parliament in May 2016, with new arrangements taking effect in time for the next county council elections in May 2017.

The first stage of the review is for the County Council to make a submission to the Commission on future Council size by 22 May.

Recommendation

Full Council is asked to:

1. Consider the recommendation of the Political Governance Working Group on the future size of the Council to be adopted as part of the current electoral review of the County Council.
2. Approve a formal submission on Council size to the LGBCE.

Background and Advice

The LGBCE has commenced an electoral review of the County Council's electoral arrangements. The review is being undertaken because of "electoral imbalances" that have arisen since the last review in 2003/04. The Lead Commissioner for the LCC review is Dr Peter Knight and the Lead Officer is Richard Morrison.

The review is looking at the size of the Council and the boundaries of the current 84 Electoral Divisions. The review, to be undertaken over 2015/16, will eventually lead to an order on new electoral arrangements being laid in Parliament in May 2016 and new arrangements in place for the County Council elections in May 2017. An indicative timetable for the review provided by the LGBCE is set out below:

| Stage | Date |
|-------------------------------------|------------------------------------|
| Submission to LGBCE on Council size | 22 May 2015 |
| LGBCE Council Size Meeting | 16 June 2015 |
| Division Patters Consultation | 23 June – 31 August 2015 |
| Draft Recommendations Published | 17 November 2015 |
| Draft Recommendations Consultation | 17 November 2015 – 11 January 2016 |
| Final Recommendations Published | 5 April 2016 |
| Order Laid | May 2016 |
| Implementation Election | May 2017 |

The LGBCE's criteria for initiating a review are as follows:

- (a) more than 30% of a council's divisions have an electoral imbalance of more than 10% from the average ratio for that authority; and/or
- (b) one or more wards/divisions with an electoral imbalance of more than 30%; and
- (c) the imbalance is unlikely to be corrected by foreseeable changes to the electorate within a reasonable period.

A review has been triggered by the LGBCE because as, at December 2014, 34% of LCC's divisions (29 divisions) have an electoral imbalance of more than 10% from the average ratio for the authority.

The first stage of the review is for the County Council to make a recommendation on the future size of the Council to the Commission by 22 May. Political Groups can make their own separate recommendations to the Commission on Council size by this date.

It has previously been agreed by the Urgency Committee that the County Council's Political Governance Working Group would make recommendations to the Full Council on all matters relating to the review. An internal officer working group reporting to the Director of Director of Governance, Finance and Public Services have supported the Working Group.

The Commission will meet in June to consider the future size of the Council and any submissions it receives before deciding on a Council size number. The Council size will then form the basis of its work to draw up new Electoral Division Boundaries, and the Commission will consult on the pattern of Divisions across the County and specifically within each District area.

A briefing on the review was provided by the Commission for all members of the Council on 30 April. The Commission also met separately with all Group Leaders.

Process

In conducting a review, the LGBCE must adhere to certain rules. Section 56 of the Local Democracy, Economic Development and Construction Act 2009 requires that every principal local authority is reviewed 'from time to time'. The LGBCE can make recommendations for the following aspects of local authority electoral arrangements:

- (a) the total number of members to be elected to the council (known as 'Council size');
- (b) the number and boundaries of divisions for the purposes of the election of councillors;
- (c) the number of councillors to be elected for each division; and
- (d) the name of any division

In making recommendations, the LGBCE must have regard to:

- (a) the need to secure equality of representation;
- (b) the need to reflect the identities and interests of local communities; and
- (c) the need to secure effective and convenient local government.

In reviewing two-tier local government areas, the LGBCE must also have regard to the boundaries of District or Borough wards.

In the course of the review the LGBCE will use the current electoral arrangements and the electorate from the 1st of the month during which the review formally starts. Electoral registers will also allow the LGBCE to verify electoral figures and consider the impact of warding proposals which cross polling district boundaries. The LGBCE will take into account any changes to the number and distribution of electors that is likely to take place within five years following the end of a review i.e. 2016.

The current average number of electors per councillor is 10,474 based on Feb/March figures. A spreadsheet detailing the current and projected electorate for 2021 for each Electoral Division and variances from the average electorate, and the Commission's Criteria for determining Council size have previously been circulated to all Members. A map showing the 84 Electoral Divisions and current electoral imbalances either over or below the current average electorate has also previously been circulated.

Council Size

The LGBCE takes a view of the right council size for an authority by considering the following three areas:

- (a) The governance arrangements of the council, how it takes decisions across the broad range of its responsibility, and whether there are any planned changes to those arrangements;
- (b) The council's scrutiny functions relating to its own decision-making and the council's responsibilities to outside bodies, and whether any changes to them are being considered; and
- (c) The representation role of councillors in the local communities and how they engage with people, conduct casework and represent the council on local partner organisations.

Recommendation

To meet the Commission's timetable the Working Group have, at its meeting on 12 May, given initial consideration to the proposed future size of the County Council based on the guidance provided by the LGBCE. The Working Group considered a draft submission on Council size set out at Appendix A as the Council's formal submission to the LGBCE. The draft submission is based on officer recommendations that there is a case for the status quo to be retained after consideration of all the evidence.

The Working Group adjourned its meeting to allow discussions on the draft submission amongst Political Groups and will reconvene at 12 noon on 21 May to give further consideration to the draft submission and Council size and make recommendations to Full Council.

Political Groups can make their own separate recommendations to the Commission on Council size.

The Political Governance Working Group recommend the Full Council to:

1. Consider the recommendation of the Political Governance Working Group on the future size of the Council to be adopted as part of the current electoral review of the County Council.
2. Approve a formal submission on Council size to the LGBCE.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

The LGBCE has a statutory duty to undertake an electoral review of a Council's electoral arrangements once the electoral variance threshold triggers the need for a review. This is the case in Lancashire and the County Council has an obligation to review its electoral arrangements and ensure that it makes recommendations to the Commission on Council size and electoral arrangements that enable Councillors to effectively represent their communities and to meet the requirements of the County Council to effectively serve its community.

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

| Paper | Date | Contact/Tel |
|---|------------|---------------------------|
| LGBCE Electoral Reviews Technical Guidance | April 2014 | Roy Jones 01772 533619 |

Reason for inclusion in Part II, if appropriate

N/A



ELECTORAL REVIEW OF LANCASHIRE COUNTY COUNCIL Submission by Lancashire County Council on Council Size

Background

This submission is the Council's response to the Local Government Boundary Commission for England's (LGBCE) invitation to put forward a case for Council size.

The review has been triggered as approximately a third of the Council's current electoral divisions (29) have an electoral variance of more than 10% from the average.

The Council's submission has been developed by a cross-party working group of seven Councillors supported by key officers. The Council's submission was approved by the Full Council at a meeting held on 21 May 2015.

About Lancashire

Lancashire has a diverse population of around 1.18 million. There are wide variations in levels of income, wealth and health across the county. In more rural areas social exclusion exists side-by-side with affluence and a high quality of life. Several districts have small pockets of deprivation, but there are also larger areas of deprivation, particularly in east Lancashire, Morecambe, Skelmersdale and parts of Preston.

Lancashire County has 12 District Councils and neighbours the two unitary authorities of Blackpool and Blackburn with Darwen. There are six clinical commissioning groups (CCGs) in the council area with one in each of the unitary councils. A single constabulary and police commissioner cover the whole of Lancashire. There is a Health and Wellbeing Board and a Children's Partnership Board in the county council area. There are three main university campuses in the county and specialist agriculture and maritime college facilities.

Overview of Council Size Submission

The Council's submission sets out to address, and support with evidence, the three areas that the Commission uses to form its view about Council size. Those being governance arrangements, scrutiny functions and the representational role of Councillors in the local community.

The Council's electoral arrangements were last reviewed in 2003-04 in a Periodic Electoral Review. That review increased Council size from 78 to the current Council size of 84 single member electoral divisions, based on the governance arrangements, operated at that time of: a Leader and Deputy Leader and eight portfolio-holders making up a Cabinet of 10; five Overview and Scrutiny Committees and nine other standing Committees/Sub-committees undertaking non-cabinet functions.

Since then Lancashire's public sector landscape has become more complex and there has been a significant increase in the County Council's areas of responsibility and influence including; Public Health; Children's Partnership Boards; and major economic development activity through Lancashire Enterprise Partnership, three Enterprise Zones, and the Preston, South Ribble and Lancashire City Deal.

Out of its 15 comparator Councils Lancashire, together with three other councils, has the highest number of Councillors. Of those comparator Councils, current Council size places Lancashire 4th highest regarding number of electors per councillor.

Using the latest electorate figures for 2015 the Lancashire electorate is 879,847 with an average number of electors to each Councillor of 10,474. Based on Office for National Statistics (ONS) population projections, this is projected to rise to 10,629 by 2021 if council size remains at 84. In addition to using the ONS projections, additional housing growth, particularly in Chorley, Preston and West Lancashire, suggests a figure of around 11,500 additional electors overall across Lancashire by 2021. This would result in an average number of electors to each councillor of 10,766 if council size remains the same.

Summary of the Council's submission

The approach undertaken within this submission has been to follow the Commission's guiding principles document and consider them, both in terms of current arrangements and projected future trends and plans.

After considering evidence presented to it at its meeting on 21 May 2015, the Council considered that there was a case to remain at 84 Electoral Divisions and Members to reflect the evidence below. The Council recognises that this is very much a judgement call and the assessment is finely balanced:-

- It enables members to remain effective in their role as community leaders;
- It meets the need to maintain good, effective democratic accountability and representation;
- It recognises the Council's history of strong partnership working and the continuing need to work effectively with an increasingly wide range of organisations including: the Police & Crime Commissioner for Lancashire and Lancashire Constabulary; the six Clinical Commissioning Groups responsible for commissioning NHS services in Lancashire, together with one each in the two Unitary districts; the Lancashire Enterprise Partnership; the twelve District Councils and the 205 Parish and Town Councils; with neighbouring Councils and both the business and voluntary, community and faith sectors;
- The Council currently has a number of Councillors that appropriately and adequately reflects its geography and large population and effectively represents the complex demography and socio-economic conditions including pockets of high deprivation in Lancashire;
- The evidence supports the view that the Council currently has effective decision making processes in place to ensure full democratic accountability. This view was validated by a corporate Peer Review in October 2014, which confirmed that the Council's key governance structures are 'clear and appear to work well'.
- It will safeguard the Council in ensuring it has sufficient capacity to deliver and enhance its performance in the above areas.
- It will enable the Council to continue to respond to the challenges facing local government and the communities of Lancashire whilst the electorate continues to increase as identified in Appendix 1.
- It recognises the significant and numerous pockets of high population growth and large scale housing development particularly in the Buckshaw village area of central Lancashire.

The Council also supports the retention of single member electoral divisions only to continue to maximise accountability and geographic representation.

Summary of Justification

A summary of the Council's justification for the submission is set out below:-

- The Council has recently undertaken a full review of its governance arrangements, including consideration of moving to a Committee system of administration. The review was carried out by a cross-party officer/member working group and included comparison with other local authorities. The Council overwhelmingly decided to maintain a Leader/Cabinet model of decision-making to best meet the requirements of the Council to function effectively and efficiently and support its service delivery framework to the community. The Council's Cabinet arrangements are supported by an "Executive Scrutiny Committee" which considers all key decisions to be taken by Cabinet and Cabinet Members before decisions are taken. Full details of the Council's Scrutiny Committees and other Committees are set out in detail in Appendix 1.

This supports the view that the current council size should remain the same to preserve the effective governance of the Council and the best arrangements to meet the requirements of the Council to effectively serve its Community. The Cabinet system continues to be reviewed to ensure all elements of the decision-making process are appropriate in terms of effectiveness and efficiency.

- Lancashire is a large County, with a complex geography and demography, and a wide range of different levels of social and economic need. In order to ensure that all parts and people in Lancashire are represented, it is necessary to maintain a council membership of 84 to absorb the increased workload to date and extensive housing development, population and electorate growth across the County as can be particularly evidenced at Buckshaw Village in Central Lancashire.
- Using recent external assessments the Council shows it performs well, for example:

The last organisational assessment was part of the Comprehensive Area Assessment in 2009 when Lancashire County Council received a 'Performs well' (3 out of 4) rating. Since then the authority has continued to receive good service assessment judgements including the following:

- Overall effectiveness of children's safeguarding services Good (grade 2) (2012). The council's child protection service is managed very well. The authority has a consistent track record of good and improving performance across nearly all areas of children's services.
- CQC Inspection Outcomes - Lancashire achieved an excellent outcome as a result of these inspections. Between 1 April 2013 and 31 March 2014 nine of the ten Domiciliary Services, all eight short

breaks services and also the Shared Lives Service were inspected and evaluated during an unannounced inspection. Full compliance was achieved with the exception of one service, for one standard only and this service has implemented an action plan and is awaiting re inspection on this standard.

- In addition the authority is seeking further development opportunities in the shape of regional sector-led peer reviews in both children's and adult's services (later this year) to identify additional improvements, along with a LGA Health and Wellbeing Peer Challenge as part of the Health and Wellbeing System Improvement Programme 2014-15.
- The Council requested a LGA Peer Challenge in 2014 which identified the current democratic and administrative arrangements, established following the elections in 2013, as creating a stable political environment for decision-making. It also highlighted strengths in the Council's work on economic development and work with public sector partner agencies.
- The future challenges to be addressed in times of austerity and reducing financial resources necessitate the Council to have the capacity to guarantee it continues to provide value-for-money services as well as engaging, supporting and leading its partners, community and voluntary bodies across the diverse communities within the County.
- Leadership and Governance arrangements – the appointment in 2014 of a new Chief Executive together with the minority Labour administration from 2013 has provided the cornerstone of the new way of working of the council. Scrutiny has been strengthened, and more councillors than before are more closely represented in decision-making arrangements.
- Working in Partnership with others – Councillors' roles as community leaders and the need to develop engagement with partnerships is expected to continue as the County Council develops its public service integration and potential development of a Combined Authority working with the LGA, Lancashire Council's and key partners. These roles will become even more important set against the current financial climate, with Councillors expected to play an integral part in the consulting of communities around budget options for example. Councillors will also be a vital part in the development of more innovative ways of partnership working. The major potential area for change is in the discussions currently in Lancashire around the possibility of creating a Combined Authority with District and neighbouring Unitary authorities. If such arrangements encourage greater devolution of powers from central government, the additional workload may be significant,

including the need for additional scrutiny or other arrangements to ensure accountability and transparency.

- Evidence suggests a growing volume of work facing elected Councillors. The latest LGA Census of Local Authority Councillors found that Lancashire County Councillors spend on average 25 hours per week on council/political business. In addition, the levels of devolution are unknown due to the uncertainty of the composition and therefore direction of the government that will be formed in May 2015. For these reasons, the Council believes that maintenance of the current Council size would be necessary to ensure the current governance and representational arrangements referred to in Appendix 1 would continue.

The scale of workload, predicted population and electorate increase supports the view that the Council size should be maintained given the large scale of predicted development in certain areas as particular evidenced at Buckshaw village in Central Lancashire.

The Council is of the view therefore that the existing council size is appropriate as it enables Councillors to actively represent and lead their communities as individual Councillors and to effectively respond to the electorate's concerns on evolving issues.

Further details are contained in Appendix 1 which responds to the LGBCE's criteria for Council Size.

Attachments

Appendix 1 – Detailed submission

- Annex A – Committee Structure
- Annex B – List of Outside Bodies
- Annex C – Terms of Reference of Committees
- Annex D – Local Member Grants -Guidance
- Annex E – Scrutiny Committee Work Programmes

ELECTORAL REVIEW OF LANCASHIRE COUNTY COUNCIL
Submission by Lancashire County Council on Council Size

| Governance and Decision Making – How does the Council manage its business and take decisions across its full range of responsibilities? | |
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| <p>Leadership</p> <p>1.1 What kind of Governance arrangements are in place for the Authority? Does the council operate an executive mayoral, Cabinet/Executive or committee system?</p> | <p>The Council has operated executive governance arrangements with a Leader/Cabinet model since 2001.</p> <p>Lancashire County Council has 84 county councillors. Following the county council's elections in 2013 the political composition is:</p> <ul style="list-style-type: none"> • Labour 39; • Conservative 35; • Liberal Democrat 6; Independent 3; and Green 1. <p>Whilst this gives no party an overall majority, Labour and the Liberal Democrats have reached an agreement so that Labour forms a minority administration, with the support of the Liberal Democrats.</p> <p>The county council operates a Leader and Cabinet system. Details set out in Annex A.</p> <p>The Cabinet is supported by a number of Cabinet Committees including a cabinet committee on performance improvement that oversees the implementation of the performance management arrangements for the county council, and monitors progress and delivery of services against performance indicators, targets and plans. Quarterly corporate performance reports and other service monitoring reports are presented to the committee for consideration and necessary action.</p> |

The county council has established three overview and scrutiny committees plus an executive scrutiny committee. A Budget Scrutiny Working Group has also been established to support the Cabinet in formulating the budget.

The executive scrutiny committee was set up at the request of full council and is chaired by the leader of the Liberal Democrat Group. The committee meets prior to cabinet to scrutinise forthcoming decisions of the cabinet, as well as forthcoming key decisions to be made by individual cabinet members and cabinet committees.

Their role is not decision-making. The committees work to deliver local public sector accountability. They are able to hold the council's decision-makers, as well as those of its key partners, to account for their decisions and actions. The committees are also a key mechanism for reviewing council policies and services, as well as services delivered by other organisations in Lancashire.

A number of Council Committees have also been established which are detailed in Annex A. The Terms of Reference are set out in Annex C.

All meetings are broadcast live on our website as part of the county council's policy of bringing decision-making closer to the public.

The council's managerial leadership is provided by a corporate management team (MT) comprising:

- Chief Executive
- Corporate Director - Commissioning and Deputy Chief Executive
- Corporate Director Operations and Delivery
- Director of Governance, Finance & Public Services

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| | <ul style="list-style-type: none"> • Director Development and Corporate Services <p>MT meet weekly to discuss and prioritise key issues of strategic and corporate significance for the Council. In addition, there is a broader senior leadership group (SLG), which includes all director-level posts.</p> <p>A collaborative approach to leadership has developed with regular joint meetings between cabinet and MT used to develop policy, strategy, budget options and corporate direction. More recently the focus of the meetings has been to agree our budget strategy and transformation programme. This is supported by regular meetings between portfolio holders and directors.</p> |
| 1.2 How many portfolios are there? | <p>The county council appointed CC Jennifer Mein as the Leader. CC Mein appointed seven portfolio holders to form a cabinet of eight members including herself. New portfolios were introduced at the time to reflect the changing responsibilities of the council and new priorities of the administration. The Cabinet comprises:</p> <p>CC Jennifer Mein Leader CC David Borrow Deputy Leader CC Azhar Ali Health & Wellbeing CC Janice Hanson Public Protection and Waste CC John Fillis Highways & Transport CC Marcus Johnstone Environment, Planning and Cultural Services CC Tony Martin Adult & Community Services, and CC Matthew Tomlinson Children Young People & Schools</p> <p>The Cabinet has appointed five Lead Members (county councillors) to support the work of individual Cabinet Members. These lead on specific</p> |

areas determined by the Cabinet Member, assist the development of options and policies, and make recommendations that affect decision making. They also represent or deputise for the Cabinet Member at events. The Lead Members are:

County Councillor Chris Henig - Libraries and Cultural Services;
County Councillor Nikki Hennessy - Schools;
County Councillor Sean Serridge - Corporate Services;
County Councillor Lorraine Beavers - Health; and
County Councillor Julie Gibson - Community Safety.

The Cabinet has also appointed six champions (county councillors) to assist the Leader and the appropriate cabinet member by advising on service issues across areas of the county council's activities for:

older people;
young people;
parishes;
disabled people;
armed forces veterans; and
digital inclusion.

Each champion is allocated a sum of £10,000 per annum for use at their discretion to finance their activities e.g. organising events, payment of grants.

