

## **Full Council**

Thursday, 25 February, 2016, 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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- B. Matters for Information**
  8. **Report of the Cabinet (Part B)** (Pages 47 - 52)
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10. **Report of County Council Committees**

To receive reports from:

- (a) **Report of the Overview and Scrutiny Committees**  
(Pages 55 - 60)
- (b) **Report of the Audit and Governance Committee**  
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11. **Report of The Combined Fire Authority** (Pages 73 - 76)

**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

01 March 2016

# Agenda Item 3

## Minutes

At a meeting of the Full Council held at Council Chamber, County Hall, Preston, on Thursday, 17 December, 2015

### Present:

County Councillor Margaret Brindle (Chairman)

### County Councillors

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

## 1. Apologies and Announcements

### Death

The Chairman announced the sad death of former County Councillor Doreen Pollitt who passed away after a long illness on the 24 October 2015.

Tributes were paid in her memory on behalf of the Labour, Conservative and Liberal Democrat Groups who also offered condolences to friends and family.

The council stood in silent tribute.

### Awards

The Chairman was proud to announce that the County Council had won awards in two areas:

#### i) SPACES Civic Building of the Year Awards 2015.

The County Council had won in two categories:

- Tower Wood Outdoor Education Centre had won in the small project category.
- Nelson Whitefield Infants and Nursery had won in the education category.

The following officers attended to represent the team and acknowledge the Council's congratulations:

- **Andrew Howorth**, Head of Design
- **Philip Woodhouse**, Senior Quantity Surveyor
- **Neil Richards**, Senior Mechanical Engineer

#### ii) Children and Young People Now Award

The Council's Employment and Support Team had won the Recruitment and Professional Development Award.

The following officers attended to represent the team and acknowledge the Council's congratulations:

- **Pam Goulding**, Head of Service Skills, Learning and Development
- **Charlotte Iddon**, Employment and Support Programme Manager

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

The following members declared a non-pecuniary interest in Item 5, Proposal to develop a Combined Authority for Lancashire - Update Report, on the grounds that they are members of district councils who have or will decide(ed) whether to be part of the Combined Authority:

County Councillors T Ashton, M Barron, M Brindle, P Britcliffe, A Cheetham, M Green, D Howarth, A Kay, D Lord, D O'Toole, D Smith, J Sumner, V Taylor, D Whipp

## 3. Confirmation of the minutes from the meeting held on 22 October 2015

**Resolved:** That, subject to the inclusion of County Councillor G Molineux in the list of members present, the Minutes of the meeting of the County Council held on the 22 October 2015 be confirmed and signed by the Chair.

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

Cabinet had considered, at its meeting on 26 November, a report about the updated Corporate Strategy and had recommended that Full Council approve it.

County Councillor Jennifer Mein moved the recommendations of Cabinet which were seconded by County Councillor David Borrow.

County Councillor David Whipp moved the following **Amendment** which was seconded by County Councillor Sandra Perkins:

Amend page 5 within "our evidence base" to read,

**"We will provide services based upon sound evidence of need and in a way that is proportionate to the needs of *and accessible to all* our communities across Lancashire."**

Add a further bullet point on page 7:

- **"Provide cultural opportunities"**

The Amendment also proposed that the section 'Our approach to service delivery' on pages 8 and 9 (up to 'Customer Focus') **be referred back to Cabinet for further consideration.**

On being put to the vote the Amendment was carried and became the substantive motion.

County Councillor Geoff Driver moved a further **Amendment** which was seconded by County Councillor Michael Green:

"Council is disappointed at the lack of clarity and the absence of a detailed statement setting out how the priorities will be measured and achieved.

**Council therefore resolves that this matter be referred back to Cabinet for further consideration."**

On being put to the vote the Amendment was lost.

County Councillor Gina Dowding then moved a further **Amendment** which was seconded by County Councillor Sandra Perkins. It related to page 35 of the agenda (Under the section heading Strategic Outcome: To live in a decent home); the end of the second paragraph:

**Delete the last 12 words** "that builders want to build on and where people want to live."

Add full stop after the previous words ..... "good quality sites"

County Councillor Mein accepted the Amendment which became part of the substantive motion.

On being put to the vote the substantive motion was carried and it was,

**Resolved:** That the updated Corporate Strategy, as now amended, be approved subject to the section 'Our approach to service delivery' on pages 8 and 9 (up to 'Customer Focus') being referred back to Cabinet for further consideration.

## **5. Proposal to develop a Combined Authority for Lancashire: Update Report**

Full Council had received at its meeting on 23 July 2015 a report summarising progress towards the development of the option of a combined authority for Lancashire.

At that meeting councillors noted that further work was underway to produce a Governance Review and a Scheme of Governance and it was agreed that Full Council would receive a further report on progress. The report now presented outlined the findings of the Governance Review and set out the next steps and recommendations. It was moved by County Councillor Jennifer Mein and Seconded by County Councillor David Borrow.

County Councillor Geoff Driver moved the following **Amendment** which was seconded by CC Michael Green:

"Council fully supports the creation of a Combined Authority for Lancashire but is disappointed at the lack of clarity and the lack of ambition in the proposal put by the leaders of the Councils in Lancashire. This proposal will not result in the devolution of powers and resources from Whitehall and will therefore not allow Lancashire to keep pace with developments in Manchester and Merseyside.

**Council therefore resolves to refer this matter back to the Lancashire Leaders requesting them to put together a proposal for a Combined Authority in Lancashire that will:**

**(i) meet the Government's requirements for the devolution of powers and finances; and**

**(ii) enable Lancashire to compete with Manchester and Merseyside and to be a key player in the 'Northern Powerhouse'."**

On being put to the vote the amendment was lost.

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

**Resolved:** That:

1. The contents of the report now presented be noted.
2. The contents of the Lancashire Governance Review and recommendation therein, set out at Appendix A to the report now presented, be noted.
3. The contents of the draft Scheme for the establishment of a Combined Authority, set out at Appendix B to the report now presented, be noted
4. Lancashire County Council was to take part in the public consultation in January/February which was to seek views on the formation of a Combined Authority for Lancashire.
5. Lancashire County Council was to consider the feedback from the public consultation and note that following this, those authorities who wished to form a Lancashire Combined Authority were to submit a proposal to the Secretary of State for consideration.
6. It be agreed in principle that Lancashire County Council was to become a constituent member of the combined authority for Lancashire
7. A special full council meeting be held on 24 March 2016 to give final consideration to Lancashire County Council becoming a constituent member of a Lancashire Combined Authority.

## **6. Revised Overview and Scrutiny Arrangements**

Paul Bond, Head of Legal and Democratic Services, withdrew from the meeting during consideration of this item.

Full Council was asked to agree to the establishment of a new Children's Services Scrutiny Committee and consequential amendments to the Terms of Reference of the scrutiny committees, which were attached at Appendix A to the report now presented.

In addition, Full Council was asked to approve the appointment of a new Scrutiny Officer, a statutory post that the Council is required to have.

The Leader moved the report and nominated County Councillor Gina Dowding to be appointed Chair of the Children's Services Scrutiny Committee and this was seconded by CC Tony Martin.

County Councillor Geoff Driver nominated County Councillor Susie Charles as Chair and this was seconded by County Councillor Michael Green.

On being put to the vote County Councillor Gina Dowding was appointed Chair of the Children's Services Scrutiny Committee.

It was then moved by County Councillor Bill Winlow and seconded by County Councillor David Whipp that County Councillor Dorothy Lord be appointed Deputy Chair.

It was also moved by County Councillor Michael Green that County Councillor Susie Charles be appointed Deputy Chair at which point County Councillor Lord withdrew and on being put to the vote County Councillor Charles was appointed Deputy Chair.

All other recommendations were then put to the vote and it was,

**Resolved:** That

- i. A Children's Services Scrutiny Committee, comprising 13 county councillors, 5 non-voting district co-opted members and one non-voting co-opted Youth Council representative be established.
- ii. County Councillor Gina Dowding be appointed Chair and County Councillor Susie Charles be appointed Deputy Chair of the new Scrutiny committee for the remainder of the 2015/16 municipal year.
- iii. The revised Terms of Reference for the scrutiny committees as set out at Appendix A to the report now presented be approved.
- iv. The appointment of Paul Bond, Head of Legal and Democratic Services, as the Council's statutory Scrutiny Officer be approved.
- v. The Director of Governance, Finance and Public Services be authorised to make any consequential amendments to the Constitution.

## **7. Electoral Review of Lancashire County Council's Area**

It was reported that on 17 November 2015 the Boundary Commission had published for consultation its draft recommendations for Electoral Division Patterns for the County Council, and the Full Council was now asked to consider recommendations from the Political Governance Working Group on its response to the Boundary Commission.

The Political Governance Working Group had met on 19 November and 7 December to consider the Boundary Commission's draft recommendations. It was noted that the Working Group had received two submissions from political groups to the Boundary Commission's draft recommendations. The amendments were supported by the Working Group as detailed in the report now presented.



County Councillor David Whipp moved an **Amendment** which was seconded by County Councillor Mohammed Iqbal. The Amendment is attached to these minutes as Annex 1. On being put to the vote the Amendment was carried and it was,

**Resolved:** That

1. The draft recommendations published by the LGBCE for Electoral Division Patterns for the County Council be noted.
2. Two amendments to the Boundary Commission's draft recommendations, one in the Preston City area and one in the Pendle District area, as detailed in the report and appendices now presented, be approved for submission to the Boundary Commission.
3. The further amendment to the Boundary Commission's draft recommendations, as now presented, and as set out at Annex 1 to these minutes, be approved for submission to the Boundary Commission.
4. It be noted that Political Groups/Parties, individuals and other bodies could make submissions on the draft recommendations direct to the Boundary Commission before the consultation deadline which ends on 11 January 2016.

#### **8. Report of the Cabinet (Part B)**

The Leader of the Council moved Part B of the report of the Cabinet from its meeting on the on the 26 November 2015.

**Resolved:** That the report of the Cabinet from its meeting on the 26 November 2015 be noted.

#### **9. Report of Urgent Key Decisions**

**Resolved:** That the report of urgent key decisions taken by the Leader of the Council and the Cabinet Member for Adult and Community Services during the preceding three months, as now presented, be noted.

#### **10. The Overview and Scrutiny Committees**

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

<b>Committee</b>	<b>Date of Meeting</b>
Scrutiny Committee	16 October 2015 13 November 2015
Health Scrutiny Committee	13 October 2015 24 November 2015
Education Scrutiny	21 July 2015 17 November 2015

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

#### **10. Report of the Pension Fund Committee**

County Councillor Kevin Ellard presented the report of the Pension Fund Committee from its meetings on the 10 and 27 November 2015.

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

#### **11. Report of the Combined Fire Authority**

County Councillor Frank De Molfetta presented the report of the Lancashire Combined Fire Authority from its meeting on the 7 December 2015 and in doing so he congratulated and thanked the Fire Service on its response to the recent, exceptional flooding in parts of Lancashire.

