

Lancashire County Council

Cabinet

Thursday, 9th June, 2016 at 2.00 pm in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Agenda

Part 1 (Open to Press and Public)

No. Item

- 1. Apologies for Absence**
- 2. Disclosure of Pecuniary and Non-Pecuniary Interests**
Members are asked to consider any Pecuniary and Non-Pecuniary Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda.
- 3. Minutes of the Meeting held on 12 May 2016** (Pages 1 - 4)
- 4. Executive Scrutiny Committee - Report of the Chair**

Matters for Decision:

The Leader of the County Council - County Councillor Jennifer Mein

- 5. Preston Bus Station - Project Update
Report to Follow**

Matters for Information:

- 6. Report of Key Decisions taken by the Leader of the County Council, the Deputy Leader of the County Council and Cabinet Members** (Pages 5 - 10)
- 7. Report of the Waiver of Procurement Rules by the Deputy Leader of the County Council** (Pages 11 - 12)

Miscellaneous Matters:

- 8. Urgent Business**

An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the Chief Executive should be given advance warning of any Member's intention to raise a matter under this heading.

9. Date of Next Meeting

The next meeting of the Cabinet will be held on Thursday 14 July 2016 at 2.00 pm at County Hall, Preston.

10. Notice of Intention to Conduct Business in Private

Notice is hereby given in accordance with Regulations 5(4) and 6 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that this meeting is likely to move into private session to consider the item "Cuerden Strategic Site Development."

11. Exclusion of Press and Public

Cabinet is asked to consider, whether, under Section 100A(4) of the Local Government Act, 1972, it considers that the public should be excluded from the meeting during consideration of the following items of business on the grounds that there would be a likely disclosure of exempt information as defined in the appropriate paragraph of Part 1 of Schedule 12 to the Local Government Act, 1972 as indicated against the heading to the items, and that in all circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Part II (Not Open to Press and Public)

The Leader of the County Council - County Councillor Jennifer Mein

12. Cuerden Strategic Site Development

Not for Publication – Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act, 1972. It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interests in disclosing the information.

Report to follow

Jo Turton
Chief Executive

County Hall
Preston

Item 3

Lancashire County Council

Cabinet

Minutes of the Meeting held on Thursday, 12th May, 2016 at 2.00 pm in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Present:

County Councillor Jennifer Mein

Leader of the Council
(in the Chair)

Cabinet Members

County Councillor Azhar Ali
County Councillor David Borrow
County Councillor John Fillis
County Councillor Marcus Johnstone
County Councillor Tony Martin
County Councillor Matthew Tomlinson

County Councillors Geoff Driver CBE, Albert Atkinson and Bill Winlow were also in attendance under the provisions of Standing Order No. 19(4).

1. Apologies for Absence

None

2. Disclosure of Pecuniary and Non-Pecuniary Interests

There were no interests declared.

3. Minutes of the Meeting held on 14 April 2016

Resolved: That the minutes of the meeting held on 14 April 2016 be confirmed as a correct record and signed by the Chair.

4. Executive Scrutiny Committee - Report of the Chair

County Councillor Bill Winlow, Chair of the Executive Scrutiny Committee, reported that the recommendations set out in the reports for consideration by Cabinet had been confirmed with no amendments or additional recommendations.

In presenting his report, it was noted that requests were made at ESC for the cabinet to continue to appoint to a number of outside bodies listed in the report at Item 5 as having their representation withdrawn and that the Leader of the Council had confirmed that she was prepared to consider any representations received.

In relation to Item 6 – Property Strategy, it was reported that County Councillors welcomed the opportunity to discuss the proposals affecting their areas on a district by district basis during the 12 week consultation period.

5. Appointments to Outside Bodies

The Leader of the Council presented a report on the appointment of County Council representatives to various outside bodies for the year 2016/17. It was reported that a review of the Council's appointments to outside bodies has been undertaken, including a survey of the views of members currently serving on the bodies.

The report presented a list of proposed appointments, and also proposed that the Council should no longer make a formal appointment to a number of outside bodies listed in the appendices.

It was confirmed that a further report would be considered in due course on any further appointments felt to be necessary by county councillors.