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| 1.3 To what extent are decisions delegated to portfolio holders or are most decisions taken by the full Executive? | <p>The vast majority of decisions are taken by individual members of the Cabinet. In 2014 (46) decisions were taken by the Cabinet as opposed to (413) taken by the eight Cabinet Members</p> <p>In 2014 nearly 600 decisions were taken by officers under the Scheme of delegation to Chief Officers.</p> |
| 1.4 Do Executive (or other) members serve on other decision making partnerships, sub-regional or national bodies? | Yes, see Annex B. |
| 1.5 In general, are leadership and/or portfolio roles considered to be full time roles? | The role of Leader and Cabinet Members are considered to be full-time or close to full-time and the County Council's Independent Remuneration Panel have recognised this with significant Special Responsibility Allowances. |
| <p>Regulatory</p> <p>1.6 In relation to licensing, planning and other regulatory responsibilities, to what extent are decisions delegated to officers?</p> | <p>Heads of Service or an officer authorised to act on their behalf can take all decisions which have not been reserved to a Committee. Decisions reserved to the Full Council, a Committee or a Cabinet Member include consideration of objections, setting and amending policies, approval of major strategies, decisions in relation to significant new powers arising from new legislation, the withdrawal or modification of a service, anything political or controversial, a response to a significant consultation paper.</p> |
| 1.7 How many members are involved in committees? | <p>The Council has established the following Committees to undertake regulatory functions:</p> <p>Audit and Governance Committee – 9 members</p> |

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| | <p>Regulatory Committee – 15 members Development Control Committee – 15 members Corporate Complaints Committee – 9 members Common and Town Greens Sub-Committee – 11 members Employment Committee – 8 members Pension Fund Committee – 14 members Urgency Committee – 13 members Health and Wellbeing Board – 4 members</p> |
| 1.8 Is committee Councillorship standing or rotating? | Standing – appointed annually. |
| 1.9 Are meetings ad hoc, frequent and/or area based? | Meetings are timetabled but additional meetings can be called as necessary. The Council also has 12 District-based 3 Tier Forums which alongside all County Councillors within a District area include District and Parish Council representation. |
| 1.10 What level of attendance is achieved? Are meetings always quorate? | Meetings require 25% of voting members to be present and meetings are always quorate. Actual attendance at 'regulatory' meetings is over 90%. |
| 1.11 Does the council believe that changes to legislation, national or local policy will have influence on the workload of committees and their members which will have an impact on council size? | <p>Recent changes to legislation on pension fund governance is likely to have an impact in increasing the workload of the members involved.</p> <p>Councils in Lancashire are exploring alternative decision-making arrangements, including moves toward a Combined Authority model. To this end, local authorities in Lancashire have been actively working together to consider and define new governance and collaboration arrangements. At this</p> |

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| | <p>stage, a preferred local authority governance model has yet to be agreed, though local partners recognise the need to establish new arrangements that are capable of making robust and binding shared decisions, which formally connect with the LEP, to establish a fully integrated approach to shaping, delivering and monitoring local growth and regeneration strategies. Agreement has been secured to undertake a formal governance review of all possible options, including the formation of a Lancashire Combined Authority, to assess which model, if any, would enhance delivery of our major aspirations.</p> <p>The outcome of the forthcoming general election will undoubtedly result in national policy changes that will impact on the workload of the Council, Cabinet, Committees and Councillors.</p> |
| <p>Demands on Time</p> <p>1.12 Is there a formal role description for councillors in your authority?</p> | <p>The role of Councillors is defined in the Constitution as follows:-</p> <p>All County Councillors will:</p> <ol style="list-style-type: none"> 1. collectively through the Full Council approve the Constitution, the Budget, Council Tax levels and Policy Frameworks and carry out a number of strategic and corporate management functions; 2. be involved in decision-making by participating in Council Committees and through the Local Member Grants Scheme; 3. represent their communities and bring their views into the Council's decision-making process, i.e. become the advocate of and for their |

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| | <p>communities;</p> <ol style="list-style-type: none"> 4. deal with local issues and act as an advocate for constituents in resolving particular concerns or grievances; 5. balance different interests identified within the electoral division and represent the electoral division as a whole; and 6. be available to represent the Council on other bodies. |
| <p>1.13 Do councillors receive formal training for all or any roles at the council?</p> | <p>A full programme of member training and development is in place, overseen by a cross party Member Development Working Group (reporting to the main Scrutiny Committee and the Deputy Leader) meeting monthly. A dedicated Member Development Officer is in place to oversee the implementation of the training programme. As well as intensive induction programme following the elections, regular training is held on both committee specific and more general skills, as well as a full programme of "Bite Size Briefings" for members on current and emerging issues and policies.</p> |
| <p>1.14 Do councillors generally find that the time they spend on council business is what they expected?</p> | <p>The use of e-mail, mobile phones, agile tablet devices and websites means that Councillors are effectively contactable 24 hours a day, seven days a week.</p> <p>Due to the large size and nature of Lancashire, travelling time can also be a significant factor with some divisions being significant in size. County Hall is located fairly central within the County. Travelling time can also be an issue in relation to Councillors attending County Hall to undertake their various duties.</p> |

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| <p>1.15 How much time do members generally spend on the business of your council?</p> | <p>The National Census of Local Authority Councillors 2013 showed that a Lancashire County Councillor spends 25hrs per week on council business.</p> <p>The amount of time spent on council business by members of the County Council's Cabinet is considerably higher as evidenced by diary commitments and expense claims.</p> |
| <p>1.16 Does the council appoint members to outside bodies? If so, how many councillors are involved in this activity and what is their expected workload?</p> | <p>64 out of 84 councillors represent the Council on at least one of the bodies within the list at Annex B.</p> <p>In addition, Councillors attend other community meetings as part of their role, including Town and Parish Council meetings.</p> |
| <p>1.17 Does the council attract and retain members?</p> | <p>The Council holds full elections every four years.</p> <p>In 2013, a total of 341 candidates stood for election (compared to 314 in 2009). Of the 341 candidates, 58 were County Councillors standing again for election (of which 39 were re-elected).</p> <p>All by-elections have been filled promptly in accordance with elections law.</p> |
| <p>1.18 Have there been any instances where the council has been unable to discharge its duties due to a lack of councillors?</p> | <p>No</p> |
| <p>1.19 Do councillors have an individual or ward budget for allocation in their area? If so, how is such a system</p> | <p>In April 2006 the Council established the Councillors' Local Member Grants Scheme. Each Councillor is given a budget annually to be used (subject to the regulations of the scheme) to support the communities which they</p> |

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represent. Each County Councillor has a budget of £2,000. These funds are under increasing demand and Councillors have very difficult decisions to make to ensure the best use of these funds in their communities.

Local community groups are required to complete an application form to the Councillor(s). The councillor is sent a report which sets out their financial information with the application form attached as an Appendix. The application form and guidance notes are available to applicants on the County Council's website, web link at Annex D to this document.

The scheme was also a finalist in the 2013 Municipal Journal Awards and has often been used as an example of good practice for other local authorities to follow suit.

| 2. Scrutiny Functions of the Council | |
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| <p>2.1 How do scrutiny arrangements operate in the authority? How many committees are there and what is their membership?</p> | <p>The Committee structure for current scrutiny arrangements is included in Annex A.</p> <p>Lancashire operates a scrutiny structure developed to meet the needs of accountability and transparency in the area, and has innovative elements, praised by the LGA Peer Review team, particularly the Executive Scrutiny Committee.</p> <p>The County Council has the statutory responsibility to scrutinise health, community safety and flood risk management, all of which involve the scrutiny of external bodies. In addition, scrutiny of external issues and external bodies is a regular element of the work of scrutiny, and continues to be so.</p> |
| <p>2.2 What is the general workload of scrutiny committees? Has the council ever found that it has had too many active projects for the scrutiny process to function effectively?</p> | <p>The Scrutiny workload is carefully managed by councillors and officers working together. There is, for example, a significant workload in the area of health, owing to the complexity of the health system in the area, with six CCGs, three major acute trusts and four other trusts, as well as significant activity across the boundaries with other local authorities. To address this, a "Steering Group" has been established of councillors, meeting every three weeks, to meet with NHS representatives and act as a filter for the main committee.</p> <p>As the function is carefully managed, all efforts are made at all times to match workload to capacity – in general, this has meant that councillors have had to make difficult decisions on prioritising work areas to ensure that the most pressing needs are met.</p> |

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| <p>2.3 How is the work of scrutiny committees programmed? Is the work strictly timetabled?</p> | <p>Copies of the current work programmes for the Scrutiny Committees, developed through the Committees, are attached as Annex E.</p> <p>Each committee (except the Executive Scrutiny Committee – see below) considers the workplan at every meeting. The plan is developed in full consultation with all committee members. As a general rule, each meeting seeks to deal with two items, and at any point, there are usually around three task and finish groups in operation, the length of these pieces of work can vary, and a flexible approach is taken to methodology to ensure it is appropriate to the subject. Typically, a task and finish group will involve seven members and run for between 3-6 months, meeting 5-10 time in that period.</p> <p>The scrutiny function in Lancashire has undergone significant change in the last 2 years, with an additional committee and a renewed sense of purpose. Some joint working with other authorities already takes place, through formal joint committees and informal working groups and invites to share ideas. It is anticipated that a number of factors point towards a continuing increase in joint arrangements. Requiring an increased time and travel commitment from members. Factors behind this include devolution and the possibility of a "combined authority", growing specialisation and regionalisation of health services, economic development arrangements, such as the LEPs and the general necessity for public sector bodies to work more closely together in times of reduced resources.</p> |
| <p>2.4 What activities are scrutiny committee members expected to carry out between formal meetings?</p> | <p>In addition to all other duties, scrutiny councillors are expected to ensure they are well informed about issues on the workplan and to give consideration to possible future topics. Any councillors (including those not members of a scrutiny committee) can submit requests for future topics and task and finish groups. Additionally, scrutiny members may be involved in requesting or hearing a "Call In".</p> |

3. Representational Role: Representing the Electorate

3.1 In general terms, how do Councillors carry out their representational role with electors? Do members mainly respond to casework from constituents or do they have a more active role in the community?

Most Councillors take a proactive role within their area rather than simply responding to case work. The approach taken can vary from Councillor to Councillor but generally all Councillors undertake some or all of the following:-

- Surgeries – dealing with queries such as highway defects, street lights, children's services, vulnerable adults;
- Consultation events on specific issues (such as closures of police stations) and wider issues (such as the Council's budget);
- Meetings with community groups and voluntary organisations;
- Attending local community events;
- Attending Parish Council meetings etc;
- Attending outside body meetings including School Governing Bodies;
- Working with local schools and colleges in general – e.g. promoting democracy;
- Electoral Division Visits;
- Neighbourhood Tours;
- Door-to-door visits and delivery of information leaflets;
- Partnership meetings;
- Websites, blogs and social media;
- Home Visits;
- Written and E-mail correspondence;
- Telephone Calls;

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| <p>3.2 How do councillors generally deal with casework? Do they pass on issues directly to staff or do they take a more in depth approach to resolving issues?</p> | <p>Councillors' approach to casework is not fixed, and will depend on the individual councillor and the issue at stake. Councillors are generally keen, where there is a difficult or complex issue, to engage in activities such as site visits accompanied by officers.</p> |
| <p>3.3 What support do Councillors receive in discharging their duties in relation to casework and representational role in their electoral division?</p> | <p>Councillors generally receive no administrative support for the discharge of these functions. Only the cabinet and leaders of the two main opposition groups receive administrative support to help them carry out those roles. Councillors have the general support of officers, as well as access to the necessary ICT systems.</p> |
| <p>3.4 How do councillors engage with constituents? Do they hold surgeries, distribute newsletters, hold public meetings, write blogs, etc?</p> | <p>Councillors' engagement with constituents happens in a range of ways. Whilst not all County Councillors hold surgeries, all will attend a range of meetings in their division and, communicate in person, by phone and email with the public. Many councillors conduct regular walkabout and door knocking sessions. Councillors increasingly seek to engage through social media, and the use of sites like Twitter and Facebook is on the increase. Developments in new technology, particularly the use of tablets and mobile working has led to the situation where councillors are often multi-tasking, responding to emails whilst they wait for meetings to start, for example, and even in some cases live-blogging from within meetings.</p> |

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| <p>3.5 Has the representational role of Councillors changed since the council last considered how many elected Councillors it should have?</p> | <p>The Council has undertaken a full review of governance in 2014/15, including consideration of the adoption of a committee system of administration. Ultimately, the council resolved to make no significant changes to the overall structure, but has agreed to consider some minor changes to processes and some less significant committees.</p> <p>One issue still under consideration is to rejuvenate Full Council meetings to ensure they are relevant to the public and the key issues. Whilst the detail of this has not yet been agreed, it is likely to support the ability and capacity of all members, including non-executives, to become more actively involved in council debate.</p> |
| <p>3.6 Has the Council put in place any mechanisms for councillors to interact with young people, those not on the electoral register or minority groups or their representative bodies?</p> | <p>The Council's Corporate Parenting Board is one formal means of seeking the views of young people.</p> <p>The County Council operates a Youth Parliament and most Councillors are active in promoting democracy through the schools and colleges in their area. Councillors also promote electoral registration at every opportunity.</p> <p>School Council visits to County Hall are encouraged and promoted by Councillors.</p> <p>Work has also been undertaken with Young Carers.</p> |

3.7 Are Councillors expected to attend meetings of community bodies such as parish councils or resident associations? If so, what is the level of their involvement and what role are they expected to play?

The County Council and the Parish and Town Councils (PTCs) in Lancashire (of which there are 205) have a charter, setting out expectations. In the charter, it says that the Council will:

- Encourage and support county councillors to work with parish and town councils in the area they are elected to serve.

Whilst there is no requirement for County Councillors to attend Parish Council meetings, there is a strong understanding in Lancashire that the PTCs are a vitally important democratic institution that should be supported and engaged with.

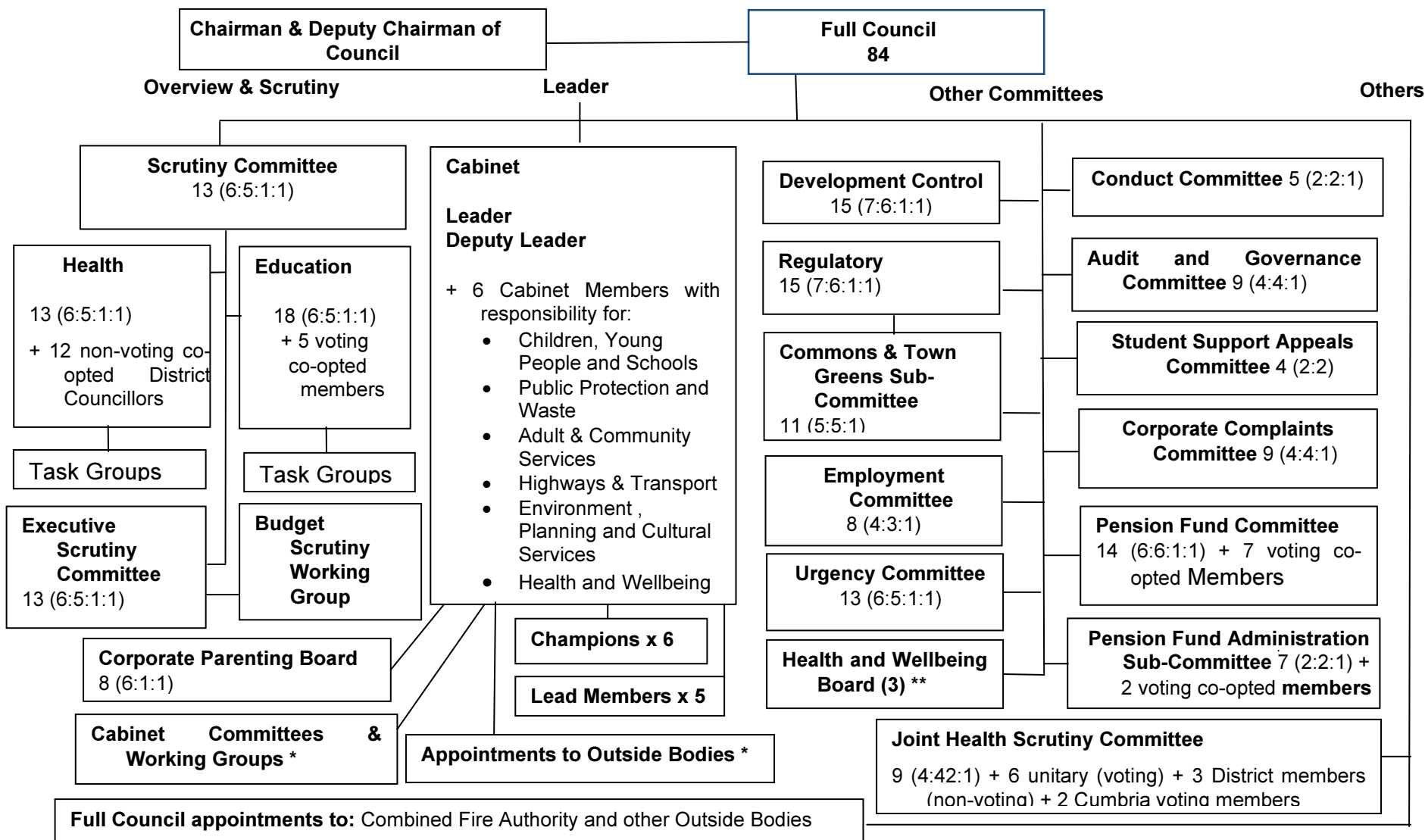
Councillors are expected to act as a conduit, enabling a two-way exchange of information between the Council and such groups.

| 4. The Future | |
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| Localism and Policy Development | |
| 4.1 What impact do you think the localism agenda might have on the scope and conduct of council business and how do you think this might affect the role of councillors? | The localism agenda brings the opportunity to promote innovation and work in an integrated way with communities across the tiers of local government and the wider public sector. Councillors are well placed to ensure that services work together effectively for the good of the community and are responsive to local need. |
| 4.2 Does the council have any plans to devolve responsibilities and/or assets to community organisations? Or does the council expect to take on more responsibilities in the medium to long term? | <p>Full consideration will be given to transferring assets to community organisations where it is appropriate to do so.</p> <p>The county council is currently undertaking a transformation process and requires a flexible, efficient and effective property portfolio for the delivery of best outcomes for the people of Lancashire. It is possible that more services will be commissioned externally, including to the third sector, moving forward.</p> |
| Service Delivery | |
| 4.3 Have changes to the arrangements for local delivery of services led to significant changes to councillors' workloads? (For example, control of housing stock or sharing services with neighbouring authorities). | At the present time, such arrangements have not had any significant impact. |

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| <p>4.4 Are there any developments in policy ongoing that might significantly affect the role of elected members in the future?</p> | <p>The Council has largely completed the principal phase of its governance review, and it has been agreed to maintain the status quo, in relation to the Cabinet model. The major potential area for change is in the discussions currently in Lancashire around the possibility of creating a combined authority with district and neighbouring unitary authorities. It is not clear what the implications of this might be on the workload of either executive or non-executive councillors, If such arrangements encourage greater devolution of powers from central government, the additional workload may be significant, although that might not be evenly distributed amongst all councillors, however, with additional powers may come the need for additional scrutiny or other arrangements to ensure accountability and transparency.</p> |
| <p>Finance 4.5 What has been the impact of recent financial constraints on the council's activities? Would a reduction in the scope and/or scale of council business warrant a reduction in the number of councillors?</p> | <p>Like most councils, particularly in the North of England, the Council has had to manage significant reductions in its resources over the last few years, and anticipates further reductions to come. The impact on the role of councillors has, if anything, been to increase the demands upon them in a number of ways. Firstly, in order to ensure that difficult decisions are made in an accountable and transparent way, the council has developed its budget setting process to engage more openly with stakeholders, which has created a time commitment for members. A "Budget Scrutiny Working Group" has also been established to examine proposals as they come forward.</p> |

Lancashire County Council – Decision-Making Structure (Model of Local Governance)

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* Appointments to be made by the Cabinet – Membership not exclusively member of the Cabinet
 ** 3 x cabinet members