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

At this point the Chairman called for a short adjournment.

### **Part C - Notices of Motion**

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

#### **1. It was moved by County Councillor Steve Holgate and seconded by County Councillor David Howarth that:**

Lancashire County Council has spent significant time and resources ensuring that the process of determining planning applications on Fracking in Lancashire has been open, transparent and well informed.

The Development Control Committee received evidence and opinion from organisations both in favour of and opposed to Fracking, as well as from local resident groups, local businesses and public health professionals.

Whilst national government is rightly entitled to take a view and determine national policy regarding energy, we believe that the determination of individual planning applications should remain with the County Council as it is best able to consider local planning issues.

The Secretary of State is a member of a cabinet with a clear policy in favour of Fracking and he has made statements in favour of Fracking.

It is therefore inappropriate for him to determine the planning appeals on Roseacre Wood and Preston New Road in Lancashire because of clear evidence of pre-determination.

Lancashire County Council requests that the Secretary of State takes no part in the final determination of the Preston New Road or Roseacre Wood appeal decisions.

Council instructs the chief executive of Lancashire County Council to write to the Prime Minister and Secretary of State informing them of the opinions of the County Council.

On being put to the vote the motion was carried and it was,

**Resolved:** That,

Lancashire County Council has spent significant time and resources ensuring that the process of determining planning applications on Fracking in Lancashire has been open, transparent and well informed.

The Development Control Committee received evidence and opinion from organisations both in favour of and opposed to Fracking, as well as from local resident groups, local businesses and public health professionals.

Whilst national government is rightly entitled to take a view and determine national policy regarding energy, we believe that the determination of individual planning applications should remain with the County Council as it is best able to consider local planning issues.

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Council instructs the chief executive of Lancashire County Council to write to the Prime Minister and Secretary of State informing them of the opinions of the County Council.

**2. It was moved by County Councillor Clare Pritchard and seconded by County Councillor Janice Hanson that:**

**Right to Buy**

Lancashire County Council proposes the following:

- That our Government follows the leadership of the Scottish Government in reversing the Right to Buy scheme for council houses;
- That the proposal to extend the Right to Buy scheme to Housing Associations be abolished;
- That the proposal to manage welfare spending by controlling council house rents be abolished as this goes against the move in 2012 to relinquish central government control and allows councils more freedom to manage their housing portfolios;
- That the Chief Executive of Lancashire County Council sends this resolution to the Secretary and Shadow Secretary of State for DCLG, the Housing and Shadow Housing Minister, the County's MPs, Housing Associations that operate across Lancashire, and all Lancashire district councils.

On being put to the vote the motion was carried and it was,

**Resolved:** That,

Lancashire County Council proposes the following:

- That our Government follows the leadership of the Scottish Government in reversing the Right to Buy scheme for council houses;
- That the proposal to extend the Right to Buy scheme to Housing Associations be abolished;
- That the proposal to manage welfare spending by controlling council house rents be abolished as this goes against the move in 2012 to relinquish central government control and allows councils more freedom to manage their housing portfolios;
- That the Chief Executive of Lancashire County Council sends this resolution to the Secretary and Shadow Secretary of State for DCLG, the Housing and Shadow Housing Minister, the County's MPs, Housing Associations that operate across Lancashire, and all Lancashire district councils.

**3. It was moved by County Councillor Lorraine Beavers and seconded by County Councillor Nikki Hennessy that:**

This Council calls on the Chancellor of the Exchequer, George Osborne, to reverse his decision to end bursaries to trainee nurses and replace them with student loans.

We believe that this will cause undue hardship and will deter people from training to become nurses.

Lancashire County Council resolves that the Chief Executive writes to the Chancellor of the Exchequer and the Health Secretary urging that their decision be reversed.

The Motion was put to the vote and six County Councillors requested a recorded vote in accordance with procedural Standing Order 15.2 (9.4).

The names of county councillors who voted for or against the Motion and those who abstained are set out below:

**For (41)**

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

**Against (24)**

T Ashton	P Buckley	A James	J Shedwick
A Atkinson	S Charles	A Kay	D Smith
M Barron	M Devaney	D O'Toole	V Taylor
P Britcliffe	G Driver	M Otter	D Westley
K Brown	G Gooch	P Rigby	G Wilkins
I Brown	M Green	K Sedgewick	B Yates

**Abstained (0)**

## **Resolved:**

This Council calls on the Chancellor of the Exchequer, George Osborne, to reverse his decision to end bursaries to trainee nurses and replace them with student loans.

We believe that this will cause undue hardship and will deter people from training to become nurses.

Lancashire County Council resolves that the Chief Executive writes to the Chancellor of the Exchequer and the Health Secretary urging that their decision be reversed.

### **4. It was moved by County Councillor Matthew Tomlinson and seconded by County Councillor Nikki Hennessy that:**

School Surface Water and Highways Drainage Charges

Lancashire County Council notes:

1. That United Utilities is the body responsible for charging for drainage and surface water in Lancashire and across the North West region from Cheshire to Cumbria.
2. United Utilities charging system for E15 Surface Water and Highways Drainage uses an area based calculation for School Water and Sewage charges.
3. The E15 water and sewage charges made to schools cover all water and sewerage from schools but excludes repairs or maintenance costs.
4. Sefton Metropolitan Council produced a breakdown of charges comparing Regions and Local Education Authorities (LEAs) using Department of Education (DfE) information. The same data source also contains figures for Lancashire. The combined results are in the tables attached.
5. The North West is one of 10 Regions in England but pays over 29% of the total Schools Water and Sewage charges.
6. The South East region is the most similar to the North West both in terms of number of schools and number of pupils. The North West pays 2.4 times as much as the South East.
7. The LAs most similar to Lancashire in numbers of schools are Kent, Hampshire and Essex. Lancashire pays between 1.7 and 2.8 times as much per school as the others
8. The most similar LAs to Lancashire in numbers of pupils are Kent, Birmingham and Hampshire. The Lancashire E15 Schools Water and Sewage charges per pupil is £34.63. This is twice the figure for Kent and 2.9 times the cost per pupil in Hampshire.

Lancashire County Council believes:

1. That data from Pupil Premium spending shows that increasing the spend per pupil has clear and measurable effects on children's development and future life chances.
2. That by removing money from the schools in Lancashire, when compared to similar local authorities, all children in the county are being disadvantaged and their futures are being damaged.

Lancashire County Council resolves that:

The Chief Executive writes to the Chair of United Utilities, The Water Regulator (OFWAT), the Secretary of State for Education, and the Members of Parliament covering the County to express our complete dismay at the disadvantages being placed on the children in Lancashire because public funds aimed at their education are being diverted to United Utilities' balance sheet.

The Motion was put to the vote and was carried and it was,

**Resolved:** That,

Lancashire County Council notes:

1. That United Utilities is the body responsible for charging for drainage and surface water in Lancashire and across the North West region from Cheshire to Cumbria.
2. United Utilities charging system for E15 Surface Water and Highways Drainage uses an area based calculation for School Water and Sewage charges.
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8. The most similar LAs to Lancashire in numbers of pupils are Kent, Birmingham and Hampshire. The Lancashire E15 Schools Water and Sewage charges per pupil is £34.63. This is twice the figure for Kent and 2.9 times the cost per pupil in Hampshire.

Lancashire County Council believes:

1. That data from Pupil Premium spending shows that increasing the spend per pupil has clear and measurable effects on children's development and future life chances.
2. That by removing money from the schools in Lancashire, when compared to similar local authorities, all children in the county are being disadvantaged and their futures are being damaged.

Lancashire County Council resolves that:

The Chief Executive writes to the Chair of United Utilities, The Water Regulator (OFWAT), the Secretary of State for Education, and the Members of Parliament covering the County to express our complete dismay at the disadvantages being placed on the children in Lancashire because public funds aimed at their education are being diverted to United Utilities' balance sheet.

**5. It was moved by County Councillor Geoff Driver and seconded by County Councillor Michael Green that:**

Council is disturbed to learn that at the same time as making staff redundant and proposing cuts in services to some of the most vulnerable people in Lancashire, the Leader of the Council has agreed to engage external Consultants at a cost of £6.6m.

On being put to the vote the Motion was not carried and it was,

**Resolved:** That the Motion was lost.

**Interruption by a County Councillor**

Following an exchange between the Chairman and County Councillor Geoff Driver CBE during the debate about the previous Motion, the Chairman moved, in accordance with SO 15 (Rules of debate), paragraph 7.1 of Appendix C, that Councillor Geoff Driver be not heard further.

The Motion was seconded and, in accordance with the Standing Order, it was put to the vote without discussion. The Motion was carried and it was,

**Resolved:** That County Councillor Geoff Driver CBE be not heard further.

County Councillor Paul Rigby requested that it be recorded in the minutes that he voted against the Motion.



**6. County Councillor Tim Ashton had submitted a Notice of Motion about the Budget consultation relating to libraries and museums.**

This Motion was not moved.

**7. County Councillor Geoff Driver CBE had submitted a Notice of Motion relating to the findings of Ofsted following their inspection of LCC's Children's Services, and the Post Inspection Improvement Board**

This Motion was not moved.

The following Motion was submitted after the normal deadline. The Chairman agreed prior to the meeting that the Motion should be accepted and discussed as it related to the recent serious flooding incidents in the north of the County.

**8. It was moved by County Councillor Gina Dowding and seconded by County Councillor Bill Winlow that:**

This Council expresses huge appreciation to the many staff and managers of local emergency services, voluntary and private sector organisations, as well as both the county and district authorities who contributed to and the safekeeping and care of local residents during and after the recent flooding and electricity blackouts in parts of Lancashire.

This Council will ensure that feedback is sought from staff and from residents when reviewing the response to the flooding in the weeks to come, and will look particularly to seek how communication with the public, with potential volunteers, and co-ordination between agencies can be improved in any future emergency event.

Similarly in the longer term, this Council will seek to involve residents and civic society viewpoints in any Resilience Commission that is set up to look at how communities can be better placed to respond to flooding or other local emergencies in their neighbourhoods as well as looking at how such floods can be mitigated, for example by preventative action upstream to reduce flooding in villages, towns and cities.

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

**Resolved:** That,

This Council expresses huge appreciation to the many staff and managers of local emergency services, voluntary and private sector organisations, as well as both the county and district authorities who contributed to and the safekeeping and care of local residents during and after the recent flooding and electricity blackouts in parts of Lancashire.

This Council will ensure that feedback is sought from staff and from residents when reviewing the response to the flooding in the weeks to come, and will look

particularly to seek how communication with the public, with potential volunteers, and co-ordination between agencies can be improved in any future emergency event.