Resolved: That

- i. the County Council appoint representatives to serve on the outside bodies listed for 2016/17 and that any changes or nominations to fill the positions be submitted to the Director of Governance, Finance and Public Services by the respective political group secretaries;
- ii. the County Council no longer makes formal appointments to the outside bodies identified at Appendix B

6. Property Strategy (Neighbourhood Centres) - Consultation

The Deputy Leader of the County Council presented a report setting out proposals for the future configuration of the Council's property portfolio, and the service delivery models in relation to the Library Service and Wellbeing, Prevention and Early Help Service.

In presenting the detail of the report, Mel Ormesher, Head of Service – Asset Management, noted that there were a number of minor corrections to be made, and that these would be added to the published papers.

It was confirmed that a full consultation would now begin on the proposals, and that expressions of interest were welcomed from bodies wishing to take over the operation of council facilities, as were any alternative proposals, but having regard to the resource restrictions that applied to the council.

Resolved: That:

- i. the service delivery models in relation to the Library Service and Wellbeing, Prevention and Early Help Service at Appendices 'A' and 'B' respectively be approved, and
- ii. a 12 week consultation be undertaken on the Property Strategy proposals set out in the report which will include the statutory consultation requirements with respect to designated children's centres, be approved. The outcomes would be reported back to the Cabinet meeting to be held in September.

7. Lancashire Adult Learning College

Eddie Sutton, Director of Development and Corporate Services, presented a report setting out a proposal for Nelson and Colne College to assume responsibility for Lancashire Adult Learning College in place of the County Council on the terms set out in the report.

Cabinet welcomed the progress made by the service and the strength of the partnership between the County Council and Nelson and Colne College.

Resolved: That approval be given to Nelson and Colne College with effect from 1 August 2016, assuming responsibility for Lancashire Adult Learning College in place of the County Council.

8. Securing our Health and Wellbeing

Dr Sakthi Karunanithi, Director of Public Health and Wellbeing, presented his annual report, describing the state of health and wellbeing in Lancashire, noting both the challenges faced by Lancashire and the opportunities available for enhancements in the health and wellbeing of Lancashire. Attention was particularly drawn to the variations in healthy life expectancy, health inequalities and the wider economic impact and influences.

It was noted that agencies in Lancashire, including the NHS and the County Council, were already responsible for much innovative practice, and the report was welcomed as a spur to further action.

Resolved: That:

- i. the publication of the annual public health report be noted
- ii. the recommendations to improve health and wellbeing in Lancashire be supported

9. Report of Key Decisions taken by the Leader of the County Council and Cabinet Members

Resolved: that the report on Key Decisions taken by the Leader of the County Council and Cabinet Members be noted.

10. Urgent Business

There was no urgent business.

11. Date of Next Meeting

It was noted that the date of the next meeting of Cabinet would be 2pm on Thursday 9 June 2016 at County Hall, Preston.

Jo Turton
Chief Executive

County Hall
Preston

Item 6

Report to the Cabinet

Meeting to be held on Thursday 9 June 2016

Report of the Head of Service Legal and Democratic Services

Electoral Division affected:
(All Divisions);

Report of Key Decisions taken the Leader of the County Council, the Deputy Leader of the County Council and Cabinet Members

Contact for further information:

Janet Nuttall, Tel: (01772) 533110, Executive Support Officer,
janet.nuttall@lancashire.gov.uk

Executive Summary

Key Decisions taken by the Leader of the County Council, the Deputy Leader of the County Council and Cabinet Members since the previous meeting of Cabinet. The key decisions set out below were considered by the Executive Scrutiny Committee at its meeting on 10 May 2016.

Recommendation

Cabinet is recommended to note the key decisions detailed below.

1) Key Decisions taken by the Leader of the County Council

The following decisions were taken on 17 May 2016:

Contract Award - Supply of Vehicles

The 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 affected the execution of the County Council's responsibilities. The reason for this was to enable the contract to be awarded following the mandatory 10 day "standstill" provision to ensure the continuation of the service.

This report was dealt with Under Part II. 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.

Contract Award - Supply of Vehicle Body Building Services

The 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 affected the execution of the County Council's responsibilities. The reason for this was to enable the contract to be awarded following the mandatory 10 day "standstill" provision to ensure the continuation of the service.