OUTSIDE BODIES LIST

| Category | Outside Body |
|-------------------|--|
| | |
| Lancashire | Adoption and Permanence Panels (North, Central and East) |
| | Ageing Well Forum |
| | Alt Crossens Advisory Group |
| | Arnsdale / Silverdale AONB Executive Committee |
| | Arthur Edmonson Quinn Bequest |
| | Bacup Neighbourhood Forum |
| | Balshaws Education Foundation |
| | Barton Road Community Association |
| | Burnley Action Partnership - Executive |
| | Burton and Rigby Educational Foundation |
| | Bushell House Charity (Goosnargh) |
| | Central Lancashire Development Framework Joint Advisory Committee |
| | Council for Voluntary Services (CVS) - Blackpool, Wyre and Fylde |
| | Council for Voluntary Services (CVS) - Burnley, Pendle and Rossendale |
| | Council for Voluntary Services (CVS) - Hyndburn and Ribble Valley |
| | Council for Voluntary Services (CVS) - Lancaster (Lancaster District Community and Voluntary Solutions) |
| | Council for Voluntary Services (CVS) - West Lancashire |
| | Crook O'Lune Advisory Committee |
| | District Children and Young People's Trust Board - Burnley |
| | District Children and Young People's Trust Board - Chorley |
| | District Children and Young People's Trust Board - Fylde |
| | District Children and Young People's Trust Board - Hyndburn |

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| | District Children and Young People's Trust Board - Lancaster |
| | District Children and Young People's Trust Board - Pendle |
| | District Children and Young People's Trust Board - Preston |
| | District Children and Young People's Trust Board - Ribble Valley |
| | District Children and Young People's Trust Board - Rossendale |
| | District Children and Young People's Trust Board - South Ribble |
| | District Children and Young People's Trust Board - West Lancashire |
| | District Children and Young People's Trust Board - Wyre |
| | District Community Safety Partnership - Chorley and South Ribble |
| | District Community Safety Partnership - Fylde |
| | District Community Safety Partnership - Hyndburn |
| | District Community Safety Partnership - Lancaster |
| | District Community Safety Partnership - Pendle |
| | District Community Safety Partnership - Preston |
| | District Community Safety Partnership - Ribble Valley |
| | District Community Safety Partnership - West Lancashire |
| | District Community Safety Partnership - Wyre |
| | Farington Community Fund Panel |
| | Fostering Panels (North, Central and East) |
| | Grove Community Association |
| | Hanson Cement Liaison Committee |
| | Herbert Norcross Scholarship Fund |
| | Heysham Mossgate Sports and Community Centre |
| | Horse and Bamboo Theatre |
| | James Bond/Henry Welch Trust |
| | Lancashire Teaching Hospitals NHS Foundation Trust Council of Governors |
| | Lancashire Waste Partnership |
| | Lancashire Waste PFI Project Liaison Group |
| | Lancaster Ripley CE Educational Trust |

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| | Lancaster University Court |
| | Local Liaison Committee - Back Lane Quarry |
| | Local Liaison Committee - Leaper's Wood and Dunald Mill |
| | Local Liaison Committee - Westby |
| | Morecambe Bay Partnership |
| | Museums Partnership Advisory Panel |
| | One West Lancashire |
| | Ormskirk School Trust |
| | Padiham Youth Centre Advisory Committee |
| | Pennine Prospects (South Pennine Rural Regeneration Company Ltd) |
| | Preston Strategic Partnership (PSP) Conference |
| | Rawtenstall Community Association |
| | Rawtenstall Neighbourhood Forum |
| | Rivington and Brinscall Local Advisory Group |
| | Rivington Heritage Trust |
| | Roper Educational Foundation, Preston |
| | Rural Development Programme - North Lancashire Local Action Group |
| | Shaw's Educational Endowment, Rivington |
| | Skelmersdale Town Centre Regeneration Project |
| | South Ribble Partnership Sub Group |
| | South Ribble Partnership |
| | Springfield Fuel Ltd - Springfields Site Stakeholder Group |
| | Stocks Massey Bequest |
| | Stoneyholme and Daneshouse Community Association |
| | Stoops/Hargher Clough Youth & Community Centre, Burnley |
| | Tanhouse, Moorside and Digmoor Neighbourhood Board |
| | Tarmac Liaison Committee |
| | Thornton Cleveleys Baines Endowed VC Primary School (Trust) |
| | Tobacco Free Lancashire Alliance |

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| | University Hospitals of Morecambe Bay Improvement Board |
| | University Hospitals of Morecambe Bay NHS Foundation Trust |
| | West Pennine Moors Area Management Committee |
| | Whitworth Neighbourhood Forum |
| | William Blythe Consultation Forum, Church |
| | Winckley Square Community Interest Company (CIC) |
| | Lancashire Fairness Commission |
| | Blackburn Cathedral Council |
| | Blackpool Airport Consultative Committee |
| | Blackpool Teaching Hospitals NHS Foundation Trust |
| | East Lancashire into Employment |
| | East Lancashire Railway Trust |
| | Educational Foundation of John Farrington |
| | Forest of Bowland Area of Outstanding Natural Beauty Joint Advisory Committee |
| | Friends of Lancashire Archives |
| | Haslingden, Helmshore & Edenfield Neighbourhood Forum |
| | Heritage Trust for the North West |
| | Heysham Nuclear Power Station Local Community Liaison Council |
| | Hornbies Newton Charity |
| | Joint Advisory Committee for Strategic Planning |
| | Lancashire Local Access Forum |
| | Lancashire Outdoor Activities Initiative |
| | Lancashire Playing Fields Association |
| | Lancashire SACRE - Quality and Standards Sub-group |
| | Lancashire Schools Forum |
| | Lancashire Standing Advisory Council on Religious Education (SACRE) |
| | Public Rights of Way and Access Forum |
| | The Dukes Playhouse Limited |
| | Lancashire Combined Fire Authority - Appeals Committee |

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| | Lancashire Combined Fire Authority - Audit Committee |
| | Lancashire Combined Fire Authority - Injury Pensions Sub-committee |
| | Lancashire Combined Fire Authority - LACC Board of Directors |
| | Lancashire Combined Fire Authority - Main Authority Meeting |
| | Lancashire Combined Fire Authority - Member Training and Development Working Group |
| | Lancashire Combined Fire Authority - North West Partnership Board |
| | Lancashire Combined Fire Authority - Performance Committee |
| | Lancashire Combined Fire Authority - Planning Committee |
| | Lancashire Combined Fire Authority - Resources Committee |
| | Lancashire Combined Fire Authority - Strategy Group |
| | Lancashire Police and Crime Panel |
| | |
| Lancashire Companies | Lancashire Business and Innovation Centre Limited |
| | Lancashire County Developments Limited |
| | Lancashire Enterprise Partnership Limited |
| | Lancashire Environmental Fund Limited |
| | Lancashire Workforce Development Partnership Limited |
| | Marketing Lancashire Limited |
| | Preston Vision Limited |
| | Regenerate Pennine Lancashire Limited |
| | The Lancashire Partnership Against Crime Limited |
| | Transport for Lancashire Committee |
| | |
| Regional | Liverpool Airport Consultative Committee |
| | Local Agenda 21: Lancashire-Gulu Link NGO |
| | Local Authority Elected member: Older People's Champions Network North West of England |
| | North Western Inshore Fisheries and Conservation Authority |
| | North West of England and Isle of Man Reserve Forces and Cadets Association |

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| | North West Regional Flood and Coastal Committee |
| | The University of Manchester General Assembly |
| | |
| National | Local Government Association County Councils Network |
| | Local Government Association General Assembly Annual Meeting |
| | Local Government Association General Assembly |
| | Local Government Association People and Places |
| | Local Government Association Special Interest Group on Coastal Issues |
| | Local Government Association Urban Commission |
| | West Coast Rail 250 - General Council |
| | Local Government Information Unit |
| | National AONB Association |
| | Parking and Traffic Regulations Outside London (PATROL) Adjudication Service Joint Committee |
| | Public Transport Consortium of Non-Metropolitan Authorities |

TERMS OF REFERENCE OF FULL COUNCIL AND COMMITTEES – EXCERPT FROM CONSTITUTION

The Full Council

The functions of the Full Council shall be as follows:

1. To approve the Council's Constitution and any subsequent amendments.
2. To elect the Chair and appoint the Vice-Chair of the Council at its Annual Meeting.
3. To appoint and remove the Leader of the Council, who shall be the Leader of the Cabinet. The Leader shall be appointed at the first Annual Meeting after an ordinary Council Election and also as a vacancy arises.
4. To determine the Policy Framework of the Council, which currently comprise the following plans, policies, strategies and agreements of the Council, to review these annually, and to add to or delete from the list of plans, policies and strategies comprising the Policy Framework as it deems appropriate:
 - (a) the Sustainable Community Strategy;
 - (b) the Corporate Strategy;
 - (c) the Youth Justice Plan;
 - (d) the Lancashire Community Safety Agreement;
 - (e) the Local Transport Plan;
 - (f) the Lancashire Environment Strategy;
 - (g) Annual Library Plan (if required);
 - (h) the Lancashire Economic Development Strategy
 - (i) Development Plan documents contained in the Minerals and Waste Development Framework, including the following functions under the Planning and Compulsory Purchase Act 2004:
 - i. approve a development plan document for the purposes of submission to the Secretary of State for independent examination (S.20).

- ii. approve the making of an agreement to prepare one or more joint development plan documents (S.28).
- iii. approve the making of an agreement to establish a joint committee to be the local planning authority (S.29).
- iv. approve adding to the functions of a joint committee previously established (S.30) and approve the making of a request to the Secretary of State for the revocation of an order constituting a joint committee (S.31).

The Full Council shall also consider adopting any proposed modifications to these plans, policies and strategies.

In respect of each of these plans, policies and strategies the Full Council may set the limits within which the Cabinet may make variations (including Budget virement) in the light of circumstances without reference back to the Full Council.

- 5. To determine on an annual basis the Council's Revenue Budget, Capital Programme, the Treasury Management Policy and Council Tax levels in accordance with the provisions of Section 67 of the Local Government Finance Act 1992.
- 6. To note the Council's Statement of Accounts and the Lancashire County Pension Fund Statement of Accounts.
- 7. To receive reports, for information only, from the Combined Fire Authority.
- 8. In determining the Policy Framework and the Revenue Budget, Capital Programme, the Treasury Management Policy and Council Tax levels the Full Council shall consider the detailed proposals of the Cabinet including the views of the relevant Overview and Scrutiny Committees.
- 9. In considering for adoption certain plans and strategies for which the Council does not have the sole responsibility (such as the Community Strategy and the Crime and Disorder Reduction Strategies) the Full Council shall bear in mind the responsibility and involvement of those other bodies.
- 10. To determine all matters which are normally reserved for the Cabinet to decide which are not in accordance with the Budget or Policy Framework of the Council, and make appropriate arrangements in the Standing Orders for such matters to be dealt with where those matters cannot await the next meeting of the Full Council.
- 11. To review and determine whether any decision by or on behalf of the Cabinet, not yet implemented, referred to it by any Overview and Scrutiny Committee, should be re-considered by the appropriate decision taker in accordance with the Standing Orders.

12. To approve and adopt all Standing Orders and Financial Regulations applying to the Full Council, the Cabinet and all Committees of the Council.
13. To specify, before the beginning of each financial year, the amounts of expenditure and savings that shall be regarded as significant for the purposes of Standing Order 25 (key decisions).
14. Before the beginning of each financial year, to approve a Member Allowance Scheme.

To determine the allowances payable to the Chair and Vice-Chair of the County Council.

15. Subject to the provisions of Standing Order 36, to approve the appointment or dismissal of the Chief Executive and to appoint and dismiss the Executive Directors and Second Tier Officers.
16. To designate the positions of Monitoring Officer, Chief Finance Officer, Returning Officer and all other statutory positions and to appoint any individual officer to any office other than an office in which he/she is employed by the Council.
17. To consider all reports which the Cabinet, a Cabinet Member, any Committee of the Cabinet or of the Full Council may submit to it.
18. At its Annual Meeting or at other meetings as necessary:

(a) To determine the constitution and membership, including any Co-optees required or deemed desirable, of the following Committees, including the appointment of Chairs and Deputy-Chairs, and to establish, where necessary, timetables for their meetings:

- the Overview and Scrutiny Committees and any Overview and Scrutiny Sub-Committees;
- the Conduct Committee;
- the Regulatory Committee and the Commons and Town Green Sub-Committee;
- the Development Control Committee;
- the Audit Committee;
- the Pension Fund Committee and its Sub-Committees;
- the Corporate Complaints Committee;
- the Employment Committee;

- the Urgency Committee;
 - the Student Support Appeals Committee;
 - other Committees and Panels which the Full Council may establish;
- and:

(b) To make appointments to the following organisations:

- the Combined Fire Authority;
 - the outside Organisations, Committees and Panels to which the County Council is entitled to appoint representatives, other than those to be dealt with by the Cabinet.
19. To establish, at its discretion and where permissible, Committees to carry out any of its functions and also Working Groups and Panels to provide advice and make recommendations.
 20. To establish a Committee of the Full Council comprising ten County Councillors (of whom no more than two shall be members of the Cabinet and of whom two shall be Chairs of Overview and Scrutiny Committees) to deal, except for those matters which cannot be delegated under Section 101 of the Local Government Act 1972, with any matter requiring a decision by the Full Council which cannot await its next meeting, including any matters which have been delegated to the Committee by the Full Council.
 21. To consider proposals for the promotion of Local Legislation which affects the interests of the Council and to promote bylaws and Local Acts as appropriate.
 22. To be responsible for considering and formulating views upon all matters relating to local government boundaries, including any future proposals for local government reorganisation.
 23. To be responsible for any matter relating to changes in the areas, status or functions of local authorities and the revision of County Electoral Divisions and matters relating to elections.
 24. To receive an Annual Report from the Pension Fund Committee on the state of the Pension Fund and on investment activities during the preceding year.
 25. To establish a Committee of the Full Council comprising nine County Councillors (at least one of whom shall be a Member of the Cabinet) to deal with the appointment and dismissal of the Chief Executive, the Executive Directors, the Monitoring Officer and the Chief Financial Officer, (subject nevertheless to paragraph 15 above).

26. To determine the conditions of employment of employees of the County Council.
27. To consider and respond to petitions in accordance with the Council's petitions scheme – see Appendix 'O' to the Constitution.

Overview and Scrutiny

By law, the Council must establish Overview and Scrutiny Committees and it has established the following Committees:

- Scrutiny Committee
- Health Scrutiny Committee
- Education Scrutiny Committee
- Executive Scrutiny Committee

These Committees work to deliver local public sector accountability. They are able to require the Council's decision-makers, as well as those of its key partners, to account for their decisions and actions.

The Committees are also a key mechanism for reviewing Council policies and services, as well as services delivered by other organisations in Lancashire.

If at any Overview and Scrutiny Committee meeting the party whip is to be applied, then it must be declared.

Summary

The four Overview and Scrutiny Committees shall comprise the number of County Councillors indicated below and such Co-optees as the Full Council shall determine at its Annual Meeting.

1. **Scrutiny Committee** (Thirteen County Councillors)

To review and scrutinise the decisions and actions of the County Council and external partners. The Committee will scrutinise the work and performance of any part of the County Council and its partners and the functions of the relevant Cabinet Members.

To exercise the statutory functions in relation to the scrutiny of flood risk management

To exercise the statutory functions of a Crime and Disorder overview and scrutiny committee under the provisions of the Police and Justice Act 2006. For this purpose the Committee may choose to include co-opted members in accordance with the provisions of that act.

2. **Health Scrutiny Committee** (Thirteen County Councillors and twelve non-voting Co-opted district Members)

To review and scrutinise issues around public health and health inequalities. The Committee will review and scrutinise the work and performance of any relevant part of the County Council and its partners and the functions of the relevant Cabinet Members

To discharge the statutory health overview and scrutiny functions under the provisions of the Health and Social Care Act 2012. For this purpose the Committee shall include twelve non-voting Co-opted district council Members.

3. Education Scrutiny Committee (Thirteen County Councillors and five voting Co-optees)

To review and scrutinise issues around education. The Committee will scrutinise the work and performance of any relevant part of the County Council and its partners and the functions of the relevant Cabinet Members.

The Committee shall include the statutory education Co-optees (five Co-optees comprising three Church representatives and two parent governor representatives) who shall have voting rights in relation to any education functions which are the responsibility of the Executive.

4. Executive Scrutiny Committee (Thirteen County Councillors)

To review and scrutinise forthcoming decisions of the County Council's Cabinet, and key decisions of individual cabinet members and Cabinet Committees.

The following Terms of Reference should be read in conjunction with the above summary.

Scrutiny Committee

1. To review decisions made, or other action taken, in connection with the discharge of any functions which are undertaken by the Cabinet collectively, the Leader, Deputy Leader or the relevant Cabinet Members or Cabinet committees.
2. To make reports or recommendations to the Full Council, the Cabinet, the Leader, Deputy Leader or the relevant Cabinet Members or Cabinet committees with respect to the discharge of any functions which are undertaken by the Cabinet collectively, the Leader, Deputy Leader or the relevant Cabinet Members or Cabinet committees.

3. To review decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the Cabinet, except for decisions of the Regulatory Committee, the Development Control Committee, the Audit and Governance Committee, the Conduct Committee, the Pension Fund Committee, the Corporate Complaints Committee and the Student Support Appeals Committee or any other committees of the Full Council as the Full Council may from time to time specify.
4. To make reports or recommendations to the Full Council or the Cabinet with respect to the discharge of any functions which are not the responsibility of the Cabinet.
5. In reviewing decisions (other than decisions designated as urgent under Standing Order 34(3)) made in connection with the discharge of any functions undertaken by the Cabinet collectively, the Leader, Deputy Leader or the relevant Cabinet Members or Cabinet committees, but which have not been implemented, the Committee may recommend that the decision be reconsidered by the person who made it or to refer the decision to the Full Council for it to decide whether it wishes it to be reconsidered by the decision taker. These rules do not apply to executive decisions which take the form of recommendations for final decision by the Full Council.
6. To request a report by the executive to Full Council where a decision which was not treated as being a key decision has been made and the Scrutiny Committee is of the opinion that the decision should have been treated as a key decision.
7. To hold general policy reviews and to assist in the development of future policies and strategies (whether requested by the Full Council or the Cabinet, individual Cabinet members, Cabinet committees, or decided by the Committee itself) and, after consulting with any appropriate interested parties, to make recommendations to the Cabinet, individual Cabinet members, Cabinet committees or to the Full Council as appropriate.
8. To undertake reviews (whether requested by the Full Council, the Cabinet, the relevant Cabinet Members, Cabinet committees or decided by the Committee itself) and make recommendations to the Full Council, the Cabinet or the relevant Cabinet Members or Cabinet committees, as appropriate, on relevant services or activities carried out by external organisations which affect Lancashire or its inhabitants.

9. To consider any matter brought to it following a request by a County Councillor or a Co-optee of the Committee who wishes the issue to be considered.
10. The regular liaison and joint discussion of future policy issues with the Executive.
11. To consider requests from the other Overview and Scrutiny Committees on the establishment of task groups, and to establish Sub-Committees, task groups, and other working groups and panels as necessary, as well as joint committees to exercise the statutory function of joint health scrutiny committees under the NHS Act 2006.
12. To determine which Overview and Scrutiny Committee considers a particular matter where this is not clear.
13. The co-ordination of Overview and Scrutiny training for County Councillors and Co-optees.
14. The facilitation of liaison with external bodies and neighbouring authorities as appropriate.
15. To invite to any meeting of the Committee and permit to participate in discussion and debate, but not to vote, any person not a County Councillor whom the Committee considers would assist it in carrying out its functions.
16. To require any Councillor, an Executive Director or a senior officer nominated by him/her to attend any meeting of the Committee to answer questions and discuss issues.
17. To establish arrangements for the scrutiny of member development, and receive reports from the Member Development Working Group.
18. To review and scrutinise the operation of the Crime and Disorder Reduction Partnership in Lancashire in accordance with the Police and Justice Act 2006 and make reports and recommendations to the responsible bodies as appropriate.
19. In connection with 18. above, to require an officer or employee of any of the responsible bodies to attend before the Committee to answer questions.
20. To co-opt additional members in accordance with the Police and Justice Act 2006 if required, and to determine whether those co-opted members should be voting or non-voting.

21. To review and scrutinise the exercise by risk management authorities of flood risk management functions or coastal erosion risk management functions which may affect the local authority's area.