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Jo Turton  
Chief Executive

County Hall  
Preston

# Agenda Item 4

## Meeting of the Full Council Meeting to be held on 25 February 2016

Report submitted by: Head of Legal and Democratic Services

**Part A**

Electoral Division affected:  
(None)

### Report of the Independent Remuneration Panel (Appendices A and B refer)

Contact for further information:

Chris Mather, Tel: 01772 533559, Democratic Services Manager,  
chris.mather@lancashire.gov.uk

#### Executive Summary

This report sets out the recommendations of the Independent Remuneration Panel in relation to the Council's Members' Allowance Scheme for 2016/17.

#### Recommendation

The Full Council is asked:

1. To consider the recommendations of the Independent Remuneration Panel, as set out in the report and at Appendix A, relating to the Council's Members' Allowance Scheme.
2. Subject to 1 above, to approve a Members' Allowance Scheme for 2016/17.

#### Background and Advice

The County Council is required to establish an Independent Remuneration Panel and have regard to its recommendations before the Authority makes or amends its Members' Allowance Scheme. Furthermore, the County Council is required to approve its Members' Allowance Scheme before the beginning of each financial year.

A meeting of the Independent Remuneration Panel was held on 19 January 2016 to consider making recommendations in respect of the Council's 2016/17 Members' Allowance Scheme. The Panel received the following information to assist its review of the Scheme:

- A copy of the existing Scheme and supporting background information;
- A list of current Special Responsibility Allowances paid, as well as a complete list of current roles established within the constitution;
- Comparative information with the five largest (by population) county councils, as

- well as neighbouring Cumbria County Council;
- The cost of the Scheme since 2012/13; and
- Written representations submitted by the political group leaders.

The minutes of the Panel's meeting held on 19 January 2016 are attached at Appendix A. The Full Council is asked to consider the deliberations and recommendations of the Panel as set out in the minutes and which are summarised below:

### 1. Indices used to adjust the allowances within the Members' Allowance Scheme

Sections 10(4) and (5) of The Local Authorities (Members' Allowances) (England) Regulations 2003 permit a Members' Allowance Scheme to make provision for an annual adjustment of allowances by reference to an index which must be reviewed every four years.

The Panel was informed that the County Council now needed to review the indices used to adjust allowances. Details of the existing indices, together with alternative options, were presented for the Panel's consideration.

#### The Panel agreed that the County Council be recommended:

- to approve the adoption of the following indices for 2016/17 commencing 1 April 2016:

Allowance	Index	Comment
<ul style="list-style-type: none"> <li>• Basic Allowance</li> <li>• Special Responsibility Allowance</li> <li>• Carers Allowance</li> </ul>	Local Government National Pay Award for officers	<p>No change to the existing indexation</p> <p>The pay award in 2016/17 is expected to be 1% and any uprating of the Scheme would have to await confirmation of the agreed pay settlement</p>
<b>Travelling and Subsistence:</b>		
<ul style="list-style-type: none"> <li>• Motor Car</li> <li>• Motor Cycles</li> <li>• Bicycles</li> </ul>	To be revised in accordance with the maximum for Income Tax purposes as defined by HM Revenue and Customs	No change to the existing indexation or the HMRC rate
<ul style="list-style-type: none"> <li>• Overnight Accommodation</li> <li>• Day Subsistence</li> <li>• Travel Abroad</li> </ul>	Consumer Price Index (published in November of the preceding year)	<p>This is a change from the Retail Price Index</p> <p>The Nov 2015 CPI figure was 0.1% (The RPI figure was 0.3%)</p>

- (ii) to agree that a further review of the indices used to uprate allowances be undertaken by the Panel as part of a wider review of the Members' Allowance Scheme following the County Council's elections in May 2017.

## **2. The Members Allowance Scheme for 2016/17 and Beyond**

The Panel considered a report on the Members' Allowance Scheme for 2016/17.

After careful consideration of the comments submitted by the political group leaders **the Panel agreed to make the following recommendations to the County Council** in respect of the 2016/17 Members' Allowance Scheme and beyond:

- (i) That a Special Responsibility Allowance at 25% of the Leader's SRA be paid to the Chair of the Children's Services Scrutiny Committee with effect from 1 April 2016.
- (ii) That consideration be given to the introduction of a mechanism for approving first class travel by Members.
- (iii) That subject to the above, no other changes be made to the existing Members' Allowance Scheme for 2016/17.
- (iv) That a detailed review of the Members' Allowance Scheme including the payment of Special Responsibility Allowances to specific post holders be undertaken by the Panel following the County Council elections in May 2017.

The Full Council is asked to consider the recommendations of the Independent Remuneration Panel and approve a Members' Allowance Scheme for 2016/17.

A copy of the 2015/16 Scheme is attached at Appendix B. The Scheme will be amended to reflect the decision of the Full Council. The 2016/17 Scheme will be effective as from 1 April 2016.

### **Consultations**

N/A

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

The Full Council is required to approve an annual Members' Allowance Scheme having regards to recommendations made by the Council's Independent Remuneration Panel.

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

Paper	Date	Contact/Tel
Independent Remuneration Panel agenda	19 January 2016	Chris Mather, 01772 533559

Reason for inclusion in Part II, if appropriate

N/A

**Lancashire County Council  
Members' Independent Remuneration Panel  
19 January 2016**

Present:

Irene Divine  
Keith Leaver  
Dennis Mendoros, DL  
Terry Whitehead

**1. Appointment of Chair**

It was reported that Gordon Johnson's term of office had expired and he did not wish to be re-appointed to the Panel. It was noted that Mr Johnson had served on the Panel for years and as chair of the Panel for the last five years. The Panel wished to record their appreciation and thanks to Mr Johnson.

It was reported that Gail Stanley's term of office had also expired and she was thanked for her work on behalf of the Panel.

The Council would consider the filling of the two vacancies in due course.

It was agreed that Keith Leaver should be appointed as chair of the Panel.

Mr Leaver welcomed members to the meeting and thanked officers for the informative training session held prior to the meeting.

**2. Minutes of the meeting held on 9 February 2012**

The Panel confirmed the minutes of the meeting held on 9 February 2012 as a true and correct record.

**3. The Members' Allowance Scheme - Background**

The Panel received a report setting out the background to the existing Members' Allowance Scheme including the previous considerations and recommendations of the Panel.

The Panel noted the report.

**4. Members' Allowance Scheme – Review of Indexation**

The Panel considered a report on the implications of Sections 10(4) and (5) of The Local Authorities (Members' Allowances) (England) Regulations 2003 which permit a Members' Allowance Scheme to make provision for an annual adjustment of allowances by reference to an index which must be reviewed every four years.

The Panel was informed that the County Council now needed to review the indices used to adjust allowances as from 1 April 2016. The Regulations required the County Council to have regard to the recommendations of the Panel before making or amending its Scheme.

It was explained that the role of the Panel was to make recommendations on the indices to be used to uprate the allowances over the next four years. A decision to adopt the indices as part of the Members' Allowance Scheme for this period, and any cost implications was a matter for the County Council to determine. A decision to implement the uprating of the allowances each year was also a matter for the County Council to consider prior to the start of each year.

Having said that, the Panel's attention was drawn to the Council's extremely difficult budget position. It was reported that the Council's budget had been considerably reduced over the past few years and there would be a further significant cash and real terms decrease in 2016/17 and beyond. It was noted that, to date, the Council had kept the Members' Allowances budget under 0.2% of the Council's net budget. However, should the Council wish to keep the Members' Allowance budget within this figure, then consideration would have to be given to a reduction in the Members' Allowance budget. It was noted that there was currently an underspend on the Special Responsibility Allowances element of the Scheme and on the overall 2015/16 budget provision for members.

It was also reported and noted that the Boundary Commission was currently reviewing electoral divisions in Lancashire and that the Commission was minded to recommend no change to the number of county councillors.

Details of the existing indices as shown below, together with alternative options including the associated financial implications of adopting each index were presented for consideration:

<b>Allowance</b>	<b>Index</b>
Basic Allowance, Special Responsibility Allowance, and Carers Allowance	Local Government National Pay Award for officers
Travelling and Subsistence:	
Motor Car, Motor Cycles and Bicycles	To be revised in accordance with the maximum for Income Tax purposes as defined by HM Revenue and Customs
Overnight Accommodation, Day Subsistence and Travel Abroad	Retail Price Index (published in November of the preceding year)

After discussion, the Panel agreed that the Local Government National Pay Award for officers was still the most reasonable and transparent method of uprating the Basic, Special Responsibility and Carers Allowances. It was



considered that the pay award was also one of the most stable ways of calculating the annual increase for these allowances.

The Panel also agreed that the existing index in respect of uprating motor car, motor cycle and bicycle allowances i.e. the maximum for Income Tax purposes as defined by HM Revenue and Customs was open and transparent and that this index should continue to be used.

With regards to Overnight Accommodation, Day Subsistence and Travel Abroad Allowances, the Panel was conscious that the government had replaced the Retail Price Index with the Consumer Price Index as the common measure used for inflation effects. It was agreed that it would therefore be more appropriate to use the Consumer Price Index to uprate the Overnight Accommodation, Day Subsistence and Travel Abroad Allowances paid to members.

The Panel then discussed the effects of the various indices having regard to the County Council's budget. Whilst it was likely that any uprating of allowances in 2016/17 could be accommodated within the existing budget, the Panel was conscious of the greater financial problems in 2017/18 and beyond. The Panel was also aware that the next County Council elections would be held on 4 May 2017. As a full and detailed review of the Members' Allowance Scheme had not been undertaken since 2010, it was felt that the County Council should be recommended to adopt the indices for 2016/17 only and a further review of the indices be undertaken by the Panel as part of a wider review of the Members' Allowance Scheme following the next County Council elections.

### **Recommendations to the County Council**

That the County Council be recommended:

- (i) to approve the adoption of the following indices for 2016/17 commencing 1 April 2016:

<b>Allowance</b>	<b>Index</b>
Basic Allowance, Special Responsibility Allowance, and Carers Allowance	Local Government National Pay Award for officers
Travelling and Subsistence:	
Motor Car, Motor Cycles and Bicycles	To be revised in accordance with the maximum for Income Tax purposes as defined by HM Revenue and Customs
Overnight Accommodation, Day Subsistence and Travel Abroad	Consumer Price Index (published in November of the preceding year)

- (ii) to agree that a further review of the indices used to uprate allowances be undertaken by the Panel as part of a wider review of the Members' Allowance Scheme following the County Council's elections in May 2017.

**5. The Members Allowance Scheme for 2016/17 and Payments made to Members of Lancashire County Council in the period 2014/15**

The Panel considered a report on the Members' Allowance Scheme for 2016/17.

It was reported that the County Council was required to adopt a new scheme before the end of each financial year, for the following year, and that the Full Council would be asked to approve a Scheme for 2016/17 at its meeting on 25 February 2016.

The following information was presented to the Panel for information and consideration:

- A copy of the existing Scheme;
- A list of current Special Responsibility Allowances paid, as well as a complete list of current roles established within the constitution;
- Comparative information with the five largest (by population) county councils, as well as neighbouring Cumbria County Council; and
- The cost of the Scheme since 2012/13.