Education Scrutiny Committee

1. To review decisions made, or other action taken, in connection with the discharge of any relevant functions undertaken by the Cabinet collectively, or the relevant Cabinet Members or Cabinet committee.
2. To make reports or recommendations to the Full Council, the Cabinet or the relevant Cabinet Members or Cabinet committee with respect to the discharge of any functions undertaken by the Cabinet collectively or the relevant Cabinet Members or Cabinet committee.
3. In reviewing decisions (other than decisions designated as urgent under Standing Order 34(3)) made in connection with the discharge of any relevant functions undertaken by the Cabinet collectively or the relevant Cabinet Members or Cabinet committee, but which have not been implemented, the Committee may recommend that the decision be reconsidered by the person who made it or to refer the decision to the Full Council for it to decide whether it wishes it to be reconsidered by the decision taker.
4. To request a report by the executive to Full Council where a decision which was not treated as being a key decision has been made and the Education Scrutiny Committee is of the opinion that the decision should have been treated as a key decision.
5. To hold general policy reviews and to assist in the development of future policies and strategies (whether requested by the Full Council, the Cabinet, the relevant Cabinet Members, Cabinet committee or decided by the Committee itself) and, after consulting with any appropriate interested parties, to make recommendations to either the Cabinet, the relevant Cabinet Members, Cabinet committee or to the Full Council as appropriate.
6. To fulfil all the statutory functions of an Overview and Scrutiny Committee as they relate to education functions of a Children's Services Authority.
7. To undertake reviews (whether requested by the Full Council, the Cabinet, the relevant Cabinet Members, Cabinet committee or decided by the Committee itself) and make recommendations to the Full Council, the Cabinet, Cabinet committee or the relevant Cabinet Members, as appropriate, on relevant services or activities carried out by external organisations which affect Lancashire or its inhabitants.

8. To consider any relevant matter referred to the Committee by the Scrutiny Committee following a request by a County Councillor or a Co-optee of the Committee who wishes the issue to be considered.
9. To request that the Scrutiny Committee establish sub-committees, task groups and other working groups and panels as necessary.
10. To invite to any meeting of the Committee and permit to participate in discussion and debate, but not to vote, any person not a County Councillor whom the Committee considers would assist it in carrying out its functions.
11. To require any Councillor who is a member of the Cabinet, the appropriate Executive Director or a senior officer nominated by him/her to attend any meeting of the Committee to answer questions and discuss issues.
12. To recommend the Full Council to co-opt on to the committee persons with appropriate expertise in the relevant education matters, without voting rights.
13. To recommend to the Scrutiny Committee appropriate training for members of the Committee on education related issues.

Health Scrutiny Committee

Note: The Committee shall, for the purpose of discharging the statutory health overview and scrutiny functions, comprise twelve non-voting district council Members.

1. To review decisions made, or other action taken, in connection with the discharge of any relevant functions undertaken by the Cabinet collectively, or the relevant Cabinet Members or Cabinet Committee.
2. To make reports or recommendations to the Full Council, the Cabinet or the relevant Cabinet Member or Cabinet committee with respect to the discharge of any relevant functions undertaken by the Cabinet collectively or the relevant Cabinet Member or Cabinet committee.
3. In reviewing decisions (other than decisions designated as urgent under Standing Order 34(3)) made in connection with the discharge of any relevant functions undertaken by the Cabinet collectively or the relevant Cabinet Member or Cabinet committee, but which have not been implemented, the Committee may recommend that the decision be reconsidered by the person who made it or to refer the decision to the

Full Council for it to decide whether it wishes it to be reconsidered by the decision taker.

4. To request a report by the executive to Full Council where a decision which was not treated as being a key decision has been made and the Health Scrutiny Committee is of the opinion that the decision should have been treated as a key decision.
5. To hold general policy reviews and to assist in the development of future policies and strategies (whether requested by the Full Council, the Cabinet, the relevant Cabinet Member, Cabinet committee or decided by the Committee itself) and, after consulting with any appropriate interested parties, to make recommendations to either the Cabinet, the relevant Cabinet Member, Cabinet committee or to the Health and Well Being Board or the Full Council as appropriate.
6. To review and scrutinise any County Council services planned or provided as part of the Council's wider public health responsibilities, and to make recommendations to the Full Council, the Health and Well Being Board or the Cabinet or Cabinet committee, as appropriate.
7. To review and scrutinise any matter relating to the planning, provision and operation of the health service in the area and make reports and recommendations to NHS bodies as appropriate.
8. In reviewing any matter relating to the planning, provision and operation of the health service in the area, to invite interested parties to comment on the matter and take account of relevant information available, particularly that provided by the Local Healthwatch.
9. The review and scrutinise any local services planned or provided by other agencies which contribute towards the health improvement and the reduction of health inequalities in Lancashire and to make recommendations to those agencies, as appropriate.
10. In the case of contested NHS proposals for substantial service changes, to take steps to reach agreement with the NHS body.
11. In the case of contested NHS proposals for substantial service changes where agreement cannot be reached with the NHS, to refer the matter to the relevant Secretary of State.
12. To refer to the relevant Secretary of State any NHS proposal which the Committee feels has been the subject of inadequate consultation.

13. To scrutinise the social care services provided or commissioned by NHS bodies exercising local authority functions under Section 31 of the Health Act 1999.
14. To request that the Scrutiny Committee establish as necessary joint working arrangements with district councils and other neighbouring authorities.
15. To draw up a forward programme of health scrutiny in consultation with other local authorities, NHS partners, the Local Healthwatch and other key stakeholders.
16. To acknowledge within 20 working days to referrals on relevant matters from the Local Healthwatch or Local Healthwatch contractor, and to keep the referrer informed of any action taken in relation to the matter.
17. To consider any relevant matter referred to the Committee by the Scrutiny Committee following a request by a County Councillor or a Co-optee of the Committee who wishes the issue to be considered.
18. To request that the Scrutiny Committee establish task groups and other working groups and panels as necessary.
19. To require the Chief Executives of local NHS bodies to attend before the Committee to answer questions, and to invite the chairs and non-executive directors of local NHS bodies to appear before the Committee to give evidence.
20. To invite any officer of any NHS body to attend before the Committee to answer questions or give evidence.
21. To invite to any meeting of the Committee and permit to participate in discussion and debate, but not to vote, any person not a County Councillor whom the Committee considers would assist it in carrying out its functions.
22. To recommend the Full Council to co-opt on to the Committee persons with appropriate expertise in relevant health matters, without voting rights.
23. To require any Councillor who is a member of the Cabinet, the appropriate Executive Director or a senior officer nominated by him/her to attend any meeting of the Committee to answer questions and discuss issues.
24. To recommend to the Scrutiny Committee appropriate training for members of the Committee on health related issues.

Executive Scrutiny Committee

1. To review and scrutinise reports and decisions due for consideration by the Cabinet collectively, and to make recommendations to Cabinet on those reports and decisions.
2. To review and scrutinise Key Decisions, other than the making of Traffic Regulation Orders of all kinds including Speed Limit Orders, due for consideration by individual Cabinet Members and to make recommendations to Cabinet Members on those decisions.
3. To review and scrutinise Key Decisions due for consideration by Cabinet Committees, and to make recommendations to the relevant Cabinet Committee on those decisions.
4. The committee may invite to any meeting of the Committee and permit to participate in discussion and debate, but not to vote, any person not a County Councillor whom the Committee considers would assist it in carrying out its functions.
5. To require any Councillor, an Executive Director or a senior officer nominated by him/her to attend any meeting of the Committee to answer questions and discuss issues in relation to the reports and decisions before it for consideration.
6. To appoint a Budgetary Scrutiny Working Group and receive recommendations from it in order to make recommendations to Cabinet on its budget proposals to Full Council.

Other Committees of the Council

By law, some important Council functions cannot be undertaken by the Cabinet, and some of these functions are exercised by the following Committees:

- Conduct Committee
- Audit and Governance Committee
- Development Control Committee
- Regulatory Committee
- Commons and Town Greens Sub-Committee
- Corporate Complaints Committee
- Pension Fund Committee
- Lancashire Pension Board
- Urgency Committee
- Employment Committee
- Student Support Appeals Committee
- Health and Wellbeing Board

Conduct Committee

Composition and role

The Committee shall consist of five County Councillors.

The Committee shall meet as and when required at the request of the Monitoring Officer to undertake its functions set out in these Terms of Reference.

Terms of Reference

1. To determine whether a councillor or co-opted member has failed to comply with the Council's Code of Conduct.
2. Where it finds that a failure to comply with the Code of Conduct has occurred to determine what action, if any, to take,

PROVIDED THAT before a decision under 1 or 2 is taken the Committee must have regard to the views of an Independent Person appointed by the Full Council who shall attend meetings of the Committee for that purpose as an observer.

3. To consider whether to grant a dispensation to a member or co-opted member under section 33 of the Localism Act 2011 relieving the member/co-opted member from either or both of the restrictions in Section 31(4) of the Act by allowing him/her to participate in any discussion at a meeting or vote in relation to any matter in which they have a disclosable pecuniary interest.

Meetings are normally open to the public but they may be excluded where information of an exempt or confidential nature is being discussed or from meetings dealing with those matters set out at Paragraph 12 below. – see Access to Information Procedure Rules set out at Appendix 'H' to this Constitution.

Audit and Governance Committee

Purpose

The Audit and Governance Committee provides independent oversight of the adequacy of the council's governance, risk management and internal control framework, and oversees the financial reporting process.

Membership

The members of the Audit Committee shall comprise nine councillors.

Terms of Reference

Governance

1. To monitor the operation of the council's corporate governance, risk management and internal control arrangements.
2. To monitor the effectiveness of the council's strategies to counter fraud and corruption.
3. To monitor compliance with the council's local corporate governance code.
4. To promote and maintain high standards of conduct by councillors and co-opted members, to ensure that the highest ethical standards are maintained across all areas of the council's services.
5. To review and approve the council's annual governance statement.

6. To conduct an annual review of the effectiveness of the system of internal audit.

Audit

7. To approve, but not direct, the annual internal audit plan.
8. To consider periodic reports of internal audit activity and outcomes.
9. To consider the head of internal audit's annual report and opinion.
10. To consider the external auditor's annual plan.
11. To consider periodic reports on external auditor's work.
12. To consider the external auditor's annual audit letter.

Financial statements

13. To consider and approve the audited financial statements of the county council and its group subsidiaries and associates.
14. To consider and approve the audited financial statements of Lancashire County Pension Fund.

Treasury management

15. To review the council's treasury management strategy and policies.
16. To consider periodic reports of treasury management activity.

Meetings

17. The Audit Committee will meet at least four times a year.

Development Control Committee

Composition and role

The Committee comprises fifteen County Councillors who are not in the Cabinet (excepting the Cabinet Member with responsibility for Planning) and deals with applications for planning permission for waste disposal and mineral extraction developments, and for development proposed by the Council.

Meetings are open to the public but they may be excluded where information of an exempt or confidential nature is being discussed – see Access to Information Procedure Rules set out at Appendix 'H' to this Constitution.

Terms of Reference

The Committee shall carry out the following functions:

1. To determine applications for planning permission, consent or approval and other similar applications under Sections 70,72,73A and 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992.
2. To exercise the functions in the Town and Country Planning Act 1990 under Sections 70A (to decline to determine planning permission) 73 (to vary conditions of Planning Permissions), 94 (Completion Notices), 97 (Revocation and Modification Orders), 102 (Discontinuance Orders) 106 (Agreements Regulating Development), 171C (Planning Contravention Notices), 172 (Enforcement Notices), 183 (Stop Notices), 187A (Breach of Condition Notices), and 187B (Application for Injunctions).
3. To determine applications for certificates of lawful use or development and certificates of lawfulness of proposed use or development and issue certificates, as appropriate, under Sections 191 and 192 of the Town and Country Planning Act 1990.
4. To exercise the functions relating to the making of determinations of planning applications under Section 92 of the Town and Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25 and 26 of the Town and Country Planning (Development Management Procedure) Order 2010.
5. To exercise powers to apply for an injunction in relation to a listed building under Section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. To determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active phase I or II sites, or mineral permissions relating to mining sites, are to be subject, under the Planning and Compensation Act 1991 and the Environment Act 1995.
7. To exercise powers to enter into agreements for the execution of highway works under Section 278 of the Highways Act 1980 in relation to development the subject of an application before the Committee for determination.
8. To exercise the function under Section 34 of the Wildlife and Countryside Act 1981 (Limestone Pavement Orders).
9. To exercise powers under Sections 198 and 199 of the Town and Country Planning Act 1990 (Tree Preservation Orders).
10. To exercise powers in relation to replacement trees under Sections 206 and 207 and 213 of the Town and Country Planning Act 1990, and powers to grant consents under Tree Preservation Orders and to give directions as to the replanting of land under paragraphs 7 and 8 of the Schedule to the Trees Regulations 1999.
11. To authorise entry onto land under Section 196(A) of the Town and Country Planning Act 1990.
12. To exercise powers under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
13. To exercise powers to make determinations, grant approvals and approve other matters relating to permitted development rights under Parts 6, 7, 11, 17, 19, 20, 21 to 24, 26, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995.
14. To exercise powers to determine applications for Hazardous Substances Consent and related powers under Sections 9 and 10 of the Planning (Hazardous Substances) Act 1990.
15. To determine whether, and in what manner, to enforce any failure to comply with any approval, consent, licence, permission or registration granted by the Committee in the exercise of its responsibilities.

16. To make any appointments to outside bodies to which the Council is entitled to have representation in connection with the discharge of any of the Committee's functions.
17. To authorise by Order the stopping up or diversion of footpaths or bridleways under Section 257 of the Town and Country Planning Act 1990.
18. To extinguish by Order public rights of way over land held for planning purposes under Section 258 of the Town and Country Planning Act 1990.
19. To establish a Sub-Committee(s) to undertake any part of the Committee's functions.
20. To authorise the issue of temporary stop notices under Section 171E of the Town and Country Planning Act 1990.
21. To consider and approve for adoption the Supplementary Planning Guidance on Landscape and Heritage.

The Regulatory Committee

Composition and role

The Committee comprises fifteen County Councillors and deals principally with claims relating to public rights of way and various licensing and registration functions (except registration functions relating to Social Services).

Meetings are open to the public but they may be excluded where information of an exempt or confidential nature is being discussed – see Access to Information Procedure Rules set out at Appendix ‘H’ to this Constitution.

Terms of Reference

The Committee shall carry out the following functions:

1. To deal with all matters relating to the Review of Definitive Maps of Public Rights of Way in accordance with Part III of the Wildlife and Countryside Act 1981.
2. To exercise the following functions, duties and powers of the Council under the Highways Act 1980:
 - (a) the power to create footpaths or bridleways by agreement under Section 25;
 - (b) the power to make Orders for the creation of footpaths and bridleways under Section 26;
 - (c) to keep a register of information with respect to maps and statements deposited and declarations lodged with the Council under Section 31(6), in accordance with Section 31A;
 - (d) the power to make Orders for the extinguishment of footpaths and bridleways in accordance with Section 118;
 - (e) the power to make a rail crossing extinguishment order under Section 118A;
 - (f) the power to make a special extinguishment order for the purpose of preventing or reducing crime or of protecting school pupils or staff under Section 118B;
 - (g) the power to determine applications for public path extinguishment orders (Section 118ZA) and special extinguishment orders (Section 118C(2));
 - (h) to keep a register with respect to applications under Sections 118ZA, 118C, 119ZA and 119C in accordance with Section 121B;

- (i) the power to decline to determine applications under Sections 118ZA, 118C, 119ZA or 119C in accordance with Section 121C;
- (j) the power to make Orders for the diversion of footpaths and bridleways in accordance with Section 119;
- (k) the power to make a rail crossing diversion order under Section 119A;
- (l) the power to make a special diversion order for the purpose of preventing or reducing crime or of protecting school pupils or staff under Section 119B;
- (m) the power to require an applicant for a special diversion order to enter into an agreement in accordance with Section 119C(3);
- (n) the power to make an SSSI diversion order under Section 119D;
- (o) the power to make a public path diversion order (Section 119ZA) and a special diversion order (Section 119C(4));
- (p) the power to assert and protect the rights of the public to the use and enjoyment of highways under Section 130;
- (q) to serve notice of proposed action in relation to an obstruction in respect of which notice has been served on the Highway Authority in accordance with Section 130A;
- (r) the power to apply for a variation of an order made under Section 130B in accordance with Section 130B(7);
- (s) the power to authorise the temporary disturbance of the surface of a footpath or bridleway under Section 135;
- (t) the power temporarily to divert footpaths or bridleways under Section 135A;
- (u) to exercise the functions relating to the making good of damage to and the removal of obstructions from footpaths or bridleways under Section 135B;
- (v) the power to remove things so deposited on highways as to be a nuisance under Section 149;
- (w) to permit deposit of builder's skip on highway under (S139);
- (x) to license planting, retention and maintenance of trees etc. in part of a highway under Section 142;
- (y) to authorise erection of stiles on footpaths or bridleways (S147);
- (z) to license works in relation to buildings etc. which obstruct the highway (S169);
- (aa) to consent to temporary deposits or excavations in streets (S171);
- (bb) to authorise erection of hoardings or fences (S172);
- (cc) to restrict the placing of rails, beams etc. over highways under Section 178;
- (dd) to determine applications for consent to construct vaults, arches and cellars under streets or carriageways (S179);
- (ee) to determine applications for consent to the making of openings in footways for access to cellar or vault under street (S180);

3. The power to extinguish certain public rights of way under Section 32 of the Acquisition of Land Act 1981.
4. The power to designate a footpath as a cycle track under Section 3 of the Cycle Tracks Act 1984.
5.
 - (a) The power to enter into agreements with respect to means of access under Section 35 of the Countryside and Rights of Way Act 2000;
 - (b) The power to provide access in the absence of an agreement under Section 35, in accordance with Section 37 of the Countryside and Rights of Way Act 2000.
6. To determine, when dealing with claims under Part III of the Wildlife and Countryside Act 1981, that a right of way is an ancient highway, and therefore maintainable at public expense, in those cases where the evidence in support of the claim justifies such a determination.
7. The power to apply for an Order against unlawful works on common land under Section 41 of the Commons Act 2006.
8. The power to take steps to protect unclaimed common land or town or village greens against unlawful interference and to institute proceedings under Section 45 of the Commons Act 2006.

Other Licensing Registration and Regulatory Functions

1. To issue, amend or replace safety certificates (general or special) under the Safety of Sports Grounds Act 1975, for sports grounds, and under the Fire Safety and Safety at Places of Sport Act 1987, for regulated stands at sports grounds.
2. To maintain Registers of, and/or issue licenses, in connection with the following (including any consequential functions):
 - (a) persons and premises for the sale of specified poisons under Sections 3(1)(b)(ii), 5, 6 and 11 of the Poisons Act 1972;
 - (b) animal movements under Articles 12 to 14 of the Pigs (Records, Identification and Movement) Order 1995, and Article 5(2) of the Cattle Identification Regulations 1998;

- (c) performing animals under Section 1 of the Performing Animals (Regulation) Act 1925.
- 3. To licence the employment of children under the Children and Young Persons Acts 1933 and 1963.
- 4.
 - (a) To exercise the Council's powers under the Commons Registration (New Land) Regulations 1969 to register common land or town or village greens (except where the power is to be exercised solely for the purpose of giving effect to an exchange of land by an order under Section 19(3) or Schedule 3 of the Acquisition of Land Act 1981, or an order under Section 147 of the Inclosure Act 1845).
 - (b) To make recommendations to the Cabinet Member with responsibility for the Environment on matters under the Commons Registration Act 1965 as amended and Regulations thereunder where responsibility lies with the Cabinet.
- 5 To register variations of rights of common under Regulation 29 of the Commons Registration (General) Regulations 1966.
- 6.
 - (a) To exercise the Council's functions and powers under any "relevant statutory provision" within the meaning of Part 1 of the Health and Safety at Work etc 1974 (relating to health, safety and welfare in connection with work, and control of dangerous substances including explosives, petroleum and celluloid) to the extent that those powers are discharged other than in the Council's capacity as an employer save as in 6b below.
 - (b) To assent or dissent to a licence for the site of any new factory for the manufacture of explosives under The Explosives Act 1875 -1923.
- 7. To exercise the Council's functions under Sections 1, 2 10 and 19 of the Sea Fisheries Regulation Act 1966.
- 8. To issue permits for the operation of minibuses under Section 19 of the Transport Act 1985.
- 9. To grant a Street Works Licence under Section 50 of the New Roads and Street Works Act 1991.
- 10. To approve premises for the solemnisation of marriages under Section 46A of the Marriage Act 1949 and associated Regulations.