The Panel also considered written representations submitted by the political group leaders and the following comments were made about each request or suggestion:

**County Councillor Mein, Lead of the Labour Group**

Leader's comment:

1. *No change to the indices which are currently used to uprate allowances.*

The Panel agreed that this matter had been considered and determined earlier in the meeting.

Leader's comment:

2. *That an SRA be paid to the Chair and Deputy Chair of the recently established Children's Services Scrutiny Committee. The level of SRA should be the same as SRAs currently paid to other Scrutiny Chairs and Deputies. This could be funded from the current underspend in the SRA budget.*

The Panel noted that this Committee had been established in December 2015 in response to the OFSTED inspection report. Officers advised that the Committee would be extremely busy in the months ahead and that it would

play a key role in helping the Council to review and improve children's services in the medium to long term. The Committee would meet every six weeks and the Chair and Deputy Chair would have significant responsibility in overseeing the work of the Committee and in supporting the Cabinet and relevant Cabinet Members.

Whilst the Panel recognised the need for this Committee to be established, concerns were expressed about the prospect of increasing the number of SRAs paid to Council members particularly having regards to the Council's budget position and the fact that the payment of two additional SRAs would take the Council over the recommended national guidance that SRAs should not be paid to more than 50% of the Council's elected membership. The Panel also questioned the need for all Scrutiny Chairs and Deputies (excluding the Executive Scrutiny Committee) to be paid an SRA and at the same rates. Officers explained the background to the SRA list and also advised that the Council would probably be reviewing its decision making structure as part of the general down-sizing of the authority. The Panel suggested that one option might be to merge the new Children's Scrutiny Committee and the Education Scrutiny Committee at some future point.

Having discussed the matter at length, the Panel felt that it was unable to support the Leader's request and that an SRA should only be paid to the Chair of the Children's Services Scrutiny Committee with the cost being met from existing budgetary provision. It was agreed that the SRA should be paid at the same rate given to other Scrutiny Chairs and that the SRA should commence as from 1 April 2016. The Panel felt that the SRA should not be back-dated to December 2015.

The Panel also agreed that the payment of an SRA to Chair of the Children's Services Scrutiny Committee and possibly to the Deputy Chair of the Committee should be revisited as part of a wider review of the Members' Allowance Scheme to be undertaken by the Panel after the Council's elections in May 2017 and in the light of experience when the respective roles and the work undertaken by the Committee would be clearer.

### **County Councillor Geoff Driver, Leader of the Conservative Group**

Leader's comment:

*It would be entirely inappropriate to increase Members' allowances at the present time.*

The Panel agreed that it would be inappropriate to increase the Members' Allowance budget and felt that any increase in Members' allowances was a matter for the County Council to determine.

## **County Councillor Bill Winlow, Leader of the Liberal Democrat Group**

Leader's comment:

1. *SRAs should be paid to the Chairs of the Executive Scrutiny Committee and the Children's Services Scrutiny Committee*

The Panel agreed that it had already dealt with the payment of an SRA to the Chair of the Children's Services Committee as part of the submission made by the Leader of the Labour Group. With regards to the payment of an SRA to the Chair of the Executive Scrutiny Committee, the Panel repeated its concerns about increasing the % number of SRAs paid to members, as well as the effects that would have on the budget. It was agreed that this should be revisited as part of the wider review of the members' Allowance Scheme in May 2017.

Leader's comment:

2. *SRAs should vary according to work-load*

The Panel agreed that whilst the level of an SRA should reflect the post holder's work-load, the level of responsibility was equally important. Unfortunately the Panel was unable to compare individual workloads and the levels of responsibility at this meeting. It was felt that this matter should also be reviewed by the Panel in May 2017.

## **County Councillor Gina Dowding, Leader of the Independent Group**

Leader's general comment:

*These suggestions are based on*

- *What seems to be fair and actually a better reward for work or responsibilities done*
- *An attempt to make savings – which I believe we should be doing as a council within this budget heading.*

Leader's comment:

1. *Transport. That the Council no longer pays for first class tickets for councillors.  
(Adopted by the civil service some time ago). There is a spurious argument about first class being cheaper if booked in advance. But standard is still cheaper than first class if booked in advance.*

The Panel was informed that whilst the Members' Allowance Scheme permitted first class journeys to be made, officers always looked to purchase the cheapest ticket available. It was also explained that the majority of first class journeys were made by senior members who often needed to work during their journey. Members of the Panel commented upon their own experience of booking tickets. It was agreed that first class tickets could sometimes be purchased more cheaply than a standard ticket particularly if

the ticket was being bought well in advance of the journey. Also first class travel particularly over longer journeys was more comfortable and allowed people to work in private. For these reasons and provided that officers looked to purchase the cheapest ticket wherever possible, then the Panel was not minded to support this proposition. The Council could if it so wished require the purchase of any first class tickets to be given prior approval by the Deputy Leader as cabinet member with responsibility for Members Allowances.

Leader's comment:

2. *That Subsistence payments are no longer paid for councillors undertaking duties within county hall. (Reflections offers a value for money service, whether subsidised or not). Other allowances allow for duties. No member of staff is paid for meals while at normal place of work.*

The Panel did not regard County Hall as being a member's place of work and the proposal was not supported.

Leader's comment:

3. *The role of Whip for majority group, largest opposition and second largest opposition group should not attract a SRA (they still have secretaries). To pay whips at a local authority level is totally inappropriate.*

As mentioned earlier, the Panel agreed that it was not in a position at this meeting to review any of the roles which attracted an SRA payment. However, the Panel was mindful that it had previously recommended the County Council to pay an SRA to the secretary and whip but to no other posts within each of the three largest groups. This was in recognition of the different roles and the range of responsibilities of each post. Therefore the Panel confirmed that it would not wish to recommend any changes at this time. It was suggested that the position be given further consideration by the Panel as part of the wider review in May 2017.

Leader's comments:

4. *That the role of 'Champions' should be deleted from attracting a SRA (except maybe parish councils)*

*and*

5. *That the role of 'Lead member' should attract a lower SRA i.e. 17.5%*

The Panel repeated the comments made during consideration of Councillor Dowding's suggestion at no.3 above. In summary, the Panel was not able to comment on specific posts in isolation at this meeting, the SRAs had previously been recommended by the Panel as the work and support given by the post holders was important, there was no obvious justification to change the SRAs and that the position be reviewed in May 2017.

The Panel requested officers to circulate a copy of the 2015 Champions' annual report for information.

*Leader's comment:*

6. *That there should be no increase in Basic Allowance or the basic SRA which is based on the leaders SRA.*

The Panel agreed that it did not wish to recommend a specific increase in the Basic Allowance or any Special Responsibility Allowances. However, it was noted that the various allowances would increase if the County Council adopted the indices recommended by the Panel earlier in the meeting, and then chose to accept the uprating of the allowances in accordance with the indices as from 1 April 2016.

### **Recommendations to the County Council**

That, in addition to the recommendations at item 4 above, the Panel request the County Council to consider the following recommendations in respect of the 2016/17 Members' Allowance Scheme and beyond:

- (i) That a Special Responsibility Allowance at 25% of the Leader's SRA be paid to the Chair of the Children's Services Scrutiny Committee with effect from 1 April 2016.
- (ii) That consideration be given to the introduction of a mechanism for approving first class travel by Members.
- (iii) That subject to the above, no other changes be made to the existing Members' Allowance Scheme for 2016/17.
- (iv) That a detailed review of the Members' Allowance Scheme including the payment of Special Responsibility Allowances to specific post holders be undertaken by the Panel following the County Council elections in May 2017.

### **5. Any Other Business**

None.

### **6. Date of Next Meeting**

To be confirmed.

I Young  
Director of Governance,  
Finance and Public Services

County Hall  
Preston

## Lancashire County Council

### Members' Allowance Scheme

Lancashire County Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003, hereby makes the following Scheme:

1.0 This Scheme shall have effect for the period 1 April 2015 to 31 March 2016 and subsequent years.

2.0 In this Scheme

"Councillor" means an elected member of Lancashire County Council.

"Co-opted member" means a person other than a councillor who is appointed to serve on a Council Committee or Sub-Committee.

"Year" means the twelve months commencing 1st April.

"Meetings" means a meeting of the Full Council or a body of Members formally established by the Full Council, the Leader of the County Council, the Cabinet or a Council Committee.

3.0 In this scheme, the total allowances shall consist of Basic Allowances and Special Responsibility Allowances. (For the avoidance of doubt, Attendance Allowance shall not be payable under this Scheme).

3.1 These total allowances shall be updated annually in line with employee percentage pay increases as described in more detail in Schedule 'A'.

#### 4.0 Basic Allowance

4.1 Subject to paragraph 7.0 below, an equal Basic Allowance of £10,362 shall be paid to every councillor. The amount of Basic Allowance is shown in paragraph 1.0 of Schedule 'A' of this Scheme.

4.2 This Basic Allowance is intended to recognise the time commitment of all councillors including such inevitable calls on their time as meetings with officers and constituents, and political group meetings. It is also intended to cover incidental costs such as the use of councillors' homes.

## **5.0 Special Responsibility Allowance**

5.1 Subject to paragraph 7.0 below, each councillor or co-opted member who holds a special responsibility as defined within the Regulations and specified within this Scheme, will receive a Special Responsibility Allowance as shown in paragraph 2.1 of Schedule 'A' of this Scheme. A councillor may not receive more than one Special Responsibility Allowance.

## **6.0 Renunciation**

6.1 A councillor may elect to forego any part of his/her entitlement to an Allowance under this Scheme. Such election shall be in the form of a written notice delivered to the Chief Executive.

## **7.0 Adjustments to Entitlements in Year**

7.1 The provisions of this paragraph apply in relation to the entitlement of a councillor to Allowances where, in the course of a year:

- (a) The scheme is amended.
- (b) A person becomes, or ceases to be, a councillor.
- (c) A councillor accepts or relinquishes a special responsibility in respect of which a Special Responsibility Allowance is payable.
- (d) A councillor is suspended or partially suspended from his/her responsibilities or duties as a Member of the County Council.

7.2 If, during the year, the Scheme is amended and this results in a change to a councillor's entitlement to Special Responsibility Allowance and/or Basic Allowance, the actual entitlement shall be based on:

- (a) A proportion of the original annual Allowance based on the number of days up to the date of amendment plus
- (b) A proportion of the revised annual Allowance based on the number of days from the date of amendment.

7.3 When the term of office of a councillor either begins and/or ends during the course of a year, the entitlement to Basic Allowance shall be based on the number of days in office during that year. Similar pro rata entitlements will apply in situations where Basic Allowance is amended under sub-paragraph 7.2 above.



7.4 Where, for a part of the year, a councillor has such special responsibilities as specified in this Scheme, the entitlement to Special Responsibility Allowance shall be based on the number of days during that year that the councillor has held such special responsibilities, such entitlement being pro rata to a full year. Similar pro rata entitlement will apply in situations where Special Responsibility Allowances have been amended under sub-paragraph 7.2 above.

7.5 Where a councillor is suspended or partially suspended from his/her responsibilities or duties as a Member of the County Council in accordance with Part III of the Local Government Act 2000 (or Regulations made under that Part), the part of the Basic, Special Responsibility, Travel and Subsistence Allowances payable in respect of the period of suspension may be withheld by the County Council.

## **8.0 Carers/Dependants Allowance**

8.1 Subject to paragraphs 8.2 and 8.3, a carers/dependants allowance may be claimed in respect of named children aged 16 or under or in respect of other named dependants where there is medical or social evidence that care is required.

8.2 Payment of carers/dependants allowance shall:

- (a) Be based on actual receipted expenditure subject to a maximum hourly rate and a maximum annual allowance, as specified in paragraph 3 of Schedule 'A' of this Scheme.
- (b) Not be made where a Councillor already receives a carer's allowance from the Department for Works and Pensions.
- (c) Not be payable where the carer is a parent or is a member of the household.
- (d) Not be payable unless the carer has been cleared by the Criminal Records Bureau.

8.3 The carers/dependants allowance may be claimed where the actual expenditure has been incurred in connection with the approved duties that apply to claims for travel and subsistence as detailed in Schedule 'D' of this Scheme.

## **9.0 Co-optees Allowance**

9.1 Co-opted members shall receive an allowance, which equates to travel and subsistence expenses they have actually and necessarily incurred calculated under the rules set out in this scheme, in accordance with paragraphs 10 and 11.

## 10.0 Method of Payment

- 10.1 Payments of Basic Allowance and Special Responsibility Allowance shall be made monthly on the last working day of each month. The monthly amount payable shall be one-twelfth of the annual allowance(s) specified in this Scheme and subject to paragraph 7.0 above.
- 10.2 Separately, individual claims for carers/dependants allowances, travel and subsistence shall be made on a monthly basis and shall be paid on the last working day of the following month. Claims **must** be submitted via the electronic Members' Allowances System as soon as possible at the end of each month. Claims may be submitted by non-electronic means (by an agreed paper based method) only in exceptional circumstances approved by the Director of Governance, Finance and Public Services. Claims **must** be submitted within two months of the period to which they relate or a payment will not be made unless it is approved by the Chief Executive, good cause having been shown by the member submitting the late claim.
- 10.3 Each claim shall be certified by the councillor or co-opted member that he/she has **actually and necessarily incurred** the expenditure claimed in the performance of approved duties as defined in Schedule D and that he/she will not make any other claim in respect of that expenditure other than under this Scheme.

## 11.0 Travelling and Subsistence Allowances

- 11.1 A councillor or co-opted member shall be entitled to receive travelling and/or subsistence allowances at the rates specified in Schedule C.
- 11.2.1 Subsistence Allowances are payable where such expenditure has been **actually and necessarily incurred** in the performance of an approved duty as defined in Schedule D where a councillor or co-opted member is absent from their normal place of residence.
- 11.2.2 When claiming subsistence allowances, councillors should identify all approved activities attended in the period of absence recorded, including any political group meetings
- 11.3 A councillor or co-opted member may claim **up to** the maximum amounts set out in Schedule C where expenditure has been **actually and necessarily incurred** when absent from home for the periods stated.
- 11.4 Appropriate receipts **must** be obtained and retained in respect of any claims made by a councillor or co-opted member for the payment of subsistence allowances or reimbursement of public transport and taxi fares, car parking fees and other incidental expenses.

- 11.5 Receipts must be retained for 3 years following the financial year in which the expenses were incurred.
- 11.6 A councillor or co-opted member must produce his/her receipts if required by claim processing officers, as well as internal or external auditors.
- 11.7 Each councillor or co-opted member shall agree with the Director of Governance, Finance and Public Services a fixed mileage for journeys between his/her home address and County Hall for the purpose of verifying travel expense claims. The schedule of agreed and approved mileages will be updated following the Director of Governance, Finance and Public Services being notified of a change of address.

## **12. Scheme Amendments**

- 12.1 The amounts specified in paragraphs 1.0, 2.0 and 3.0 (basic allowance, special responsibility allowance and carers/dependents allowance respectively) of Schedule A are subject to an annual uprating on 1 April. This uprating shall equate to the average annual percentage increase in employees' pay under the National Joint Council for Local Government Services pay structure.
- 12.2 Overnight Accommodation, Travel Abroad and Subsistence allowances shall be increased annually with effect from 1<sup>st</sup> April in every year in line with the Retail Price Index (All Items) published in November of the preceding year.
- 12.3 Motor car, motor cycle, and bicycle travelling allowances shall be revised annually with effect from 1<sup>st</sup> April in every year in accordance with the maximum allowance for Income Tax purposes as determined by HM Revenue and Customs.

**Lancashire County Council**  
**Members' Allowance Scheme**  
**Schedule 'A'**

**1.0 Basic Allowance**

An annual Basic Allowance of £10,362 is payable to each councillor.

**2.0 Special Responsibility Allowance**

2.1 Based on an annual Special Responsibility Allowance total of £343,915, the actual individual Allowances are detailed in Schedule 'B'. The amounts quoted in Schedule 'B' are in respect of a full year term of office.

**3.0 Carers/Dependants Allowance**

3.1 Payment of a Carers/Dependants Allowance, as provided for in Paragraphs 8.1 to 8.3 of this Scheme, shall be based on actual receipted expenditure subject to a maximum hourly rate of £7.12. Total payments in any one year shall not exceed £1,490.

**4.0 Travelling and Subsistence Allowances**

The amounts payable by way of Travelling and Subsistence Allowances including Overnight Accommodation, Day Subsistence and Travel Abroad shall be subject to the rates specified in Schedule 'C' of this Scheme.

**Lancashire County Council**  
**Members' Allowance Scheme**  
**Schedule 'B' - Special Responsibility Allowances**

Position		Amount £	% of Leader
Leader		29,590	100.00
Deputy Leader		20,713	70.00
Cabinet	5 @	16,274	55.00
Lead Members	6 @	8,137	27.50
Chairs	Overview & Scrutiny	3 @ 7397	25.00
	Corporate Parenting Board	7397	25.00
	Development Control	8,877	30.00
	Pension Fund	7,397	25.00
	Regulatory	7,397	25.00
	Audit and Governance	2,959	10.00
	Corporate Complaints	7,397	25.00
	Lancs County Dev Ltd	7,989	27.00
Champion	Older People	5,178	17.50
	Young People	5,178	17.50
	Parish Councils	5,178	17.50
	Disabled People	5,178	17.50
	Armed Forces Veterans	5,178	17.50
	Digital Inclusion**	-	-
Deputy Chairs	Overview & Scrutiny *	3 @ 3,477	47.00
Majority Group	Secretary	4,439	15.00
	Whip	4,439	15.00
Largest Opposition Group	Leader	16,274	55.00
	Deputy Leader	8,137	27.50
	Secretary	2,959	10.00
	Whip	2,959	10.00
Second Opposition Group	Leader	8,877	30.00
	Deputy Leader	4,439	15.00
	Secretary	1,480	5.00
	Whip	1,480	5.00

\* This is the % of the amount paid to the chair of O & S Committees

\*\* No SRA is paid in respect of this position

## Lancashire County Council

### Members' Allowance Scheme

#### Schedule 'C' – Travelling & Subsistence Allowances

##### Travelling by Private Vehicle

The rate for travel by a councillor or co-opted member in his/her own private vehicle, or one belonging to a member of the family or otherwise provided for the councillor or co-opted member's use, shall not exceed:

Type of vehicle	First 10,000 miles	Above 10,000 miles
Cars and vans	45p	25p
Motorcycles	24p	24p
Cycles	20p	20p

In addition to the rates detailed above, the actual and receipted expenditure incurred on public transport, taxis, tolls, ferries or parking fees, including overnight garaging may be claimed.

##### Overnight Accommodation

Where the nature of the duties being undertaken result in a councillor or co-opted member being absent from his/her usual place of residence, overnight accommodation will be booked and paid directly by the County Council.

In exceptional circumstances where it is not possible for the County Council to make a direct booking on behalf of a councillor or co-opted member, the actual receipted cost of accommodation, including breakfast, will be reimbursed to the councillor or co-opted member. Such reimbursement will be subject to a maximum allowance per night of £147 for London and £128 elsewhere in the UK.

##### Day Subsistence

A councillor or co-opted member may claim **up to** the following maximum amounts when absent for the periods stated below from their normal place of residence:

- |     |   |   |        |
|-----|---|---|--------|
| (a) | a period less than 4 hours                | - | £6.43  |
| (b) | a period between 4 and less than 8 hours  | - | £12.79 |
| (c) | a period between 8 and less than 12 hours | - | £25.60 |
| (d) | a period in excess of 12 hours            | - | £38.37 |

Actual expenditure in excess of £38.37 may be reimbursed subject to the production of receipts.

### **Travel Abroad**

For councillors or co-opted members travelling outside Great Britain on approved duties (including, for the purpose of this section, travelling in Northern Ireland), a flat daily rate of £71 will be provided. This allowance is intended to cover costs incurred on meals and transport whilst actually abroad. An unused portion of this allowance, say in respect of meals provided at no cost to the councillor or co-opted member, must be returned to the County Council.

## **Lancashire County Council**

### **Members' Allowance Scheme**

#### **Schedule 'D' – Travel & Subsistence – Approved Duties**

(see also Part B of the Guidance Notes to the Members' Allowance Scheme)

Appropriate travel and subsistence allowances may be claimed in accordance with the above details where such travelling and/or subsistence has been undertaken in connection with one or more of the following duties:

- (a) The attendance at a meeting of the Authority or of any Committee, Sub-Committee, Task Group, Working Group, Board, Forum, Panel of the Authority, or of any body to which the Authority makes appointments or nominations, or of any Committee or Sub-Committee of such a body.
- (b) The attendance at any other meeting, the holding of which is authorised by the Authority, or a Committee or Sub-Committee of the Authority, or a joint Committee of the Authority and one or more local authority within the meaning of section 270(1) of the Local Government Act 1972, or a Sub-Committee of such a joint committee provided that:
  - (i) where the Authority is divided into two or more political groups it is a meeting to which members of at least two such groups have been invited, or
  - (ii) if the Authority is not so divided, it is a meeting to which at least two members of the Authority have been invited.
- (c) The attendance at a meeting of any association of authorities of which the Authority is a member.
- (d) The attendance at a meeting of the executive or a meeting of any of its Committees, where the Authority is operating executive arrangements.
- (e) For the purposes of paragraphs (a) to (d) above, claims for travel and subsistence can only be made in respect of attendance at meetings of a Committee, Sub-Committee or other body of which the Councillor claiming is a Member. However, any Councillor can claim for attendance at a meeting of the Cabinet.
- (f) The performance of any duty in pursuance of any Procurement Rule under section 135 of the Local Government Act 1972 requiring a Member or Members to be present while tender documents are opened.