11. To exercise any powers of the Council contained in Local Acts which involve the granting of a consent, licence, permission, registration or similar function.
12. To determine whether, and in what manner, to enforce any failure to comply with any approval, consent, licence, permission or registration granted by the Committee in the exercise of its responsibilities.
13. To make appointments to outside bodies to which the Council is entitled to have representation in connection with the discharge of any of the Committee's functions.
14. To establish Sub-Committees to undertake any part of the Committee's functions.
15. To exercise the duties powers and functions of the County Council as Registration Authority under Part 1 Commons Act 2006.

Commons and Town Greens Sub-Committee

Composition and role

The Sub-Committee shall be established by the Regulatory Committee and comprise eleven County Councillors to authorise appropriate alterations to the Registers of Common land and Town Greens.

Meetings are open to the public but they may be excluded where information of an exempt or confidential nature is being discussed – see Access to Information Procedure Rules set out at Appendix 'H' to this Constitution.

Terms of Reference

The Committee shall carry out the following functions:

1. To exercise the Council's powers under the Commons Registration (New Land) Regulations 1969 to register common land or town or village greens (except where the power is to be exercised solely for the purpose of giving effect to an exchange of land by an order under Section 19(3) or Schedule 3 of the Acquisition of Land Act 1981, or an order under Section 147 of the Inclosure Act 1845).
2. To make recommendations to the Cabinet Member with responsibility for the Environment on matters under the Commons Registration Act 1965

as amended and Regulations thereunder where responsibility lies with the Cabinet.

3. To amend the register in respect of rights of common under Regulation 29 of the Commons Registration (General) Regulations 1966, namely to apportion, vary, extinguish, release or transfer a right of common.
4. To exercise the duties powers and functions of the County Council as Registration Authority under Part 1 Commons Act 2006.

Corporate Complaints Committee

Composition and role

The Committee comprises of nine County Councillors and its role is to consider complaints made by members of the public against the Council under its Corporate Complaints Procedure.

This Committee will normally be dealing with confidential information and consequently the greater part of its meetings will be in private.

Terms of Reference

The Committee shall carry out the following function:

Complaints

1. To consider any complaint made against the Council by a member of the public, when the complaint has not been satisfactorily resolved by the Service Area, to whom the complaint was made, and the complaint is referred to the Committee for their consideration in accordance with the Council's Corporate Complaints Procedure.
2. To continually improve the service it delivers the Complaints Committee may annually assess how complaints were dealt with on a random sampling basis.

(NOTE: The Committee do not consider Complaints relating to Children's and Adult's Social Care functions for which separate, statutory procedures exist).

Pension Fund Committee

Composition and role

1. The Pension Fund Committee ("the Committee") comprises fourteen County Councilors and seven voting co-optees representing the following organisations:
 - a. One co-optee representing the Further and Higher Education sector in Lancashire;
 - b. One co-optee from Blackburn with Darwen Council;
 - c. One co-optee from Blackpool Council;
 - d. Two co-optees representing Trade Unions; and
 - e. Two co-optees representing the Lancashire borough and city councils.

2. The role of the Committee is to:
 - a. Fulfil the role of Scheme Manager, as set out in regulations, of the Lancashire County Pension Fund ("the Fund");
 - b. establish policies in relation to investment management, which shall include meeting with the Investment Panel to consider future Investment policy for the Fund;
 - c. monitor and review investment activity and the performance of the Fund; and
 - d. present an annual report to the Full Council on the state of the Fund and on the investment activities during the preceding year.

3. Meetings of the Committee shall be open to the public, but the public may be excluded where information of an exempt or confidential nature is being discussed – see Access to Information Procedure Rules set out at Appendix 'H' to the County Council's Constitution.

Terms of Reference

General

1. To exercise Lancashire County Council's responsibility for the management of the Fund, including the administration of benefits and strategic management of Fund assets and liabilities.

2. To determine which pension related functions and responsibilities should be exercised under a Scheme of Delegation to the Director of the Lancashire County Pension Fund.

3. To review governance arrangements and the efficient and effective use of external advisors to ensure good decision-making.
4. To appoint a minimum of two suitable persons to an Investment Panel through a sub committee convened for that purpose.
5. To meet at least quarterly, or otherwise as necessary, with the Investment Panel in attendance
6. To approve the overall appropriate and necessary training requirements for members of the Committee.

Policy and Strategic Planning

7. To approve the following key policy documents:
 - a. A rolling 3 Year Strategic Plan;
 - b. Statement of Investment Principles,
 - c. Governance Policy Statement
 - d. Governance Compliance Statement.
 - e. Pension Fund Annual Report, including the Annual Administration Report.
 - f. The Funding Strategy Statement to include the Fund's policy in respect of:
 - i. the Funding Target;
 - ii. the collection of employee contributions;
 - iii. the collection of employer contributions;
 - iv. the collection of additional employer contributions; and
 - v. Admissions and Terminations.
 - g. Pensions Administration strategy statement;
 - h. Communication Policy statement;
 - i. Internal Dispute Resolution Procedure;
 - j. Death Grant Procedure;
 - k. Bulk Transfer Payment Policy;
 - l. Commutation policy (small pensions);
 - m. Transfer policy; and
 - n. Abatement policy

Monitoring Performance

8. To receive periodic reports from the Director – Lancashire County Pension Fund to ensure that best practice is being adopted and value for money being delivered in relation to
 - a. The performance of the Fund's investments;
 - b. The performance of the Fund's administration service

Investment

9. To have overall responsibility for investment policy.
10. To approve and review on a regular basis an overall Investment Strategy and subsidiary Strategies for such asset classes as the Investment Panel consider appropriate.
11. To submit an annual report to the Full Council on the performance and state of the Fund and on the investment activities during the year.
12. To approve the policies and procedures for any internally managed Fund investments.

Procurement

13. To approve the procurement process, tender award criteria and evaluation methodology in advance of any tender being invited for the appointment of external advisers and other external assistance in relation to the management of the Fund, to include:
 - a. external Investment Managers to discharge functions to be determined by the Committee relating to the management of the Fund's investments;
 - b. external property agents and advisors;
 - c. an external corporate governance adviser;
 - d. an external Fund custodian;
 - e. external performance measurement advisers;
 - f. the Fund Actuary; and
 - g. the Fund's AVC Provider.

Pension Board of the Lancashire County Pension Fund

Terms of Reference and Delegated Authorities

1. Role of the Local Pension Board

The role of the Lancashire Pension Board as defined by sections 5 (1) and (2) of the Public Service Pensions Act 2013, is to:

- a. To assist Lancashire County Council as Administering Authority in its role as Scheme Manager:
 - i. to secure compliance with the LGPS regulations and any other legislation relating to the governance and administration of the LGPS;
 - ii. to secure compliance with requirements imposed in relation to the LGPS by the Pensions Regulator; and
 - iii. in such other matters as the LGPS regulations may specify
- b. To secure the effective and efficient governance and administration of the LGPS for the Lancashire County Pension Fund; and
- c. To provide the Scheme Manager with such information as it requires to ensure that any member of the Pension Board or person to be appointed to the Pension Board does not have a conflict of interest.

The Pension Board will ensure it effectively and efficiently complies with the code of practice on the governance and administration of public service pension schemes issued by the Pension Regulator.

The Pension Board will also help ensure that the Lancashire County Pension Fund is managed and administered effectively and efficiently and complies with the code of practice on the governance and administration of public service pension schemes issued by the Pension Regulator.

The Pension Board shall meet sufficiently regularly to discharge its duties and responsibilities effectively, but not less than four times in any year.

2. Membership and Appointment Process

The Pension Board shall consist of 9 members and be constituted as follows:

- a. 4 employer representatives, of whom;

- i. 2 shall be nominated by Lancashire County Council, where these are councilors or officers they shall meet the requirements of the relevant regulations in relation to avoidance of conflict with the County Council's role as Administering Authority;
 - ii. 1 shall be nominated by the Unitary, City, and Borough Councils and the Police and Fire bodies which are employers within the Lancashire County Pension Fund; and
 - iii. 1 shall be nominated by all other employers within the Fund.
- b. 4 scheme member representatives of whom;
 - i. 2 shall represent and be drawn from active members of the Lancashire County Pension Fund;
 - ii. 1 shall represent and be drawn from pensioner members of the Lancashire County Pension Fund;
 - iii. 1 shall represent and be drawn from deferred members of the Lancashire County Pension Fund.
- c. 1 independent member selected by the Scheme Manager, who shall not be a member of the Lancashire County Pension Fund and who shall be appointed as Chair of the Board. Such appointment will only be made following an openly advertised competition for the role.

Members in all categories will only be appointed to the Board by the Scheme Manager if they meet the skill and knowledge requirements set out in the relevant regulations and guidance, and as set out in section 7, below.

Members of the Board in categories a) iii., and b) i., ii., and iii., shall only be appointed after all employers or members of the Fund in those categories have been invited to put forward nominations. Where there is more than one nomination in any category then any nominee who meets the relevant knowledge and skills requirement will be included on a ballot of all members or employers in the relevant category. The winner in such a ballot will be the candidate with the greatest number of votes under the "first past the post" method.

Members of the Board will serve for a term of four years. Other than as a result of retirement at the expiry of this period the term of office will come to an end:

- a. For employer representatives who are councilors if they cease to hold office as a councillor;

- b. For employer representatives who are not councilors when they cease to be employed by the employing body where they were employed on appointment;
- c. For scheme member representatives if they cease to be a member of the relevant member group.

Each Board member should endeavour to attend all Board meetings during the year and is required to attend at least 3 meetings each year. Given the nature of the Board as a supervisory body and the need for appropriate knowledge and skills and the clear avoidance of conflicts of interest substitute members are not permitted.

In the event of consistent non-attendance by any Board member, then the tenure of that membership should be reviewed by the other Board members in liaison with the Scheme Manager.

Other than by ceasing to be eligible as set out above, a Board member may only be removed from office during a term of appointment by the unanimous agreement of all of the other members. The removal of the independent member requires the consent of the Scheme Manager.

3. Quorum

The Board shall not be quorate unless the Chair and at least 2 employer representatives and 2 scheme member representatives are present.

4. Conflicts of Interest

The policy for identifying conflicts of interest is set out in a separate policy document.

5. Board Review Process

The Board will undertake each year a formal review process to assess how well it and its members are performing with a view to seeking continuous improvement in the Board's performance.

6. Advisers to the Board

The Board may be supported in its role and responsibilities through the appointment of advisers, in addition to the Scheme Manager's officers and the Fund's various advisers and shall, subject to any applicable regulation and legislation from time to time in force, consult with such advisers to the Board and on such terms as it shall see fit to help better perform its duties.

The Board shall ensure that the performances of the advisers so appointed are reviewed on a regular basis.

7. Knowledge and Skills

A member of the Pension Board must be conversant with:

- 1 The legislation and associated guidance of the Local Government Pension Scheme (LGPS).
- 2 Any document recording policy about the administration of the LGPS which is for the time being adopted by the Lancashire County Pension Fund.

A member of the Pension Board must have knowledge and understanding of:

- a. The law relating to pensions, and
- b. Any other matters which are prescribed in regulations.

It is for individual Pension Board members to be satisfied that they have the appropriate degree of knowledge and understanding to enable them to properly exercise their functions as a member of the Pension Board.

In line with this requirement Pension Board members are required to be able to demonstrate their knowledge and understanding and to refresh and keep their knowledge up to date. Pension Board members are therefore required to maintain a written record of relevant training and development.

Pension Board members will undertake a personal training needs analysis and regularly review their skills, competencies and knowledge to identify gaps or weaknesses.

Pension Board members will comply with the Scheme Manager's training policy.

8. Board Meetings – Notice Minutes and Reporting

The Scheme Manager shall give notice to all Pension Board members of every meeting of the Pension Board, and shall ensure that all papers are published on the Lancashire County Pension Fund Website at least 5 working days prior to each meeting. These may at the discretion of the Scheme Manager be edited to exclude items on the grounds that they would either involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act and/or they represent data covered by the Data Protection Act 1998.

The Scheme Manager shall ensure that a formal record of Pension Board proceedings is maintained. Subsequent to each meeting the Chair will be asked to approve the minutes for publication as a draft and circulation to all members of the Board.

The Pension Board shall on an annual basis produce a report on both the nature and effect of its activities for consideration by the Administering Authority. The contents of this annual report will be subject to consideration and agreement at a meeting of the Board, but should include, inter alia:

- a) Details of the attendance of members of the Board at meetings,
- b) Details of the training and development activities provided for members of the board and attendance at such activities;
- c) Details of any recommendations made by the Board to the Scheme Manager and the Scheme Manager's response to those recommendations;
- d) Details of the costs incurred in the operation of the Board

The Board in considering items of business at its ordinary meetings shall in relation to each item consider whether it wishes to make a recommendation to the Scheme Manager, to which the Scheme Manager shall respond at the subsequent meeting.

9. Remit of the Board

The Pension Board must assist the Scheme Manager with such other matters as the scheme regulations may specify. It is for scheme regulations and the Scheme Manager to determine precisely what the Pension Board's role entails. This role involves but is not limited to oversight and comment on:

- Performance standards;
- Customer service standards;
- Data quality and record keeping;
- Relative and absolute costs of running the fund;
- Learning from appeals and complaints;
- The application of specific policies within the fund, and
- The steps required to address any deficit within the fund.

10. Standards of Conduct

The role of Pension Board members requires the highest standards of conduct and therefore the “seven principles of public life” will be applied to all Pension Board members and embodied in their code of conduct.

These principles are:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

11. Decision making

Each member of the Pension Board will have an individual voting right but it is expected the Pension Board will as far as possible reach a consensus. The Chair of the Pension Board will not have a final deciding vote.

12. Publication of Pension Board information

Scheme members and other interested parties will want to know that the Lancashire County Pension Fund is being efficiently and effectively managed. They will also want to be confident that the Pension Board is properly constituted, trained and competent in order to comply with scheme regulations, the governance and administration of the scheme and requirements of the Pension Regulator.

Up to date information will be posted on the Lancashire County Pension Fund website showing:

- The names, contact details and other relevant information about the Pension Board members
- How the scheme members are represented on the Pension Board
- The responsibilities of the Pension Board as a whole
- The full terms of reference and policies of the Pension Board and how they operate
- Details of the Pension Board appointment process
- Any specific roles and responsibilities of individual Pension Board members.

The Scheme Manager will also consider requests for additional information to be published or made available to individual scheme members to encourage scheme member engagement and promote a culture of openness and transparency.

13. Accountability

The Pension Board will be collectively and individually accountable to the Scheme Manager.

14. Expense Reimbursement and Remuneration

All members of the Board shall, on the production of relevant receipts be reimbursed for travel and subsistence expenses they have actually and necessarily incurred in the conduct of their duties as a member of the Board, including attendance at relevant training and development activities.

Members of the Board shall be reimbursed a mileage allowance for use of their own car at the rate proscribed by the Inland Revenue from time to time as adopted by Lancashire County Council.

Where members of the Board are in employment their employer will be able to reclaim from the Lancashire County Pension Fund a sum equivalent to salary, employers' national insurance contributions and employers' pension contributions, in respect of time spent by the individual in fulfilling their duties as a member of the Board, including attendance at relevant training and development activities.

The Chair of the Board shall receive a fixed annual allowance set initially (2015) at £10,000 pa (in addition to travel and subsistence expenses) to be inflated in April each year by the retail price index for the previous September.

15. Reporting Breaches

Any breach brought to the attention of the Pension Board, whether potential or actual, shall be dealt with in accordance with the procedure set out in a separate policy document.

16. Definitions

The undernoted terms shall have the following meaning when used in this document:

"Pension Board" or "Board"

Means the local Pension Board for the Lancashire County Council as administering authority for the Lancashire County Pension Fund as required under the Public Service Pensions Act 2013

"Scheme Manager"

Means the Pension Fund Committee as administering authority of the Lancashire County Pension Fund.

| | |
|----------|--|
| “Chair” | The individual responsible for chairing meetings of the Board and guiding its debates. |
| “LGPS” | The Local Government Pension Scheme as constituted by the Local Government Pension Scheme Regulations 2013, the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 and the The Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009 |
| “Scheme” | Means the Local Government Pension Scheme as defined under “LGPS” |

Urgency Committee

Composition and role

The Committee comprises thirteen County Councillors of whom no more than two shall be members of the Cabinet.

Meetings are open to the public but they may be excluded where information of an exempt or confidential nature is being discussed – see Access to Information Procedure Rules set out at Appendix 'H' to this Constitution.

Terms of Reference

The Committee shall carry out the following functions:

Except those matters which cannot be delegated under Section 101 of the Local Government Act 1972, to deal with any matter requiring a decision by the Full Council which cannot await its next meeting, including any matters which have been delegated to the Committee by the Full Council.

The following matter has been specifically delegated to the Committee by the Full Council:-

To approve any minor amendments to the Constitution for the purpose of improving its operational efficiency or for giving greater clarity to the existing processes.

Employment Committee

The Committee comprises 8 County Councillors (4 Labour, 3 Conservative, 1 Liberal Democrat), chaired by the Leader of the Council and including an appropriate cabinet member or lead member depending upon the specific issue being dealt with. The Committee shall discharge the following functions.

A. Appointment and Dismissal of Senior Officers

1. Subject to paragraph 4 and paragraph 5 below, the Committee shall be responsible for the appointment and dismissal (including dismissal by reason of redundancy) of the Chief Executive, Executive Directors, the Monitoring Officer (the Director of Governance, Finance and Public Services) and the Chief Financial Officer (the Director of Financial Resources), collectively referred to as "Senior Officers".
2. In the case of appointments, subject to paragraphs 4 and 5 below, the Committee may, where appropriate, agree to make a permanent appointment of an existing member of staff by way of redeployment or agree to a temporary appointment for a fixed term of not normally more than 12 months.
3. Where an appointment is not made in accordance with paragraph 2 the Committee shall:
 - (a) Draw up a job description and person specification;
 - (b) Determine the arrangements for recruitment to the post including, where they consider it appropriate, the appointment of recruitment consultants and advertising;
 - (c) Make arrangements to interview such applicants for the post as they may determine.
4. Where the Committee is appointing or dismissing the Chief Executive, the Monitoring Officer or Chief Financial Officer the Full Council must approve the appointment or dismissal before an offer of appointment is made or notice of dismissal is given, subject to paragraph 5 below.
5. No offer of appointment (including by way of an appointment pursuant to paragraph 2) or notice of dismissal shall be made until the proposed action (including the name and any other particulars the Committee consider relevant) has been notified to every member of the Cabinet and that either:

- (a) Within the period specified in the notification no objection has been made by the Leader on behalf of the Cabinet to the proposed action; or
- (b) the Committee making the decision is satisfied that any objection made is not material or is not well founded; or
- (c) the Leader has, within the period specified in the notification, notified the Committee that neither he/she nor any member of the Cabinet has any objections.

Senior Officers - Conditions of Service

- 6. The Committee shall exercise all necessary functions required by the JNC Conditions of Service including the exercise of any discretions or determining any issue in relation to those Conditions of Service.
- 7. The appraisal of Senior Officers shall be carried out by the Chief Executive.

Disciplinary Action

- 8. No disciplinary action within the meaning of Part II of the Local Authorities (Standing Orders) (England) Regulations 2001 in respect of the Chief Executive, the Monitoring Officer or Chief Financial Officer except action described in paragraph 9, may be taken by the Full Council or any other body or person acting on their behalf, other than in accordance with a recommendation in a report made by a designated independent person under Regulation 7 of those Regulations.
- 9. The action mentioned in paragraph 8 is the suspension of the officer for the purpose of investigating the alleged misconduct occasioning the action. Any such suspension shall be on full pay and terminate no later than the expiry of two-months beginning on the day on which the suspension takes effect. A decision to suspend the Chief Executive shall be taken by the Committee but provided always that in an emergency, if an exceptional situation arises whereby allegations of misconduct by the Chief Executive are such that his/her remaining presence at work poses a serious risk to the health and safety of others or the resources, information or reputation of the Council, then the power to suspend may be exercised by the Chair of the Committee (subject to a decision to suspend being ratified by the Employment Committee within 7 days of the decision).
- 10. A decision to suspend the Monitoring Officer, the Chief Financial Officer or an Executive Director shall be taken by the Chief Executive.