- (g) The performance of any duty in connection with the discharge of any function of the Authority conferred by or under any enactment and empowering or requiring the Authority to inspect or authorise the inspection of premises.
- (h) The performance of any duty in connection with arrangements made by the Authority for the attendance of pupils at any school approved for the purposes of section 342 (approval of non-maintained special schools) of the Education Act 1996.
- (i) The carrying out of any other duty approved by the Authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the Authority or any of its Committees or Sub-Committees. All duties which derive from a position of responsibility for which a Member receives a special responsibility allowance are approved duties for the purpose of this paragraph.



## Meeting of the County Council Meeting to be held on 25 February 2016

Report submitted by: The Interim Director of Financial Resources

**Part A**

Electoral Division affected:  
All

### Financial Threshold for Key Decisions

Contact for further information:  
Paul Dobson, 01772 534725, Financial Resources  
[paul.dobson@lancashire.gov.uk](mailto:paul.dobson@lancashire.gov.uk)

#### Executive Summary

The Council is required, each year, to specify the financial threshold above which decisions should be treated as Key Decisions as defined in Standing Order 25(1).

#### Recommendation

It is recommended that the Full Council confirms that the financial threshold for Key Decisions, for the purposes of Standing Order 25(1), should remain at £1.4m for 2016/17.

### Background and Advice

Standing Order 25(1) defines a Key Decision of the Cabinet/Cabinet Member for the purpose of the requirement for the County Council to publish details of a Key Decision at least 28 clear days before the decision is due to be taken.

A key decision means an executive decision which is likely:

- (a) to result in the council incurring expenditure which is, or the making of savings which are significant having regard to the council's budget for the service or function which the decision relates; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the council.

In the case of (a), a decision with a significant financial impact on the County Council, the current threshold is £1.4m.

The Council is required, by number 13 in its list of functions in the Constitution, 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).”

The current threshold (£1.4m) was approved by the Full Council in 2015. The Interim Director of Financial Resources has, in consultation with the Chief Executive, reviewed the financial threshold for key decisions. The recommendation arising from the review is that the threshold should remain at this level. It is proposed, therefore, that the threshold for 2016/17 should be £1.4m.

### **Consultations**

The Interim Director of Financial Resources has consulted with Legal and Democratic Services.

### **Implications:**

This item has the following implications:

### **Risk Management**

No significant risks have been identified

### **Local Government (Access to Information) Act 1985**

#### **List of Background Papers**

Paper	Date	Contact/Directorate/Ext
LCC Constitution		Chris Mather, Office of the Chief Executive 01772 53559

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

N/A

**Meeting of the Full Council**  
**Meeting to be held on 25 February 2016**

Report submitted by: Head of Legal and Democratic Services

**Part A**

Electoral Division affected:  
None

**Appointment of S.151 Officer**

Contact for further information:  
Chris Mather, Tel: 01772 533559, Democratic Services Manager,  
chris.mather@lancashire.gov.uk

**Executive Summary**

This report relates to the appointment of a new S.151 Officer.

Section 151 of the Local Government Act 1972 requires that every local authority in England and Wales should “.... make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs”. The officer appointed as the “responsible financial officer” must, by virtue of section 113 of the Local Government Finance Act 1988, be a member of a specified accountancy body.

The appointment of the S.151 Officer is the responsibility of the Full Council.

**Recommendation**

The Full Council is asked to consider the recommendations of the Employment Committee in relation to the appointment of a new S.151 Officer.

**Background and Advice**

At its meeting on 22 February 2016 the Employment Committee will be conducting interviews for the appointment of a permanent Director of Financial Resources and S.151 Officer. Damon Lawrenson has held the position of Interim Director of Financial Resources and S.151 Officer since March 2015.

Whilst the Employment Committee can approve the appointment of a Director of Financial Resources, the Council's Constitution requires notification of the proposed appointment to be given to each member of the Cabinet to give them an opportunity to object to the proposal. Cabinet will be informed of the proposed appointment as soon as a decision has been made by the Employment Committee.

The Constitution also requires that Full Council must approve the appointment of the Section 151 officer before an offer of appointment can be made. The recommendation of the Employment Committee in relation to the proposed appointment of a new S.151 Officer will be reported orally at the meeting.

**Consultations**

N/A

**Implications:**

This item has the following implications, as indicated:

**Risk management**

Not to have a S.151 Officer would mean that the Council has not fulfilled its statutory obligations and would be at risk of challenge.

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

Paper	Date	Contact/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A

**Meeting of the Full Council  
Meeting to be held on 25 February 2016**

Report submitted by: Director, Lancashire County Pension Fund

**Part A**

Electoral Division affected:  
None

**Approval to enter into an arrangement for the discharge by the County Council of the functions of Newham London Borough Council in respect of pension administration**

Contact for further information:  
Diane Lister, (01772) 534827, Head of Your Pension Service,  
[Diane.lister@lancashire.gov.uk](mailto:Diane.lister@lancashire.gov.uk)

**Executive Summary**

Following discussions with the Lancashire County Council, Newham London Borough Council is due to consider a proposal at its Full Council meeting on 18 February 2016 to enter into an arrangement under the Local Government Act 1972 for the discharge of functions by Lancashire County Council in respect of pension administration.

**Recommendation**

Subject to approval by Newham London Borough Council to enter into the arrangement, Full Council is asked to approve that the County Council enters into an arrangement under the Local Government Act 1972 for the discharge by the County Council of the functions of Newham London Borough Council in respect of pension administration from 1 April 2016.

The decision of Newham London Borough Council will be reported to the meeting of Full Council.

**Background and Advice**

Plans are progressing to form a jointly owned company in partnership with the London Pensions Fund Authority (LPFA) to offer pensions administration to local authorities. Lancashire County Council, as joint owner of this newly formed 'Local Pensions

Partnership', will use this company as a delivery model for pension administration services from 1 April 2016.

Newham London Borough Council's current arrangement for the provision of pension administration services is with the London Pensions Fund Authority and this agreement is due to expire at the end of March 2016.

Newham London Borough Council is due to consider a proposal to enter into a new arrangement with Lancashire County Council to provide pensions administration services. If approved, budget will be transferred from Newham London Borough Council to Lancashire County Council. Both parties agree to investigate the potential for efficiencies and added value for money through these new arrangements.

The new arrangements are on the basis of the discharge by the County Council of the functions of Newham London Borough Council, in respect of pension administration, relying upon the provisions of the Local Government Act 1972, allowing a local authority to arrange for the discharge of any of their functions by any other local authority.

There is further potential for the delegated arrangements with Lancashire County Council to be utilised across Newham London Borough Councils shared services organisation, which includes a number of other London Borough Councils, with the intention of securing further efficiencies going forward.

#### Financial

If approved, budget will be transferred from Newham London Borough Council to Lancashire County Council. Both parties agree to investigate the potential for efficiencies and added value for money through these new arrangements.

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

Paper	Date	Contact/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A



**Meeting of the Full Council  
Meeting to be held on 25 February 2016**

Report submitted by: Head of Legal and Democratic Services

**Part B**

Electoral Division affected:  
None;

**Report of the Cabinet (Part B)**  
(Annex 1 refers)

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

**Executive Summary**

The report of Cabinet from its meetings on 21 January and 4 February 2016.

**Recommendation**

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

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

Paper	Date	Contact/Tel
Agenda and Minutes of Cabinet	21 January 2016 and 4 February 2016	Josh Mynott / 01772 534580

Reason for inclusion in Part II, if appropriate

N/A



## Meeting of the Full Council 25 February 2016

### Report of the Cabinet meetings held on 21 January 2016 and 4 February 2016

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

<http://council.lancashire.gov.uk/ieListMeetings.aspx?Committeeld=122>

#### Money Matters - The Financial Strategy for 2016/17 to 2020/21

Cabinet received a report which set out the impact of the Autumn Statement and the Finance Settlement for 2016/17; provided an update of the forecast outturn position for 2015/16 and the Medium Term Financial Strategy for 2016/17 to 2020/21; and the position with regard to reserves.

Cabinet resolved that:

- (i) the current forecast overspend of £9.591m on the revenue budget in 2015/16 and ongoing pressure of £35.766m be noted.
- (ii) the revised funding gap of £200.5m covering the period 2016/17 to 2020/21 as set out in the revised financial outlook forecast for the Council be noted.
- (iii) the additional budget adjustments for 2016/17, and following years' increases, included in the revised MTFs following the financial settlement be approved.
- (iv) recommendations be made to Full Council on 11 February 2016 the Band D Council Tax for 2016/17 reflecting a 3.99% increase including 2% to be used for social care as per the new flexibilities.
- (v) the contents of the County Council's Reserves position at 30 November 2015 be noted.
- (vi) all the proposed changes to the existing use of reserves, linked to creating the Transitional Reserve be approved.
- (vii) in line with the Council's financial strategy agreed at the 26 November Cabinet, the establishment of the Council's Transitional Reserve (£107.599m or £117.190m should the County Council deliver a balanced revenue position in 2015/16) be approved.
- (viii) the use of capital allocations within the 2015/16 capital programme for projects which are now complete or considered not needed as part of the 2016/17 programme funding be noted and approved.
- (ix) the specific capital programme as presented within the body of the report be approved.

(x) the increase in prudential borrowing identified within the Capital Programme report which is required as a result of utilising revenue and other reserves, previously earmarked for supporting the Capital Programme, to assist in the overall reshaping of the County Council be approved.

(xi) the advice of the Interim Director of Financial Resources in relation to the robustness of the budget and the adequacy of reserves be noted.

### **Responses to Consultation**

Cabinet received a report on the responses to the consultation on the Cabinet's proposed budget options.

Cabinet resolved that the responses to the consultation, as reported, be noted.

### **The Annual Audit Letter for Lancashire County Council – Year Ended 31 March 2016**

Cabinet received a report setting out the External Auditor's Annual Audit Letter for Lancashire County Council for the year ended 31 March 2015.

Cabinet resolved that the key messages set out in the Annual Audit Letter for Lancashire County Council for the year ended 31 March 2015 be noted.

### **Treasury Management Policy and Strategy**

This item was dealt with as a Part A item at Full Council on 11 February 2016

### **Property Strategy Consultation Process**

Cabinet received a report setting out details of the proposed timescale for completion of a property review.

Cabinet resolved that the process and timescale for consultation on the identification of properties to be retained for use as Neighbourhood Centres through implementation of the Property Strategy as set out be approved.

### **Lancashire County Library Service consultation – stage one**

Cabinet received a report setting out details of the responses received following the first stage of the Library Service consultation, considering service design, need and use.

Cabinet resolved that the report be noted.

**Regulation of Investigatory Powers Act 2000: Annual Report to Cabinet**

Cabinet received a report setting out details of the requirement for Cabinet to review, on an annual basis, the use of the Regulation of Investigatory Powers Act 2000 (RIPA) and set the policy.