11. Subject to paragraphs 8 and 9 any disciplinary action in relation to a Senior Officer will be dealt with by the Committee in accordance with the appropriate JNC Disciplinary Procedure.
12. Subject to paragraphs 8 and 9 the Committee is authorised to take any disciplinary action in respect of a Senior Officer short of dismissal with no requirement to consult cabinet members in accordance with paragraph 5 above or to seek approval from the Full Council.
13. Any appeal against action short of dismissal will be considered by an Appeals Committee established by the Full Council comprising five members of the Council who have not had any prior involvement in the case including at least one member of the Cabinet. The role of the Appeals Committee will be to review the case and the decision taken by the Employment Committee and either confirm the action taken or to award no sanction or a lesser sanction. The decision of the Appeals Committee will be final.
14. In the event that the Committee's decision is to propose to dismiss the Chief Executive, Monitoring Officer or Chief Financial Officer the appeal stage will be fulfilled by the Full Council when they consider that proposal in accordance with paragraph 4.

Capability and Dismissal Procedures

11. Any issue regarding the capability of a Senior Officer shall be dealt with by the Committee in accordance with the JNC Conditions of Service.
12. Any issue which is not appropriately dealt with under the Disciplinary or Capability Procedures but which may result in the dismissal of the Senior Officer will be dealt with by the Committee.

Appointment, Dismissal and Disciplinary Action

- 13 The functions of appointment, dismissal, and taking disciplinary action against any employee other than those referred to at paragraphs A1-12 above must be discharged by the Chief Executive or by an officer(s) of the Council nominated by him and in accordance with such procedures as may be determined by the Committee as referred to at paragraph B1 below.
- 14 The Chief Executive and other Senior Officers may appoint, dismiss (including dismissal by reason of redundancy) and discipline all Directors in accordance with the Council's procedures. Appointments and dismissals can only proceed after all cabinet members have been notified by Democratic Services of the proposed appointment or dismissal. Agreed

corporate processes must be followed in respect of all redundancy payments.

B. All Other Staff

Terms and Conditions of Employment

The Committee shall:

1. Determine the terms and conditions on which employees hold office including (but not limited to):
 - The Council's pay and grading structure;
 - Any fees, allowances or payments made to employees, including any relating to termination of employment;
 - Any policies, procedures and practices relating to employment including recruitment and selection;
 - Any collective agreements relating to the above.
 - To determine policy in relation to the release of pension benefits (LGPS and TPS) where employer discretion/consent is required.
2. Consider, at the request of a recognised trade union, any disagreement regarding the matters referred to at paragraph 1 above (excluding issues relating to individual employees). In referring any such matter the trade union(s) concerned shall be entitled to make oral representations to the Committee to such extent as the Committee consider appropriate.
3. Determine the facilities to be provided to trade union representatives.
4. Recommend to Full Council for approval an Annual Pay Policy Statement as required by section 38 of the Localism Act 2011 for each financial year having regard to any guidance issued or approved by the Secretary of State.
5. Monitor the operation of the Statement of Ethical Standards for employees and the Register of Interests for employees.

C. Global Renewables Lancashire Operations Limited

Terms and Conditions of Employment

The Committee shall be responsible for determining the terms and conditions of service on which all employees of Global Renewables Lancashire Operations Limited ("the Company") are engaged and approving the Company's proposals in respect of the same.

This shall include, but not be limited to the following:

1. approving the Company's pay and grading structure;
2. approving the payment of any bonuses and the performance objectives on which the payment of bonuses will be based;
3. ensuring that all employees of the Company are paid a minimum of the living wage;
4. approving the Company's employment policies, procedures and practices;
5. determining the Company's pension arrangements, including all matters concerning admission to the Local Government Pension Scheme;

In discharging its obligations, the Committee shall ensure that, so far as is possible, the principles of equality are maintained vis-à-vis the terms and conditions of employees of the County Council in comparable positions.

Student Support Appeals Committee

Composition and role

The Committee comprises four County Councillors. It will normally be dealing with confidential information and consequently the greater part of its meetings will be in private.

Terms of Reference

The Committee shall discharge the following functions:

1. To consider, with power to act, appeals against decisions of the County Council concerning home to school/college transport.
2. To consider, with power to act, appeals against decisions of the County Council relating to awards, grants and welfare benefits.
3. To approve the writing off of over-payments/debts of awards grants.

Lancashire Health and Wellbeing Board Terms of Reference

1. Purpose

To lead on the strategic co-ordination of commissioning of health, social care and health related services across the NHS, social care and public health.

The starting point for the Health and Wellbeing Board is one of assumed collaboration.

2. Principles

The Health and Wellbeing Board will operate in accordance with the following principles:

- Members of the Board will accept shared leadership for the health and wellbeing of the communities of Lancashire.
- The Board will promote joint working and wide engagement amongst bodies working for the health and wellbeing of the people of Lancashire, whether represented on the board or not.
- The Board will be open, transparent and accountable in its actions and decisions.
- The Board will be inclusive and seek to engage with patients, service users and the public.
- Board members will have respect for each other's organisational culture, and relationships will be based on trust.
- The Board collectively is accountable to the County Council, individual board members are representing their respective organisations and bodies.
- There will be a commitment to drive real and meaningful change to improve services and outcomes.
- All decisions will be based on parity between board members and a commitment to shared responsibility for decisions.
- The Board and its members will work in partnership and collaborate with other non-health related strategic partnerships in Lancashire.

3. Functions

- To prepare a Joint Strategic Needs Assessment (JSNA) for Lancashire.
- To determine the priorities for, and prepare, the Joint Health and Wellbeing Strategy for Lancashire, that spans the NHS, social care, public health, and wider health determinants. The Strategy will be based on the JSNA and will focus on priority outcomes which address the health inequalities in Lancashire.

- To promote integration and partnership between health and social care commissioners, including providing advice, assistance and support to encourage arrangements under Section 75 of the National Health Service Act 2006 in connection with the provision of health and social care services.
- To encourage close working between commissioners of health related services and the board.
- To encourage close working between commissioners of health related service and commissioners of health and social care services.
- To ensure that, regardless of provider, commissioning decisions for health and wellbeing are in line with the joint Health and Wellbeing Strategy and take due notice of the JSNA, and any structures underneath the Lancashire Health & Wellbeing board are fit for purpose and align with commission plans.
- To co-ordinate effort to make the public monies invested in health and wellbeing work effectively to address the health inequalities to deliver the priorities in the Health and Wellbeing Strategy.
- Hold to account those responsible for the delivery of the outcomes set out in the Strategy.
- Lobby and represent the views of health agencies in Lancashire to regional and national policy makers.
- The Board cannot discharge the functions of any of the Partners.
- Where appropriate, to make arrangements for the exercise of the functions of the Board jointly with the Health and Wellbeing Board of another local authority.
- To require information from the local authority or any other representative serving on the Board in connection with the discharge of its functions, where that information is a function of that representative's role.

4. Membership

The membership of the Lancashire Health and Wellbeing Board will consist of:

- Cabinet Member for Health & Wellbeing, LCC* (Chairperson)
- Cabinet Member for Children and Schools, LCC
- Cabinet Member for Adult and Community Services, LCC
- Fourth County Councillor to be nominated by the Liberal Democrat Group, LCC
- Executive Director with responsibility for adult social services, LCC*
- (Director of Adult Social Care)
- Director of Public Health, LCC*
- Executive Director with responsibility for children's social services, LCC*

- (Director of Children's Services)
- 6 Clinical Commissioning Group (CCG) Network Members* (1 to be nominated by each CCG)
- Director of Lancashire Area Team (National Commissioning Board)
- 3 District Councillors (one from each of the sub areas of Lancashire, to be nominated by the Lancashire Leaders Group)
- 1 District Council Chief Executive (To be nominated by the Lancashire Chief Executives Group)
- Third Sector Representative (To be nominated by One Lancashire)
- Chairperson of Healthwatch*
- 2 Providers (To be nominated by Chief Executives of NHS Foundation Trusts)

* Denotes core member of the Board. Core members have automatic voting rights and the County Council can decide whether other non-core members can have voting rights. The County Council has decided that all members as listed above will have equal voting rights. All members are required to abide by the Lancashire County Council Members' and Co-opted Members' Code of Conduct.

5. Meeting Arrangements

Unless specified below, meeting arrangements are subject to the County Council's procedural standing orders:

- The County Council's Cabinet Member with responsibility for Health and Wellbeing will be the Chair of the Board.
- The Board will appoint Deputy Chair annually.
- The Board will meet quarterly, or more/less frequently if it so decides.
- The quorum at a meeting of the Board shall be a quarter of the whole number of voting members of the Board with at least one cabinet member being present.
- Substitutes for Board members are permitted with written notification being given to the clerk by the relevant nominating body in advance of the meeting.
- Meetings of the Board are open to the public but they may be excluded where information of an exempt or confidential nature is being discussed – see Access to Information Rules set out at Appendix 'H' in the County Council's Constitution.

Annex D Local Members Grants Scheme

Details of the Local Members Grant Scheme can be found at the following link [Lancashire County Council Local Members Grant Scheme](#)

ANNEX E SCRUTINY WORK PROGRAMMES

Scrutiny Committee Work Plan 2014/15

| | | | | |
|---------------------|--|---|--|--|
| | | | | |
| 15 May 2015 | | Visit to MASH | | |
| | | | | |
| 19 June 2015 | | Child and Adolescent Mental Health Service (CAMHS) | Dave Carr | Update Report on the review of CAMHS by the Health and Wellbeing Board |
| | | Apprenticeships | Eddie Sutton/ Anne Marie Morgan | |
| | | | | |
| 17 July 2015 | | Safeguarding Children | Lancashire Safeguarding Children Board/ Louise Taylor/ Lancashire Constabulary | Update from the meeting held in December 2014 |
| | | Child and | Dave Carr | Outcomes of the review of CAMHS by the Health and Wellbeing Board |

| | | | | |
|--------------------------|--|---|--------------|----------------------|
| | | Adolescent Mental Health Service (CAMHS) | | |
| | | Lancashire Enterprise Partnership | Martin Kelly | Quarterly Update |
| | | | | |
| 18 September 2015 | | Road Safety | | Details to be agreed |
| | | Learning Disabilities | Tony Pounder | |

Future Topics: not yet scheduled

- Bus Services and Subsidies - to consider outcomes of discussions with districts and next steps
- Transforming Social Care - to consider the work undertaken by independent consultants
- Libraries and Cultural Services

Task Groups

The following task and finish groups are ongoing or have recently been established:

- Planning Matters: Interface between upper and lower tiers authorities in making the right decisions on planning applications (especially flood management and educational provision)
- Fire Prevention Measures in Schools
- Transport Asset Management Plan (TAMP)

Health Scrutiny Committee Work Plan 2014/15

Amendment date: 12.2.15

| Starting Well | | |
|----------------------|--|--|
| Date | Health Scrutiny Committee | Steering Group |
| 22 July | <p>Families:-</p> <ul style="list-style-type: none"> • Pregnancy • Early years • Healthy lifestyles | <ul style="list-style-type: none"> • NHS England Lancashire Area Team • Home Care Procurement update • Care Act implementation – challenges for LCC • Lancashire Teaching Hospitals Trust – pre CQC inspection discussion • NWAS – 5 year plan • CCG commissioning arrangements for enhanced support services for adults with learning disabilities • CQC – information sharing protocols • Lancashire Care Foundation Trust – inpatient facilities update • NHS England – Lancashire Area Team: relationship with scrutiny |
| 2 September | <ul style="list-style-type: none"> • Health needs assessments of families • School nurses • Health visitors | |
| Living Well | | |

| | | |
|-------------|---|---|
| 7 October | <p>Economic Impact:-</p> <ul style="list-style-type: none"> • Links between economy and public health (food banks, fuel poverty) • Role of the LEP • Impact on services – who is affected most? | <ul style="list-style-type: none"> • F&WCCG – 5 year plan and annual review • Lancashire Teaching Hospitals Trust – update • New congenital heart disease review |
| 25 November | <p>Environment:-</p> <ul style="list-style-type: none"> • Healthy spaces • Housing <ul style="list-style-type: none"> ○ Planning processes – role of 'Health Planner' ○ Affordability ○ Sustainability <p>Annual complaints report – Angela Esslinger</p> <p>Disabled Facilities Grants task group report – Richard Newman-Thompson</p> | <ul style="list-style-type: none"> • Breast services at Southport Hospital • Healthy Lifestyles team – Lancashire Care Foundation Trust • Blackpool Teaching Hospitals Trust strategic plans • Healthier Lancashire Programme – NHS England • East Lancs CCG – Health Access Centre • Calderstones – post CQC inspection and action plan update |
| 13 January | <p>Self-Care:-</p> <ul style="list-style-type: none"> • Improving health literacy to make healthier lifestyle choices • Community assets/local solutions – identification and support | |

| | | |
|--|---|---|
| | | |
| Ageing Well | | |
| 4 March | <p>CC Azhar Ali and Sakthi Karunanithi to attend HSC to discuss:</p> <ul style="list-style-type: none"> • HWB Strategy • BCF development & implementation • Relationship between the Board and HSC | <ul style="list-style-type: none"> • Response from Cabinet Member to NHS Health Checks task group report • LCFT inpatient facility update • Healthier Lancashire programme |
| 14 April | <p>Independence:-</p> <ul style="list-style-type: none"> • Dementia friendly boroughs • Support for carers • Social isolation • Falls prevention • Access to services for people with LTCs | |
| Task Groups | | |
| June – to report in November | Disabled Facilities Grants | Chair: CC Newman-Thompson |
| | | |
| Topics for further consideration/inclusion in a future work plan | | |

- Renewable energy
- Policies affecting different demographics
- Getting maximum impact from voluntary sector – how they are supported
- Access to welfare rights
- Access to sexual health services
- Emergency planning
- Climate change
- Update on recommendations of the Care Complaints task group
- Trust Board Governance
- Specialised Commissioning
- Drop-In Centres
- NHSE consultation on LATs
- Mortality reduction
- Complaints of domiciliary care (from the Care Complaints task group)
- Standards of care in residential and nursing homes

Education Scrutiny Committee – Workplan 2015/16

| Date of Meeting | Topic | Author | Purpose/Key issues |
|-----------------------|---|-----------|--|
| 21 st July | <p>the Breadth & Quality of the 14 – 19 year old Education & Training provision for all young people in Lancashire</p> | Bob Stott | <p>The report to be co-ordinated by LCC – Children's Services and will outline the :</p> <ul style="list-style-type: none"> • The College 14 – 19 offer • The Training Provider 14 -19 offer • The School 14 -19 offer <p>It was agreed that contribution into the report / representation at the meeting will be co-ordinated by Children Services potentially via the college - training provider forums that LCC co-ordinate/attend.</p> <p>Input into the meeting will also be provided by the Youth Council via a report/representation at the meeting, which will be titled: Young Peoples perspective on the routes to 14 -19 Education & Training provision.</p> |

Task Group Summary

| Name of Task Group | Completion Date and/or Committee Date |
|---|---------------------------------------|
| | |
| Fire Suppression/School sprinkler systems | TBC |

Next meeting is scheduled for the 17th November 2015, no meetings have been scheduled beyond that.

Meeting has been arranged between the Chair/Vice Chair and the Director of Children's Services to discuss future agenda items.

Potential Future Agenda items:

- Effects of various proposals on School Budgets
- Improving educational attainment of youth offenders
- Govt requirements for additional services: impact on schools' capacity to deliver without impacting on academic teaching and learning standards
- Alternative and Complementary Education and Residential Services (ACERS)
- Student Support
- Pupil Attendance
- Linkages between school admissions process and transport to schools
- Link between Ed Scrutiny and HWBB
- Music, culture, performing arts, sport etc as part of the curriculum

Agenda Item 12

Meeting of the Full Council Meeting to be held on 21 May 2015

Report submitted by: The Chief Executive

Part B

Electoral Division affected:
none

Report of the Cabinet (Annex 1 refers)

Contact for further information:
Josh Mynott, 01772 534580, Democratic Services Manager,
Josh.mynott@lancashire.gov.uk

Executive Summary

The report of Cabinet from its meetings on 5 March 2015 and 2 April 2015.

Recommendation

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

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

| Paper | Date | Contact/Tel |
|-------------------------------|------------------------------|---|
| Agenda and Minutes of Cabinet | 5 March 2015 2 April 2015 | Josh Mynott, Democratic Services Manager, 01772 534580 |

Reason for inclusion in Part II, if appropriate

N/A

Meeting of the Full Council – 21 May 2015

Report of the Cabinet Meeting held on 5 March 2015

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/ieListDocuments.aspx?CId=122&MId=3020&Ver=4>

Lancashire Fairness Commission – Presentation by the Chair

Cabinet received a presentation on the work of the Commission following the decision by the County Council's Cabinet in 2013, to commission a feasibility study to consider the possibility of a Fairness Commission

Cabinet resolved that:

- (i) The overview, now presented, be noted and the report of the Fairness Commission be welcomed;
- (ii) The Dean of Blackburn be thanked for Chairing the Fairness Commission;
- (iii) The Commissioners, and Officers of the County Council supporting the work of the Commission, be thanked.

Preston Bus Station and Multi-Storey Car Park

Cabinet considered a report setting out the progress of a series of proposals which overall would see the regeneration of Preston Bus Station and Multi Storey Car Park, including the launch of an international design competition for the new facilities.

Cabinet resolved that the report presented be noted.

Report of the Cabinet Meeting held on 2 April 2015

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/ieListDocuments.aspx?CId=122&MId=3021&Ver=4>

LEP Assurance Framework

The Cabinet received a report setting out a proposed Assurance Framework for the Lancashire Enterprise Partnership (LEP)

Cabinet resolved that:

- i. the Chief Executive and the Section 151 Officer are authorised to write to Government to confirm that:
 - a. the Accountable Body arrangements for the LGF and other funding sources received from Government are in place;
 - b. the use of LEP resources, received by the Accountable Body, on behalf of the LEP, are subject to local authority checks and balances and are overseen and checked by the Responsible Chief Finance Officer – the Section 151 Officer;
 - c. decisions and activities of the LEP conform with legal requirements;
 - d. the Assurance Framework will be adhered to; and
 - e. the County Council will keep an official record of LEP proceedings and holding copies of all relevant LEP documents relating to LGF funding.

Lancashire-wide Free School Meals Project Update

Cabinet considered presented a report providing details of the outcome of the 2013/14 and 2014/15 campaigns to increase the take up of children entitled to free schools meals across Lancashire

Cabinet resolved that

- i. The success of the Lancashire wide Free School Meals take up project be noted
- ii. The Leader of the Council raises the issue of the approach taken by districts to the data matching exercise in order to increase take up at a future Lancashire leaders meeting.

**Meeting of the Full Council
Meeting to be held on 21 May 2015**

Report submitted by: Head of Service Legal and Democratic Services

Part B

Electoral Division affected:
All

Report of Urgent Key Decisions

Contact for further information:
Janet Nuttall, (01772 533110), Executive Support Officer,
Janet.nuttall@lancashire.gov.uk

Executive Summary

Urgent Key Decisions taken by the Deputy Leader of the County Council, the Cabinet Member for Children, Young People and Schools, the Cabinet Member for Adult and Community Services and the Cabinet Member for Health and Wellbeing during the preceding three months.

Recommendation

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 decision has been taken by the Cabinet Member for Adult and Community Services and the Cabinet Member for Health and Wellbeing.

1) Urgent Key Decision taken by the Deputy Leader of the County Council and the Cabinet Member for Children, Young People and Schools

The following decision was taken on 9 March 2015:

Additional Accommodation at Holly Grove School and Barden Primary School, Burnley

The Deputy Leader of the County Council and the Cabinet Member for Children, Young People and Schools approved the recommendations as set out in the full report.

This decision was 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 full report is not available for publication as it contains exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. Information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

2) Urgent Key Decision taken by the Cabinet Member for Adult and Community Services and the Cabinet Member for Health and Wellbeing

The following decision was taken by the Cabinet Member for Adult and Community Services and the Cabinet Member for Health and Wellbeing on 1 April 2015:

Approval of the Better Care Fund Section 75 Financial Agreement

The Cabinet Member for Adult and Community Services and the Cabinet Member for Health and Wellbeing:

- (i) Approved that the County Council enters into the Section 75 agreement governing Lancashire's Better Care Fund Plan;
- (ii) Approved the County Council's contribution of £9.438 m into the pooled fund;
- (iii) Authorised appropriate officers to sign off and to authorise any final minor amendments to the Agreement required by partners to facilitate submission by 1 April 2015.