Cabinet resolved that the updated corporate policy as presented be approved with immediate effect.



**Meeting of the Full Council  
Meeting to be held on 25 February 2016**

Report submitted by: Head of 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](mailto:Janet.nuttall@lancashire.gov.uk)

### Executive Summary

Urgent key decisions taken by the Deputy Leader of the County Council and the Cabinet Member for Highways and Transport 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 were taken by the Cabinet Member as indicated:

#### 1) Deputy Leader of the County Council

The following decision was taken on 10 December 2015:

##### Replacement of the Core Systems for Customer Access

The Deputy Leader of the County Council approved the recommendation 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. The report contains 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) Cabinet Member for Highways and Transport

The following decision was taken on 3 February 2016:

### **Allocation of Additional Department for Transport Funding to Deal with Flood Damaged Roads and Bridges**

The Cabinet Member for Highways and Transport approved;

- i. The additional allocation of £5 million received from the Department for Transport to be brought into the 2015/16 Highways Capital Programme;
- ii. A programme of work to be developed based on the schemes set out in the report which will be prioritised based on the impact that the flood damage has had on the highway network, up to a value of £5 million, and
- iii. Delegated authority be given to the Director of Corporate Commissioning to add additional schemes to the programme, which will be identified and prioritised based on the impact that the damage has had on the highway network, up to a value of £5 million.

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.

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

Paper	Date	Contact/Tel
Report to the Deputy Leader of the County Council	10 December 2015	Jane Johnson, Legal and Democratic Services (01772) 534234
Report to the Cabinet Member for Highways and Transport	3 February 2016	Jane Johnson, Legal and Democratic Services (01772) 534234

Reason for inclusion in Part II, if appropriate

N/A



## Meeting of the Full Council Meeting to be held on 25 February 2016

Report submitted by: Head of Legal and Democratic Services

**Part B**

Electoral Division affected:  
All

### Report of the Overview and Scrutiny Committees (Annexes 1 and 2 refer)

Contact for further information:  
Janet Mulligan, Tel: (01772) 533361, Senior Committee Support Officer,  
janet.mulligan@lancashire.gov.uk

#### Executive Summary

The most recent cycle of meetings of the Overview and Scrutiny Committees took place in the period January to February 2016.

The reports of the committees are attached as Annexes 1 and 2 as follows:

#### **Annex 1 - Scrutiny Committee** **Annex 2 - Health Scrutiny Committee**

There have been no meetings of the Education Scrutiny Committee during this period.

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 5 & 19 January and 2 February 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.

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

Paper	Date	Contact/Tel
Agenda and minutes: <b>Scrutiny Committee</b>	15 January 2016	Janet Mulligan/Office of the Chief Executive/33361
<b>Health Scrutiny Committee</b>	26 January 2016	
<b>Executive Scrutiny Committee</b>	05 & 19 January 2015 02 February 2015	

Reason for inclusion in Part II, if appropriate

N/A

## **Meeting of the Full Council – 25 February 2016**

### **Report on the Scrutiny Committee Meetings held on 15 January 2016**

#### **Chair: County Councillor Bill Winlow**

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

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

#### **Our Journey So Far and Why - A Greater Understanding of the Changes Affecting Highway Authorities**

The Committee received information regarding changes that would affect highway authorities in terms of their codes of practice and funding. The presentation focused on Department For Transport (DFT) capital funding, which had not been affected by Government cuts, and, specifically, how this impacted the Transport Asset Management Plan (TAMP).

During the course of the discussion it was recommended and agreed that developers be asked to cover the cost of damage to the highway during development works.

#### **Safe Trader Report**

The Committee received a report regarding the current status of the county council's Safe Trader Scheme in Lancashire.

It was agreed that the report be noted and that the Committee would receive information regarding the rapid response team.

#### **Work Plan and Task Group Update**

The amended work plan and task group update were presented and noted.



## **Meeting of the Full Council – 25 February 2016**

### **Report on the Health Scrutiny Committee meetings on 26 January 2016**

#### **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>

#### **Transforming Care for people with a Learning Disability and/or Autism**

The report provided a summary and history of the Transforming Care agenda for people with a learning disability or autism and an update of progress. It informed members of Lancashire's inclusion in a National "Fast Track" programme, and its subsequent mainstreaming to form a Transforming Care Partnership, a strategically led, pan Lancashire collaboration of 8 Clinical Commissioning Groups (CCGs), 3 local authorities and NHS England specialised commissioners, to plan and implement the transformation needed.

It was agreed that,

- i. Progress made in developing the Transforming Care agenda in Lancashire be noted;
- ii. The Health Scrutiny Committee would provide future support and challenge that would enable effective engagement;
- iii. Discussions taking place regarding the funding arrangements for this group of people be noted: and
- iv. A further update report be provided to this Committee at its meeting on 14 June 2016.

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

It was reported that on 26 October the Steering Group had met with Sam Nicol who attended to provide an update on Healthier Lancashire and Gill Brown, Chief Executive of Healthwatch Lancashire. A summary of the meeting was at Appendix A to the report presented.

On 16 November the Steering Group had met with Councillor Barbara Ashworth and Pat Couch from Rossendale Borough Council who attended to present their draft task group report on ambulance services. They also met Erin Portsmouth and Dr Kumar from Chorley South Ribble and Greater Preston Clinical Commissioning Groups to discuss workforce planning. A summary of the meeting was at Appendix B to the report presented.

## Work Plan

The draft work plan for both the Health Scrutiny Committee and its Steering Group, including current Task Group reviews was noted. It was reported that a work shop would be arranged for members, to be held in April 2016, to consider topics for the 2016/17 work plan.

## Urgent Business

Councillor Roy Leeming of Preston City Council reported that Preston City Council had established a task and finish group to investigate infant mortality in its Saint Matthew's ward, which had one of the highest rates of infant mortality in the country.

The Task Group had now established five working groups to focus on:

- The private rented housing sector
- Teenage pregnancy
- Smoking in pregnancy
- Community midwives
- Community development

Councillor Leeming invited members to offer any contribution that they thought might be helpful to the study, either directly to him ([cllr.r.leeming@preston.gov.uk](mailto:cllr.r.leeming@preston.gov.uk)) or via Craig Sharpe, Chief Environmental Health Officer at Preston City Council via [info@preston.gov.uk](mailto:info@preston.gov.uk)

## Meeting of the Full Council Meeting to be held on 25 February 2016

Report submitted by: Head of Legal and Democratic Services

**Part B**

Electoral Division affected:  
None

### Report of the Audit and Governance Committee (Annex 1)

Contact for further information:  
Chris Mather, Tel: 01772 533559, Democratic Services manager,  
chris.mather@lancashire.gov.uk

#### Executive Summary

The report of the Audit and Governance Committee from its meeting held on 25 January 2016 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/ieListMeetings.aspx?CommitteeId=728>

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

#### Recommendation

The Full Council is asked to note the report of the Audit and Governance Committee, as now presented.

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

Paper	Date	Contact/Ext
Agenda & Minutes of the Audit and Governance Committee	25 January 2016	Chris Mather Legal and Democratic Services, Tel: 01772 533559





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

The following matters were considered by the Audit and Governance Committee at its meeting on 25 January 2016:

Part I (Open to Press and Public)

### **1. Accounts of Lancashire County Developments Limited 2014/15**

The Committee considered a report which set out the financial statements of Lancashire County Developments Limited (LCDL) for 2014/15.

#### **Decision Taken**

The Committee noted the 2014/15 Statement of Accounts for Lancashire County Developments Limited.

### **2. Update on Treasury Management Activity**

The Committee considered an update report on a review of Treasury Management activities in 2015/16.

#### **Decision Taken**

The Committee noted the review of treasury management activities in 2015/16 for the period 1 September to 30 November 2015.

### **3. Information Governance - update**

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

#### **Decision Taken**

The Committee noted the progress made on Information Governance arrangements within the County Council.

### **4. External Audit - Annual Audit Letter**

The Committee considered a report on the External Audit's Annual Audit Letter which summarised the outcome of External Audit's work in 2014/15.

#### **Decision Taken**

The Committee noted the External Auditor's Annual Audit Letter for 2014/15.

## **5. External Audit - Audit Update**

The Committee considered an External Audit update report which included progress to date with the 2015/16 audit of accounts, Value for Money (VfM) conclusion and other work.

### **Decision Taken**

The Committee noted the External Audit update report.

## **6. Strategic Internal Audit Plan: 2015/16, 2016/17 and Beyond**

The Committee considered a report which explained the approach to establishing a strategic plan of work to be undertaken by the County Council's Internal Audit Service for 2015/16, 2016/17 and beyond.

### **Decision Taken**

The Committee noted the strategic internal audit plan.

## **7. Risk and Opportunity Register**

The Committee considered a report on the development of a Risk and Opportunity Register.

### **Decision Taken**

The Committee:

- (i) Noted the draft Risk and Opportunity Register, as set out at Appendix A to the report.
- (ii) Endorsed the proposed approach to reporting on risk and opportunities, as set out at Appendix B to the report.

## **8. The Procurement Service Update Report**

The Committee considered an update report on the performance of the Procurement Service, including progress made to date in implementing the Procurement Service improvement plan, the development of a performance dashboard, the current performance of the service against the key performance indicators aligned to the procurement strategy, and the support given to suppliers.

### **Decision Taken**

The Committee noted the update report on the performance of the Procurement Service.

## Meeting of the Full Council Meeting to be held on 25 February 2016

Report submitted by: Head of Legal and Democratic Services

**Part B**

Electoral Division affected:  
None

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

Contact for further information:  
Dave Gorman, (01772) 534261, Legal and Democratic Services,  
[dave.gorman@lancashire.gov.uk](mailto:dave.gorman@lancashire.gov.uk)

#### Executive Summary

The report of the Pension Fund Committee from its meeting on 29 January 2016 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?Committeeld=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, now presented, be noted.

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

Paper	Date	Contact/Tel
Agenda and Minutes of the Pension Fund Committee	29 January 2016	Dave Gorman/(01772) 534261

Reason for inclusion in Part II, if appropriate

N/A



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

The following matters were considered by the Pension Fund Committee at its meeting on 29 January 2016.

### **Part II**

#### **5. Lancashire and London Pensions Partnership - Progress 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 setting out an update on the progress made on the development of a Lancashire and London Pensions Partnership (LLPP).

#### **Decision taken:**

That:

- (i) The continuing progress with the development of the Lancashire and London Pensions Partnership, as set out in the report, now presented, be noted;
- (ii) The progress on the preparation of the legal documentation, as set out in the report, now presented, be noted;
- (iii) The progress on the ongoing work by the independent financial advisors on the proposed pooling arrangement, as set out in the report, now presented, be noted.

#### **6. The Lancashire County Pension Fund's response to the Government's Requirement for Stage 1 Pooling Submissions**

(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 setting out a proposed approach to the Government's requirement for Stage 1 Pooling Submissions.

#### **Decision taken:**

That:

- (i) The approach to developing arrangements in response to the Government's pooling agenda, as set out in the report now presented, be approved;
- (ii) The Director, Lancashire County Pension Fund, in consultation with the Chair of the Pension Fund Committee, be authorised to prepare and submit a detailed response to the Government in line with the required timetable.

## **Part I**

### **7. Consultation on Replacing the Local Government Pension Scheme (Investment and Management of Funds) Regulations**

The Committee considered a report setting out details of a consultation on replacing the Local Government Pension Scheme (Investment and Management of Funds) Regulations.

#### **Decision taken:**

That the draft response to the consultation on the draft Local Government Pension Scheme Investment Regulations, as set out at Appendix 'C' to the report now presented, be approved, subject to the re-drafting of the appropriate section of Page 55.

### **8. Lancashire County Pension Fund - Future Employer Risk Management Framework and Approach to Covenant Review**

The Committee considered a report setting out details of a covenant review process which had been undertaken in advance of the 2016 Actuarial Valuation.

#### **Decision taken:**

That, subject to the comments made, the proposed risk classification methodology and approach to implementing risk management/security arrangements, as set out in the report, now presented, be approved.

### **9. Lancashire County Pension Fund Training Policy**

The Committee considered a report setting out a proposed new Training Policy for the Fund. The policy provided a framework for ensuring an appropriate balance between individuals assuming personal responsibility for their own learning, and the County Council (as Administering Authority) providing support for the development of the skills and knowledge needed to ensure effective oversight, governance and decision making.

#### **Decision taken:**

That:

- (i) The report, now presented, be noted;
- (ii) The Lancashire County Pension Fund Training Policy, set out at Appendix 'A' to the report, now presented, be approved;
- (iii) A commitment be made to meeting the requirements of the Training Policy which forms part of the Fund's wider risk management arrangements.

## **10. Lancashire County Pension Fund - Discretionary Policies Update**

The Committee considered a report which provided an update on the Fund's discretionary policies.

### **Decision taken:**

That:

- (i) The original proposals in respect of the five key discretions, as set out in the report, now presented, be approved;
- (ii) The proposed policies covering remaining discretions (excluding death grants), as set out in the report, now presented, be approved;
- (iii) The proposed changes to the existing death grants policy, as set out in the report, now presented, be approved.

## **11. Report of Decisions taken under the Urgent Business Procedure**

The Committee considered a report setting out details of decisions taken under the Urgent Business Procedure.

### **Decision taken:**

That the report, now presented, be noted.





## Meeting of the Full Council Meeting to be held on 25 February 2016

Report submitted by: Head of Legal and Democratic Services

**Part B**

Electoral Division affected:  
None

### Report of the Urgency Committee

Contact for further information:  
Chris Mather, (01772) 533559, Democratic Services  
[Chris.mather@lancashire.gov.uk](mailto:Chris.mather@lancashire.gov.uk)

#### Executive Summary

This report sets out 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 decision under the Urgent Business Procedure on behalf of the Urgency Committee:

#### 1. Deputy Chair of the Education Scrutiny Committee

At the request of the Conservative Group, County Councillor Peter Buckley has replaced County Councillor Susie Charles as the Deputy Chair of the Education Scrutiny Committee

#### 2. Incorporation of Company

(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 Chief Executive has approved the creation of a company in connection with a Pension Fund related investment opportunity.

### **3. Cumbria County Council Pensions Administration**

The Chief Executive has approved the County Council entering into an arrangement for the discharge of functions on behalf of Cumbria County Council in respect of pensions administration.

#### **Consultations**

N/A

#### **Implications:**

This item has the following implications, as indicated:

#### **Risk management**

Any implications were set out in the individual item of Urgent Business.

#### **Local Government (Access to Information) Act 1985**

##### **List of Background Papers**

Paper	Date	Contact/Tel
Urgent Business reports		Chris Mather, 01772 533559

Reason for inclusion in Part II, if appropriate

N/A

**Meeting of the Full Council  
Meeting to be held on 25 February 2016**

Report submitted by: Head of Legal and Democratic Services

**Part B**

Electoral Division affected:  
All

**Report of the 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 meetings on the 15 February 2016. These are now presented to the Full Council for information.

**Recommendation**

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

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

Paper	Date	Contact/Tel
Proceedings of the Lancashire Combined Fire Authority.	15 February 2016	Diane Brooks Lancashire Fire & Rescue Service

Reason for inclusion in Part II, if appropriate

N/A



## Report of the Lancashire Combined Fire Authority 15 February 2016

### 1. Blue Light Time to Change Pledge

Mental health problems affect 1 in 4 people every year, and 9 in 10 of those experiencing a mental health problem say they have faced negative treatment from others as a result.

The Chairman of the Fire Authority and the Chief Fire Officer have signed the “Blue Light Time to Change Pledge”. This is supported by an action plan which details some of the activity and objectives the Service is going to do to support mental health and mental wellbeing amongst staff and their families.

A programme of training for managers through the “Managing Mental Health at Work” course provided by the mental health charity MIND has already been delivered and the Service supported the “Time to Talk Day” on the 4 February to help spread the word that you don’t have to be an expert around mental health to talk about it. Sometimes a text, a walk or a simple ‘how are you?’ can make a real difference.

### 2. Revenue Budget 2016/17 - 2019/20

The Authority considered a report of the Treasurer that presented a gross revenue budget requirement for 2016/17 of £55.611m. After allowing for a council tax increase of 0.99% and allowing for the increase in council tax base and improved council tax collection rates, this resulted in a net budget requirement of £55.176m for 2016/17 and a council tax of £65.50 per Band D Property.

### 3. Government Response to Consultation on Emergency Services Collaboration

On 11 September the Government commenced a six week consultation entitled ‘Enabling Closer Working between Emergency Services’. This was considered by the Resources Committee on 25 September 2015 and a position statement established. Delegated authority was given to the CFA Chairman, Vice-Chairman and Leader of the main opposition party to agree a final response. This was subsequently agreed and returned before the close of the consultation.

In addition, a meeting was held between the CFA Chairman, the Police and Crime Commissioner (PCC) and chief officers of the Police and Fire in Lancashire to establish a common understanding and agree a direction of travel. This recognised both services were high performing and were collaborating effectively. As such there was no evidence that a change in governance structures would deliver any tangible benefits. The position of being content with current governance arrangements was also endorsed by Lancashire County Council on 22 October 2015.

It is, however, recognised that different parts of the country with different economic, geographical or political pressure may seek alternative solutions. The CFA position was clearly that any changes to governance structure must be agreed between the Fire Authority and the PCC, rather than as the result of independent action.

The Government has now considered the 318 responses to the consultation commenting on some or all of the 16 questions posed. Their intention is to:

- introduce a high level duty to collaborate on all three emergency services, to improve efficiency or effectiveness;
- enable PCCs to take on the functions of fire and rescue authorities (FRAs), where a local case is made;
- where a PCC takes on the responsibilities of their local FRA, further enabling him or her to create a single employer for police and fire personnel;
- in areas where a PCC has not become responsible for fire and rescue services, enabling them to have representation on their local FRA with voting rights, where the local FRA agrees; and
- abolish the London Fire and Emergency Planning Authority and give the Mayor of London direct responsibility for the fire and rescue service in London.

Implications for the Authority include a new duty to collaborate between all three emergency services. This would not be exclusive and existing partnerships with other agencies could still continue. The Government's intention was to enable the PCC to have representation on the CFA or its committees with voting rights. This would be subject to the PCC making clear their reasons for seeking membership and the CFA agreeing the request. There would be further implications if the PCC moved to independently make a case to take control of fire. This position would need to be reviewed in light of the forthcoming PCC elections in May 2016.

#### **4. Fire Related Prosecutions**

The Authority received a report detailing prosecutions in respect of fire safety management failures and arson related incidents within the period 1 October 2015 to 31 December 2015. One fire safety conviction was noted with 11 further cases / investigations ongoing.

In addition, fire protection and business support information had now been included in the report. This included an update for Members on the support provided by the Service to landlords to support their responsibilities in line with the Smoke and Carbon Monoxide Alarm (England) Regulations which required landlords to install smoke and carbon monoxide alarms in their properties from 1 October 2015.

There were no completed arson cases to report on this occasion. Members noted that arson detection rates for Lancashire continued to stay at over 3 – 4 times the national average. The continually improving standard of stage 1 fire reports submitted to the Police was resulting in early guilty pleas which negated the need for officers to present evidence in court. This report informed Members of only the cases that went to a full hearing. It was noted therefore that during the last fiscal year 19 cases had been reported to Members however an additional 136 cases had realised an early guilty plea.

FRANK DEMOLFETTA  
Chairman

LFRS  
Fulwood

## Meeting of the Full Council – 25 February 2016

### Agenda Part C - Notices of Motion submitted under Procedural Standing Order 14.2.1(a) and 14.2.1(b)

#### 1. By County Councillor Sue Pryn:

#### **Motion to extend ‘Staying Put’ to meet the needs of young people in residential care up to the age of 21 years in line with their fostered counterparts.**

This Council calls on the Government to amend the Children and Families Act 2014 to enable all children in care to stay under the care of the local authority until 21 years of age.

Currently cared-for children who are with foster carers can "stay put" until the age of 21 but children in residential care must leave by the age of 18 and sometimes leave at 16 or 17. These vulnerable children and young people in our residential care homes can have differing complex needs, and compared to those placed in foster care, are being discriminated against by Government. As Corporate parents we have a moral obligation to ensure that all children have the best services and support that we, as a local authority, can give.

This Council believes the decision by Government to only regulate to support young people leaving foster care is discriminatory and residential care leavers should be afforded the same opportunities to remain in their homes.

This Council requests that the Secretary of State:

- Looks towards amending the Care Leavers Regulations 2010 to include the option of young people to remain in residential homes up to 21 years, **if they so wish.**
- Sets aside specific funding for local authorities for young people in residential care in order for them to be further supported up to the age of 21 years. This should include funding for their accommodation needs, amongst others, gained from the recuperation by the DWP of child benefit (formerly paid to the biological parents) once their child has gone into care, for this purpose.
- Extends regulations for ‘transition into adulthood for care leavers’ to include housing providers, outlining how organisations such as Housing Associations and Borough Councils can support the housing needs of this specific group of vulnerable young people (including those renting in the private sector) in their policies and practices.
- Supports the recommendations outlined in the ‘Staying Put’ for young people in Residential Care; A scoping exercise’ Dec 2014, namely to offer young people leaving residential care consistent support towards independence, in a setting that best meets their needs and preferences based on meaningful consultation with the young person. Furthermore, to take on board other recommendations concerning inspection, safeguarding and funding arrangements.

**2. By County Councillor Gina Dowding:**

**Response to Government's attack on a Councils' right to follow an ethical policy in relation to Pensions Fund investments.**

This Motion was withdrawn

February 2016