This decision was 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 Section 75 Agreement must be in place by 1 April 2015 in order to comply with Department of Health requirements.

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

| Paper | Date | Contact/Tel |
|--|--------------|--|
| <u>Report to the Deputy Leader of the County Council and the Cabinet Member for Children, Young People and Schools</u> | 9 March 2015 | Jane Johnson, Legal and Democratic Services, (01772) 534374 Joanne Mills, Legal and Democratic Services, (01772) 534284 |
| <u>Report to the Cabinet Member for Adult and Community Services and the Cabinet Member for Health and Wellbeing</u> | 1 April 2015 | Jane Johnson, Legal and Democratic Services, (01772) 534374 Sharon Montgomerie, Legal and Democratic Services, (01772) 530544 |

Reason for inclusion in Part II, if appropriate

N/A

Meeting of the Full Council
Meeting to be held on 21 May 2015

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

Executive Summary

The most recent cycle of meetings of the Overview and Scrutiny Committees took place in the period February - April 2015.

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 3 and 31 March 2015 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

| Paper | Date | Contact/Directorate/Ext |
|--|--|--|
| Agenda and minutes: Scrutiny Committee | 13 February 2015 13 March 2015 17 April 2015 | Janet Mulligan/Office of the Chief Executive/33361 |
| Health Scrutiny Committee | 4 March 2015 14 April 2015 | |
| Education Scrutiny Committee | 24 March 2015 | |
| Executive Scrutiny Committee | 3 March 2015 31 March 2015 | |

Reason for inclusion in Part II, if appropriate

N/A

Meeting of the Full Council – 21 May 2015

Report on the Scrutiny Committee Meetings held on 13 February, 13 March and 17 April 2015

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?CommitteeId=120>

13 February 2015

Environment Agency: Bathing Water and Alt-Crossens Land Drainage

Officers from the Environment Agency (EA) attended to discuss the role and responsibilities of the EA, particularly in reference to bathing water quality and land drainage in the Alt Crossens Catchment.

It was recognised that there was much positive partnership working taking place involving the EA, and that important steps had been made in addressing some of the issues in Lancashire connected to flood risk management, with the full involvement of the EA. It was also recognised that the EA, was, like the council and other public sector organisation, under significant resource pressure and was having to make difficult decisions in line with the priorities set for it by Defra.

It was agreed that,

- i. The Environment Agency provide full data on water quality across the Lancashire coast.
- ii. Real time monitoring of sewage discharge be introduced all along the Fylde Coast
- iii. A Bite Size Briefing for members on flood risk management arrangements be held, in particular on the "Making Space for Water" arrangements and other partnership groups involved in the process.
- iv. Work by districts to incorporate sustainable drainage considerations in their local plans be supported and encouraged.
- v. The proposals to switch off the pumping stations in the Alt Crossens catchment be withdrawn
- vi. The EA work with the council and other partners to develop revised terms of references for the advisory board, with a view to strengthening its influence and public accountability through greater involvement of locally elected representatives; and that consideration be given to a Lancashire wide advisory board to reflect the recurrence of similar issues across other Lancashire catchments.

Work Plan and Task Group Update

A report was presented summarising the work to be undertaken by the Committee in the coming months, including an update on task group work.

13 March 2015

Lancashire Enterprise Partnership - Assurance Framework

The Committee received a presentation on the Lancashire Enterprise Partnership's (LEP) Assurance Framework.

It was reported that Lancashire County Council is the accountable body for the LEP, and is therefore required to sign off the LEP's Assurance Framework. The Framework will be reviewed on an annual basis, and it was confirmed that the Scrutiny Committee would be involved in that process. It was emphasised that Government have directed local growth funding resources through local enterprise partnerships, with the LEP now managing the Enterprise Zone, City Deal, Growing Places Fund and Business Boost Lancashire. Lancashire's LEP is one of the largest in the country with £250m of local growth fund resources being made available up until 2021.

It was agreed that,

- i. In relation to the membership of the LEP Board itself,
 - a. The Framework should clearly explain how the membership of the LEP Board is determined, with reference to any government guidance and local determinations.
 - b. The Framework should set out how Board members are appointed, how they are held to account for their actions, and how their membership of the Board would end or could be terminated.
 - c. Consideration should be given to increasing the number of locally elected representatives on the Board. It was noted that the current composition of the LEP was smaller than the permitted maximum, and that therefore there was room for further places to be given to local councillors.
- ii. Consideration should be given to how locally elected politicians could be involved in the monitoring of complaints made against the LEP.
- iii. Paragraph 4.10 on Independent Scrutiny will, in time, need to be developed further to ensure that local Overview and Scrutiny arrangements are in line with wider local authority engagement to be set out in Section 2. The committee recognised the advantages of joint scrutiny, formal or informal, between all 15 local authorities in the LEP area.

- iv. There should be clarity about the powers of the independent person(s) in conflict resolution (paragraph 4.9), and whether the LEP and the local authority should be bound to accept any ruling or recommendation of the Independent person(s).
- v. Consideration should be given to ensuring that the Framework is clear throughout on the assurance measures in place in relation to the allocation of funding through any of the funding streams under the control of the LEP. The Committee was keen to ensure that the assessment of organisations and projects in receipt of public money was seen to be extremely robust, and that this should therefore be fully reflected in the Framework document.
- vi. In relation to the Skills Board, the Framework should be clear on how possible conflicts of interests have been, and will be in the future, avoided in the allocation of funding, especially where those bodies potentially in receipt of funding are represented on the decision making body.
- vii. On the Local Funding Contribution for transport schemes, it was felt that it should be made clear that the 10% minimum contribution could not be waived in any circumstances
- viii. A series of "Bite Sized Briefings" be arranged on LEP related matters, with ESIF and skills funding being particularly identified as areas where councillors would benefit from increased understanding.

Work Plan and Task Group Update

An update was provided on the Committee's work plan and current task groups.

17 April 2015

Bathing Water Quality and Alt-Crossens Land Drainage

The Committee considered a report setting out responses from United Utilities and the Environment Agency in relation to bathing water quality on the Fylde coast and the proposals for the Alt Crossens secondary pumping stations. These responses followed the Agency's attendance at the Committee meeting on 13 February 2015 to discuss these matters, together with a letter from the Chair of the Committee to the Agency setting out the Committee's concerns.

It was agreed that:

- i. The Committee writes to United Utilities requesting a firm commitment towards the implementation of the real time spill warning system across all eight bathing waters on the Fylde Coast for the 2015 bathing season, in order to alleviate issues with bathing water quality and effluent contaminating its coastlines.

- ii. The County Council gives further consideration to being represented on the recently established Alt-Crossens Intermediate Drainage Group.
- iii. A Notice of Motion for Full Council be drafted requesting that the Chief Executive writes to DEFRA;
 - a. Outlining the County Council opposition to the proposals to switch off the secondary pumping stations at Alt-Crossens and to request that DEFRA revises the remit of the Environment Agency in respect of flood risk management priorities to include the protection of agricultural land where it contributes significantly to the economy of the area.
 - b. To express to DEFRA the Committee's concerns regarding the role of United Utilities in relation to the management of surface water.
- iv. In the meantime, the Committee writes to DEFRA outlining its concerns as set out at (iii) above.

Lancashire Enterprise Partnership - Assurance Framework Responses

The Director of Economic Development, attended and responded to the comments of the Committee in relation to the Lancashire Enterprise Partnership's Assurance Framework. Reference was made to the document being reviewed and refreshed on an annual basis

It was agreed that:

- i. The Committee note the LEP's response to its recommendations.
- ii. Consideration be given to further representation from non-education sector representatives on the LEP Skills Board.
- iii. Quarterly update reports be submitted to the Committee, and that representatives of the LEP Board be invited to attend Committee meetings, as appropriate.
- iv. Martin Kelly discuss the wording relating to conflict resolution in section 4.9 of the Assurance Framework with the Director of Governance, Finance and Public Services.

Work Plan and Task Group Update

An update was provided on the Committee's work plan and current task groups.

Meeting of the Full Council – 21 May 2015

Report on the Health Scrutiny Committee meeting on 4 March and 14 April 2015

Chair: County Councillor Steven Holgate

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>

4 March 2015

Health and Wellbeing - update

The Committee received a report which provided an update on:

- The Health & Wellbeing Strategy
- The Better Care Fund (BCF) plan
- The Relationship between the Health and Wellbeing Board and the Health Scrutiny Committee

The Cabinet Member for Health and Wellbeing also briefly summarised other work ongoing to support health and wellbeing at local level, such as efforts to access European funds; an 18-month pilot launched through the mental health charity MIND to help support the emotional wellbeing of young people including issues such as stress, bullying and cyber bullying; a pilot launched in east Lancashire aimed at tackling obesity and getting communities more active; and the launch, later this year, of an integrated wellbeing service to replace the current signposting service provided by Help Direct.

The Cabinet Member drew the Committee's attention to a report by the Lancashire Fairness Commission called 'Fairer Lancashire Fairer Lives'. It contained a number of recommendations and called on public, private and voluntary organisations to make changes to the services they provided to ensure everyone had a fair chance in life in terms of their prosperity, health and wellbeing.

Report of the Health Scrutiny Committee Steering Group

On 7 November the Steering Group had met to discuss the new congenital heart disease review prior to consultation. A summary of the meeting was at Appendix A to the report presented.

On 28 November the Steering Group had met with officers from West Lancashire CCG and Southport and Ormskirk Hospital Trust to discuss breast services at Southport Hospital. A summary of the meeting was at Appendix B to the report presented.

Work Plan

A draft work plan for both the Health Scrutiny Committee and its Steering Group, including current Task Group reviews was presented.

14 April 2015

Ageing Well - Maintaining Independence

The Committee received a report that considered the Ageing Well element of the Health and Wellbeing Strategy and were informed that the focus of the report was on the Dementia Friends initiative, social isolation, falls prevention, and support for carers.

Report of the Health Scrutiny Committee Steering Group

On 26 January the Steering Group met to receive an update on the work of the Committee and discuss future topics for scrutiny. A summary of the meeting was at Appendix A to the report presented.

On 23 February the Steering Group met with officers from East Lancashire CCG to discuss Primary Care Access and Calderstones regarding their post CQC inspection plan. A summary of the meeting was at Appendix B to the report presented.

Meeting of the Full Council – 21 May 2015

Report on the Education Scrutiny Committee Meeting 24 March 2015

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>

Pupil Premium Task Group final response

The report of the Pupil Premium Task Group had been presented to the Education Scrutiny Committee on 15 July 2014 with a number of recommendations.

The report now presented provided evidence of the good work that was being carried out by schools across Lancashire to raise the achievement of pupils eligible for Free School Meals.

It was agreed that a further update report be provided in twelve months, to include:

- information about progress with schools where there are community or locality barriers to achievement,
- information about progress regarding the longer term objectives in response to the Task Group's recommendations; and
- Achievements for this cohort of students.

Provision of Information and Guidance (IAG) to young people

The report provided the background to the current position regarding information and guidance (IAG) across schools and also the services provided to targeted vulnerable groups.

Members of the Youth Council also attended and explained that the Youth Council had produced a report on careers advice and guidance provision for 14 -16 year olds in Lancashire, which contained four recommendations.

It was agreed that:

- i. Officers and the Youth Council be thanked for their reports;
- ii. The importance of IAG and the difficulty in delivering a standard offer in current circumstances be recognised;
- iii. Officers be asked to circulate the report of the Youth Council as appropriate;
- iv. The report of the Youth Council be formally presented to the July 2015 meeting of this Committee, focusing in particular on the four recommendations;

- v. A report be provided by officers setting out the response from the County Council and relevant partners to the Youth Council's recommendations.

The achievement of Lancashire Children Looked After (CLA) in 2014

The Committee received a report which provided information on the attainment, progress and achievements of Lancashire Children Looked After (CLA) in 2014.

It was agreed that,

- i. Officers be thanked for their report;
- ii. The head teacher for Looked After and Vulnerable Children be invited to a future meeting of this Committee
- iii. That a report be provided which addressed the particular concerns raised:
 - That consideration be given to improve placement stability;
 - That CLA be placed in schools rated good or better wherever possible;
 - That schools be more innovative in their use of Pupil Premium funding;
 - That consideration be given to how best to support SENCOs and other relevant professionals to enable them to support CLA and address emotional factors affecting low attainment;
 - The need to strengthen partnerships between schools and other agencies such as CAMHS (Child and Adolescent Mental Health Services) and transport providers;
 - The need to support and signpost foster carers to available resources; and
 - That there be a greater emphasis on progress rather than achievement.

School attendance of pupils in Lancashire and the rate of exclusion from school

The Committee received a report which outlined the most recent attendance and exclusion figures for primary, secondary and special schools in Lancashire, with national comparators.

It was agreed that

- i. Officers be thanked for their report and for the work being done to address school attendance ; and
- ii. A further update report be provided in twelve months.

Validated GCSE Data

The following link through which validated GCSE data for 2013/14 could be accessed was provided for information:

[Performance Tables - The Department for Education - School and College](#)

**Meeting of the Full Council
Meeting to be held on 21 May 2015**

Report submitted by: The Chief Executive

| |
|-------------------------------------|
| Electoral Division affected: All |
|-------------------------------------|

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

Executive Summary

The report of the Audit and Governance Committee from its meeting held on 30 March 2015 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=3008&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 | 30 March 2015 | 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 30 March 2015:

The Council's Code of Corporate Governance and Annual Governance Statement 2014/15

The Committee received a report on the Council's draft Code of Corporate Governance and draft Annual Governance Statement 2014/15 which the Committee were invited to comment on.

The Committee were informed that that the County Council had approved the current Code of Corporate Governance in 2008 and it was therefore due for review, a commitment made in the Annual Governance Statement for 2014/15.

The draft revised Code drew on CIPFA guidance which defined the following six core principles which should underpin a local authority's governance framework:

1. Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local areas
2. Members and officers working together to achieve a common purpose with clearly defined functions and roles
3. Promoting the values of the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour
4. Taking informed and transparent decisions which are subject to effective scrutiny and managing risks
5. Developing the capacity and capability of members and officers to be effective
6. Engaging with local people and other stakeholders to ensure robust accountability

The draft revised Code included an Action Plan and the Committee was informed that this would be updated when the Code was presented for approval at its meeting in June. Any comments on the draft Code which Members may have should be provided to the Director of Governance, Finance and Public Services. The Committee were also asked to consider and comment on the draft Annual Governance Statement (AGS) for 2014/15 which would be presented for approval at the Committee's meeting in June.

The Committee were informed that there was still further work to be done with the AGS which would also need to reflect the Chief Internal Auditor's Annual Report for the year ended 31 March 2015 which would include her opinion on the Council's internal controls which had been subject to audit during the year.

In relation to Emerging Governance Issues, Members commented on the importance of ensuring that an effective risk management system was embedded

in the Council and were informed that Management Team had made arrangements for a risk workshop facilitated by Grant Thornton and that this work would inform the creation of a risk register. Once created this would be the subject of regular updates both to Management Team and Members, including the Audit and Governance Committee.

Decision Taken: That the Committee:

1. Noted the draft revised Code of Corporate Governance for the County Council and that any comments should be made to the Director of Governance, Finance and Public Services;
2. Noted that a final version of the draft Code would be brought to the next meeting of the Committee in June for approval with a recommendation that once adopted the Code will be reviewed on an annual basis;
3. Noted that a revised Annual Governance Statement for 2014/15 would be presented to the Committee at its meeting in June and that any comments on the draft AGS should be made to the Director of Governance, Finance and Public Services

Internal Audit Service Progress Report

The Committee considered the Internal Audit Service Progress Report for the period to mid-March 2015. The final report for 2014/15 will be presented to the Committee at their meeting in June 2015.

Since September 2014 internal audit work had been strongly focussed on following up agreed remedial actions and on re-auditing areas with known control weaknesses as these were addressed by the Council's senior management teams. The Management Team was keen to rectify the control weaknesses reported in 2013/14 and to ensure that controls over areas of high and moderate risk are adequately designed and effective in operation.

In relation to the use of highways contractors where only limited assurance had been given the Committee was informed that controls in this area would be audited again in May. Members expressed concerns over the lack of evidence that procurement exercises had taken place as required where corporate contracts were not already in place. The Committee was advised that actions had been agreed to address the issues, for example training for staff in the highways depots, and more effective oversight by managers. Members indicated that if the issue was not addressed then the relevant managers should attend the Committee to explain why Financial and Procurement Regulations were not being complied with.

The Committee was also informed that in relation to debt management and recovery a new Income and Debt Management Policy had recently been agreed and arrangements were being put in place to implement the required changes from the end of June 2015.

In relation to counter fraud activity, the Committee were informed that during April 2015 e-learning would be provided for targeted staff working in finance, procurement and contract management posts to raise awareness of areas susceptible to fraud, as well as the whistle-blowing lines available to them.

Decision Taken: That the Committee note the Internal Audit Service Progress report for the period to mid-March 2015

Information Governance Arrangements - Update

The Committee received a progress report on Information Governance arrangements within the County Council.

The Committee had previously requested regular updates on progress in developing robust arrangements to manage the County Council's responsibilities to properly maintain the confidentiality and security of information. Since the last report in March 2014, significant progress had been made to create a robust information governance function within the Council.

The Information Governance Team now consisted of ten members of staff all dedicated to:

- Protecting the confidentiality and security of the Council's information
- Giving public access to official information via Freedom of Information requests and access to one's own personal information via Data Protection Subject Access requests

It was also reported that in March 2015 the Information Commissioners Office (ICO) had undertaken a voluntary audit of the new information governance arrangements in place. As a result of the audit, the ICO would not be taking any further action on the information security breaches previously suffered within the Council.

From December 2014 to March 2015, the Council's Internal Audit Service had also carried out an audit of the new information governance arrangements, looking at a controls relating to resources, security breaches, roles and responsibilities, access controls, training, information sharing, records management, policies and an overarching framework.

Internal Audit had concluded that the Council's information governance arrangements now offered substantial assurance.

Decision Taken: That the Committee note the report

External Audit - Lancashire County Council Audit Plan

The Chair welcomed Karen Murray, Director for Grant Thornton, to the meeting. Karen presented a report on the Lancashire County Council External Audit Plan for 2014/15.

The Audit Plan set out the nature and scope of work that the Authority's external auditor would carry out to discharge its statutory responsibilities, compliant with the Audit Commission Act 1998 and the Code of Audit Practice for Local Government.

This audit plan was specific to the financial year 2014/15 and set out in broad terms the programme of work required to give a financial opinion on whether the financial statements:

- Gave a true and fair view of the financial position of the County council as at 31 March 2015 and of its expenditure and income for the year then ended;
- Had been prepared in accordance with proper accounting practice;
- Gave a Value for Money conclusion

There were two significant risks identified in the Audit Plan that External Audit would focus its efforts on. These were:

- The revenue cycle included fraudulent transactions
- Management over-ride of controls

Other risks identified in the Audit Plan were:

- Operating expenses
- Employee remuneration
- Accounting for local authority maintained schools
- Waste PFI
- City Deal

The Committee was informed that External Audit had undertaken a risk assessment to identify areas of risks to the Value for Money conclusion. Four areas focussed on were:

- Action taken by management in response to the issues raised in the 2013/14 annual governance statement and the County Council's arrangements to prepare the statement for this year
- Review of the overall governance framework
- LCC's progress in delivering savings and the associated transformation programme included in the 2014/15 budget
- The robustness of the 2015/16 budget and plans to 2017/18 which identified savings of £146.2 million in the three years period.

Members were informed that the audit would be completed by the end of September 2015.

Decision Taken: That the Committee note the External Audit Plan for the audit of the County Council for 2014/15

External Audit - Lancashire County Council Update Report

Karen Murray, Director for Grant Thornton, presented an update report including progress to date with the 2014/15 audit of accounts, Value for Money (VfM) conclusion and other work.

The outcome of External Audit's work would be reported to the Audit and Governance Committee throughout the year. The report also provided a summary of emerging national issues and developments.

Decision Taken: That the Committee note the update report.

Meeting of the Full Council
Meeting to be held on 21 May 2015

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

Executive Summary

The Report of the Pension Fund Committee from its meeting on 27 March 2015 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 | 27 March 2015 | 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 27 March 2015.

Part I

1. Lancashire County Pension Fund - Strategic Plan 2014/15 - 2016/17

The Committee considered a report on a draft three year Strategic Plan for the Fund.

The Fund's Annual Governance Statement 2014 had identified a need to define more clearly the overall objectives and strategic planning framework for the Fund. The Committee was informed that given the dependence of the Fund on the three yearly actuarial valuation cycle as a driver for much of its activity, it was proposed to place a three year strategic plan at the centre of its planning framework.

A copy of the proposed plan was presented at Appendix 'A'. It was noted that the plan would be based on four areas of activity i.e. Governance, Asset and Liability, management, Administration and Communication.

Decision taken:

The Committee approved the draft Lancashire Pension Fund Strategic Plan 2014/15 – 2016/17, as set out at Appendix 'A'.

2. Pension Fund Budget Forecast 2015/16

The Committee considered a report setting out a Budget Forecast for the Fund for 2015/16.

In recent years the Committee had concentrated its attention on improving the monitoring of the overall performance of the Fund and ensuring that the Investment Strategy was being effectively implemented. These processes were intended to have a beneficial impact on the overall financial position of the Fund and therefore the next stage in developing the Committee's work in the performance management area was to look at the impact of these activities on the overall financial position of the Fund. It was also important for the Committee to examine the costs of running the Fund and ensure that downward pressure continued to be exerted on costs.

To assist with this a Budget Forecast for the Fund for 2015/16 had been produced and was presented at Appendix 'A'. The report presented an income and expenditure forecast for 2015/16 compared to the forecast outturn for 2014/15 and actuals for 2013/14. It was noted that the format of the forecast was based on the new format for the Fund Account which provided for a greater degree of transparency around fees and the cost of running the Fund.

It was stressed that this was not a formal budget, there was no constitutional requirement for the Committee to approve a budget, and it was extremely difficult to estimate both the levels of incoming contributions and the levels of investment

income and fund management costs as all of these could be significantly impacted by external factors. The Committee was informed that the forecast was an informed estimate for Members to consider when assessing the overall financial position of the Fund.

The Committee noted that a report on the fees paid to asset managers would be presented to a meeting later in the year. Members also requested details of the County Council's Pension Fund related costs that were charged to the Fund.

Decision taken:

The Committee welcomed and agreed the budget forecast for the Fund for 2015/16.

3. Update of the Governance Policy Statement and Statement of Investment Principles

The Committee considered a report on the updated Governance Policy Statement and Statement of investment Principles.

The revised Governance Policy Statement, as presented at Appendix 'A', reflected the various changes to the organisational structure of the County Council which impacted on the Fund, as well as the changes to the Committee's terms of reference in the light of the creation of the Local Pension Board.

The revised Statement of Investment Principles, as presented at Appendix 'B', incorporated the recommendations of the Working Group in relation to the Fund's approach to this area of activity.

Decision taken:

The Committee approved the updated Governance Policy Statement and the updated Statement of Investment Principles, as set out at Appendices 'A' and 'B' respectively.

4. Lancashire County Pension Fund Risk Register

The Committee considered a report on the six monthly review of the Fund's risk register.

It was reported that the risk register had been reviewed by risk owners in order for any new risks to be identified, and for details of existing risks to be confirmed or amended in order to ensure that, where possible, appropriate controls were in place. The updated risk register was presented at Appendix 'A'.

Officers were asked to consider a change to the format of the risk register so that the 'high' risk areas appeared together at the start of the register with the 'low' risk areas being moved to the end of the register. It was also suggested that the risk register item should appear earlier in the Committee agenda.

Decision taken:

The Committee approved the updated risk register, as set out at Appendix 'A'.

5. Responsible Investment

The Committee considered an update on the Fund's 'Responsible Investment' related activities. It was noted that this report had replaced the 'Shareholder voting and engagement' report that was normally presented to the Committee.

The report provided the latest quarterly update for the Committee on the work undertaken on the Fund's behalf by PIRC in accordance with current voting guidelines and the engagement activity undertaken by LAPFF. It was noted that during the period 1 October 2014 to 31 December 2014 the Fund had voted on 351 occasions and had opposed or abstained in 35% of votes. Further details were presented at Appendix 'A'. Members would also be able to discuss the implications and impact of the Fund's voting activity at that meeting. The engagement report from LAPFF (Appendix 'B') also covered the quarter to 31 December 2014.

Details of actual and potential actions in relation to companies in which the Fund currently owned shares or had previously owned shares were presented.

The report also provided an update on the implementation of the actions agreed from the Socially Responsible Investment member working group, which completed its considerations towards the end of 2014. In particular, it was noted that the application to become an asset Owner signatory to United Nations Principles of Responsible Investment (UNPRI) had been formally approved and this acceptance was now recognised on the UNPRI website.

Decision taken:

The Committee noted the report.

6. Update on the Establishment of the Lancashire Local Pension Board

The Committee considered a progress report on the establishment of the Lancashire Local Pension Board.

It was reported that since the last meeting of the Committee work had concentrated on making sure appointments were made in line with the arrangements approved by the County Council so that a training programme for members of the Board could be delivered prior to the first meeting of the Board in July 2015. Details of the appointments made to date were presented.

It was agreed that the role and work of the new Board should be given due consideration as part of the planned workshops to discuss the arrangements and implications of a collaborative relationship with the London Pension Fund Authority (See later item).

Decision taken:

The Committee noted the appointments to the Lancashire Local Pension Board.

7. External Audit Lancashire County Pension Fund Annual Audit Plan 2014/15

The Committee considered the External Auditor's Annual Audit Plan for 2014/15 including the process, as well as the main risk areas which the audit work would focus on.

It was noted that the total audit fee was the same as that charged in 2013/14.

The Committee was informed that whilst work would focus on financial statements and information, the external auditor would keep a watching brief on the Fund's governance arrangements to ensure that measures were in place to mitigate risk.

Decision taken:

The Committee noted the Audit Plan 2014/15.

8. Transaction of Urgent Business

The Committee received a report on a matter which had been dealt with under the Council's Urgent Business Procedure.

It was reported that a procurement exercise had been undertaken to appoint a bench of transition managers from 1 February 2015 for a period of two years with the option to extend for a further two years.

Decision taken:

The Committee noted the report.

9. Feedback on External Pension Fund Training Events Attended by Members

The Committee received feedback from those members who had attended external pension fund training events, as follows:

- NAPF Investment Conference 'Living Longer, Investing Smarter' 11-13 March 2015, Edinburgh
The event was attended by County Councillor David Borrow
- 'LGPS Reform-Ethical, Efficient, Effective 2015' conference, 18 March 2015, London
The event was attended by County Councillor Barrie Yates and Councillors Edward Pope and Ron Whittle
- 'Local Authority Pension Fund Investment Strategies and Current Issues' conference, 19 March 2015, London
The event was attended by County Councillor David Borrow and Lorraine Beavers

The members confirmed that the events were informative and provided a broad and detailed insight into investment strategies, as well as issues facing the Local

Government Pension Scheme. Whilst some aspects of the events were technical in nature, attendance was considered to be worthwhile and the events were recommended to other members of the Committee.

It was also confirmed that the Lancashire Pension Fund had been mentioned on numerous occasions during the events and that many delegates had commented on the Fund's bid for Eurostar. This confirmed the views expressed earlier in the meeting about the Fund being recognised as a serious and credible investor at the highest level.

Decision taken:

The Committee noted the feedback provided by members of the committee in relation to recently attended external pension fund training events.

Part II

10. 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 31 December 2014, focussing on the key areas of:

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

The Committee was informed that a draft infrastructure strategy for the Fund would be presented to the July meeting.

Decision taken:

The Committee noted the report.

11. 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 27 November 2014, 13 January and 20 February

2015. The report also included details of the equity manager annual reviews undertaken by the Panel on 11 and 12 November 2014 and on 13 March 2015.

The Committee's attention was specifically drawn to the following key areas considered by the Panel:

- The Investment and Market Context in which the Fund was operating;
- The proposed Eurostar project;
- Credit Portfolio rebalancing; and
- Items arising from manager reviews.

Decision taken:

The Committee noted the report.

12. Project Comet

(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 outcome of the Fund's bidding process (Project Comet) to acquire HM Government's 40% stake in Eurostar International Limited.

Members noted that the Investment Panel had overseen the bidding process in accordance with the authority delegated to it by the Committee, including the costs at risk and that the Panel had ultimately approved the final bid.

Whilst the Fund's bid was successful in reaching the final stage, it had finished 'runner-up' having been out-bid by the winning bidder. This was disappointing but the bidding process had been hugely valuable to the Fund's Investment Team in building knowledge, experience and relationships that were likely to be called upon again in future. It had demonstrated that the Fund was a serious and credible investor at the highest level and had the internal expertise to successfully manage external transaction teams.

There was a lengthy discussion on the bidding process including the level of fees incurred by the Fund. Whilst the Committee endorsed the approach taken by the Investment Panel on this occasion, Members stressed the need for robust governance particularly when bidding for a project of this size and nature. Officers were asked to review the Fund's governance arrangements including the relationship between the Investment Panel and the Committee to ensure maximum transparency, communication and understanding. Members agreed that the Fund also needed to ensure that the arrangements that it had in place for securing external advice in circumstances such as this were sufficiently robust.

Decision taken:

The Committee:

- i. Noted the cost of the bidding process, as set out in the report, and endorsed the bid approach taken, including the assembling and procuring of external advisers at short notice.
- ii. Agreed that a review of the Fund's governance arrangements in relation to major direct investments should be undertaken and that a report be presented to a future meeting on the outcome of the review.
- iii. Agreed that members should be provided with appropriate independent assurance in terms of the value for money provided by the fee structure used in this case in order to provide a baseline for any similar processes in future.

13. Creation of an Asset and Liability Management Partnership with the London Pension Fund Authority

(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 further report on the positive progress of discussions with the London Pension Fund Authority (LPFA) on the creation of an Asset and Liability Management Partnership in furtherance of the Committee's support for increased collaboration between LGPS Funds.

It was proposed that a high level business case be presented to the next meeting of the Committee on 5 June and that a special meeting of the Committee be held on 2 July at the same time as the LPFA Board meeting when both bodies would be asked to make a go/no go decision. It was also proposed to establish a member working group to provide support and direction to officers during the remaining period of discussions with the LPFA.

Whilst the progress was welcomed, Members stressed the need for them, as Trustees of the Fund, to be fully consulted on the proposals. It was important that Members were given maximum opportunity to discuss the proposals and to fully understand the implications for the Fund, its members and employees before any decision on whether to proceed with a collaborative relationship with the LPFA could be taken. It was suggested that a series of informal workshops involving a LPFA representative could be held around key aspects of the business plan that was being developed.

The Committee was assured that the Independent Advisers to the Fund would act solely on behalf of the Fund and they would not support any moves that would put the Fund at risk.

Decision taken:

The Committee:

- i. Noted the content of the report and the positive progress made in discussions with the LPFA.

- ii. Agreed that a special meeting of the Committee be held on 2 July 2015 in order to make a decision on whether or not to proceed further with the partnership.
- iii. Approved the establishment of a member working group comprising 2 Labour and 1 Conservative county councillors (names to be confirmed by political groups) and 1 co-opted member (Councillor E Pope) to provide support and direction to officers.
- iv. Noted the proposal of the Director of the Pension Fund to provide regular email updates to all members of the Committee and to arrange member briefings at key stages in the process.

Meeting of the Full Council
Meeting to be held on 21 May 2015

Report submitted by: The Chief Executive

Part B

Electoral Division affected:
None

Report of the Urgency Committee

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

Executive Summary

This report sets out the decisions of the Chief Executive under the Council's Urgent Business Procedure on behalf of the Urgency Committee.

Recommendation

The Full Council is asked to note the report.

Background and Advice

Since the last meeting of the Full Council, the Chief Executive has, in consultation with the chair and deputy chair of the Urgency Committee, taken the following decisions under the Urgent Business Procedure on behalf of the Urgency Committee.

Amendments to the Constitution

- i. The Director of Governance, Finance and Public Services has been authorised to amend the Council's Constitution to reflect the authority's new structure as from 1 April 2015.
- ii. The Director of Governance, Finance and Public Services has also been authorised to approve any consequential amendments to the Council's Constitution arising from the implementation of the authority's new structure from 1 April 2015.
- iii. A new Scheme of Delegation to Heads of Service has been approved and launched on 1 April 2015.

Lancashire Local Pension Board

- i. A role description for the Chair of the new Lancashire Local Pension Board has been agreed.
- ii. Approval has been given to a joint appointment process with the London Pension Fund Authority to appoint a Chair for the respective Local Pension Boards within the timescales required by the Public Service Pensions Act 2013.

The Full Council will note that William Bourne has been appointed as Chair of the respective Local Pension Boards

- iii. County Councillor Tony Martin, Cabinet Member for Adult & Community Services, and Steve Browne, Corporate Director of Commissioning and Deputy Chief Executive, have been appointed to represent the County Council in its capacity as an employer on the Lancashire Local Pension Board.

Collaboration Agreement with Merseyside Fire and Rescue Authority

Approval has been given to the County Council entering into a Collaboration Agreement with Merseyside Fire and Rescue Authority for the provision of pension administration services in respect of the Firefighters' Pension Scheme(s).

Electoral review of county council area

The following function has been added to the Terms of Reference of the Member/Officer Political Governance Structures Working Group:

"To oversee the review of the County Council's electoral arrangements and make recommendations to the Full Council on all matters relating to the electoral review of the county council's area."

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

No significant risks have been identified.

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

| Paper | Date | Contact/Directorate/Tel |
|---|------|------------------------------------|
| Items of Urgent Business | | Chris Mather, OCE, 01772 533559 |
| Reason for inclusion in Part II, if appropriate | | |
| N/A | | |

**Meeting of the Full Council
Meeting to be held on 21 May 2015**

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 27 April 2015. 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. | 27 April 2015 | Diane Brooks Lancashire Fire & Rescue Service |

Reason for inclusion in Part II, if appropriate

N/A

Report of the Lancashire Combined Fire Authority - 27 April 2015

1. Lancashire Fire and Rescue Service – Fire Cadet Programme

Lancashire Fire and Rescue Service had been approached early 2014 by Youth United and the Chief Fire Officers Association to take part in an initiative to establish a small number of Fire Cadet Units in schools within Lancashire. The initiative was to run for a period of 12 months during the academic year 2014/15. The project was commissioned by the Cabinet Office, as part of a wider piece of research, to establish whether having some form of uniformed cadet service operating in schools, improved pupil's progression and attainment of qualifications.

Lancashire was one of a several geographical areas identified by the Cabinet Office as part of the initiative alongside other service providers for example Sea Cadets. A total of 40 schools were involved across various counties, 6 were within Lancashire:

- Carnforth High School;
- Ormskirk School;
- Whitworth Community High School;
- Christ the King Catholic College (Preston);
- Corpus Christi Catholic High School (Preston);
- St George's School (Blackpool).

The initiative which was being evaluated by Durham University had been set up to test the impact of youth social action activities on the engagement and attainment of pupils in Year 9 (13-14 year olds).

As a Fire Cadet the young people took part in a range of activities, including: volunteering projects in the local community; learning new skills such as: First Aid, learning about the role and responsibilities of the Fire and Rescue Service, learning and developing operational type skills through practical training as well as developing as a person i.e. self-confidence, communication skills, leadership traits etc. The programme followed the Fire Services Youth Training Association Fire Cadets' syllabus. It ran for an academic year and could lead to a BTEC Level 2 Award qualification on successful completion.

Midway through the programme an evaluation process had begun with views being sought from all the interested parties – the school, the cadets themselves, their parents/carers and LFRS personnel involved in its delivery. Key findings received to date were:

- Headteachers had been very supportive of the programme and commented how much the Fire Cadets enjoyed it, feeling more confident and benefitting from being involved. They had also been impressed and spoken very highly about how LFRS staff worked with and engaged the young people - this was a credit to all staff involved in the delivery.
- Teaching staff viewed it as a valuable programme in that it helped the young people build confidence and develop themselves. They reported having seen increased maturity and self-esteem, team skills being developed, new friendships formed and better relationships formed with teachers.
- The young people wanted to be a Fire Cadet due to the potential future opportunities it would open up and the BTEC qualification they could achieve. They also liked the identity the uniform gave and made them feel proud.

- The parent/carers reported having noticed improved attitudes and maturity from their children and had developed greater interaction with their children as they now talked more freely about their role as a Fire Cadet with LFRS.

A final passing out parade would be held at each school shortly before they finished for the summer. The event would focus on celebrating the achievements of the Fire Cadets. A final evaluation report would be completed at the end of the programme to inform a decision on whether to continue the programme and, if so, how best to achieve this being cognisant of resources moving forward.

In attendance at the Authority meeting were staff involved in the Fire Cadet programme and 40 Fire Cadets. Members received personal accounts of experiences and achievements made so far from: Julie Simpson, Community Fire Safety (LFRS), Mr Harrison, Teacher (St George's School, Blackpool) and Fire Cadets: Harry Taylor, Molly Costello and Louis Burke.

2. Fire Related Prosecutions

A report detailing prosecutions in respect of fire safety management failures and arson related incidents within the period February 2015 to March 2015 was endorsed by Members. There had been 1 fire safety conviction within the period and detailed information was also supplied in relation to 8 arson convictions.

Members noted that Lancashire Fire and Rescue Service had successfully prosecuted Mr Stuart De'Ath, the landlord of a number of premises in the Lytham St Annes area, for eighteen separate breaches of the Regulatory Reform (Fire Safety) Order 2005 relating to three of his premises. The case was heard at Blackpool Magistrates Court and the defendant pleaded guilty to eighteen charges.

Although work was undertaken with landlords to ensure public safety it was also important to demonstrate that individuals would be held accountable for breaches of their statutory responsibility. Such prosecutions served as a warning to others to fulfil their obligations regarding the safety of people under their responsibility.

FRANK DE MOLFETTA
Chairman

LFRS
Fulwood

Meeting of the Full Council – 21 May 2015

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

1. By County Councillor Bill Winlow:

Alt Crossens Catchment Pumping Stations, West Lancashire.

The County Council notes the Environment Agency's response to the Scrutiny Committee's recommendations requesting that the proposals to switch off the secondary pumping stations in the Alt Crossens catchment be withdrawn. In light of the Environment Agency's intention to press ahead with the proposals to switch off the pumping stations, the Chief Executive is requested to write to the Department for Environment, Food and Rural Affairs (DEFRA) setting out the County Council's opposition to the proposals and requesting that DEFRA revises the remit of the Environment Agency in respect of flood risk management priorities to include the protection of agricultural land where it contributes significantly to the economy of the area.

We also wish to express to DEFRA our concerns about the role of United Utilities in relation to the management of surface water. United Utilities collects a charge from residents to remove their surface water, but no longer admits to any responsibility for this service. Furthermore, it appears that it cannot under present legislation make a contribution to an Internal Drainage Board (IDB) should one be newly set up in the Alt-Crossens area.

This limited responsibility also affects their role in the planning process at District level. Many of the proposed new developments within the Crossens catchment are reliant on the network of pumps to convey the treated effluent to the Crossens pumping station and we feel that United Utilities' remit should reflect the importance of maintaining the pumping system as an integral part of the water management system serving the Crossens catchment of West Lancashire.

2. By County Councillor David Borrow:

Council resolves:

1. To write to the Secretary of State for Environment, Food and Rural Affairs expressing concern at both current and proposed further water service charges affecting Lancashire County Council.

2. Councils ask the Secretary of State to note that surface water highway drainage charges applied by United Utilities to local authorities are already charged at the highest rates in England and Wales. Her attention is drawn to United Utilities' proposals to phase-in new and further charges for Council premises and open spaces from April 2016 at a time when this local Government has sustained prolonged and unprecedented budget reductions.

3. The Secretary of State is asked to note the significant difference between what Council's within the United Utilities region are charged and what level of water services charges are applied to local authorities by all other water and sewerage companies in other regions

4. Council calls upon the Secretary of State to commission an independent review of the differing scale of charges facing public sector services for water and sewerage services. They are further asked to revise guidance on concessionary schemes that relate to section 43 of the Flood and Water Management Act 2010 to make clear that community assets managed by local authorities can be included within a concessionary scheme.

3. By County Councillor Paul Hayhurst:

This Council urges the new government to extend to the people of Lancashire the same rights as those proposed for Scotland in relation to shale gas, with any decisions regarding exploration or extraction in Lancashire devolved to Lancashire County Council.

18 May 2015