This report was dealt with Under Part II. 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.

Brierfield Mill Redevelopment

The Leader of the County Council approved the recommendation as set out in the full report.

This report was dealt with Under Part II. 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.

Project Management Service for Kitchen and Dining Room Refurbishments

The Leader of the County Council approved the recommendation as set out in the full report.

This report was dealt with Under Part II. 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) Key Decisions taken by the Deputy Leader of the County Council

The following decisions were taken on 16 May 2016:

Debt Management – Bad Debt Write Offs

The Deputy Leader of the County Council approved the recommendations as set out in the full report.

This report was dealt with Under Part II. 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.

Sale of a Property

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 affected the execution of the County Council's responsibilities. The reason for this is that any delay could have risked losing the highest bidder and extend the period during which holding costs are incurred.

This report was dealt with Under Part II. 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.

3) Key Decisions taken by the Cabinet Member for Adult and Community Services

The following decisions were taken on 11 May 2016:

Residential and Nursing Homes for Older People: Fees for 2016/17

The Cabinet Member for Adult and Community Services approved:

- (i) The proposed rate increase with effect from 1st April 2016,
- (ii) Simplifying the existing pricing structure by removing rates dependent on date of admission, and paying a fee that reflects current rates.
- (iii) An inflationary uplift of up to 6.3% for providers paid a negotiated room rate

Learning Disabilities: Supported Living and Domiciliary Care Fees for 2016/17

The Cabinet Member for Adult and Community Services approved:

- (i) A change in sleep in payments from £37.19 per shift to £8.58 per hour with effect from 1st April 2016; and
- (ii) Retaining the existing waking hourly rate at £13.38 until the completion of a new procurement exercise scheduled during 2016/17

4) Key Decision taken by the Cabinet Member for Children, Young People and Schools

The following decisions were taken on 12 May 2016:

Approval of the Award of Contracts for Inclusion on the Lancashire Children Looked After Agency Residential Flexible Agreement

The Cabinet Member for Children, Young People and Schools approved the recommendation as set out in the full report.

This report was dealt with Under Part II. 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 which is likely to reveal the identity of an individual. 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.

Proposal to Expand St George's CE Primary School, Chorley

The Cabinet Member for Children, Young People and Schools approved the recommendation as set out in the full report.

This report was dealt with Under Part II. 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 which is likely to reveal the identity of an individual. 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.

5) Key Decision taken by the Cabinet Member for Highways and Transport

The following decision was taken on the 11 May 2016:

Bus Service Replacement Proposal for Sabden

The Cabinet Member for Highways and Transport was unable to support the proposals at the present time as this is not a subsidised service.

The Cabinet Member for Highways and Transport requested officers to develop a fixed financial policy that would consider the Council's response to the cessation of commercial bus operations, which cannot be fully operated by an alternative bus operator.

The following decisions were taken on 16 May 2016:

Preston Western Distributor and East West Link Road and Realignment of Footpath Network - Approval for use of powers and preparation of Various Orders and Schemes including Compulsory Purchase Order

The Cabinet Member for Highways and Transport:

- (i) Approved the use of the County Council's powers of Compulsory Purchase contained in the Highways Act 1980, and all other enabling legislation, to acquire all the necessary land and rights of access for the construction and future maintenance of the proposed Preston Western Distributor and East West Link Road, Cottam Link Road and the realigned footpath network;
- (ii) Authorised both the preparation of Compulsory Purchase and Side Road Orders for the scheme and other appropriate Orders and Schemes under the Highways Act 1980 and the taking of all other procedural steps in connection with the making of the Orders, prior to approval and sealing and making of the formal Orders and Schemes; and
- (iii) Approved the acquisition by agreement in advance of Compulsory Purchase powers of all rights, interests, enabling arrangements to facilitate the scheme.

The decision was implemented immediately for the purposes of Standing Order 34(3) as any delay could adversely affected the execution of the County Council's responsibilities. The reason for this was to enable a bid for the purchase of a property affected by this scheme to be made at auction on 17th May 2017.

Proposed Speed Limit Reduction - Myles Standish Way, Runshaw Lane, Town Lane and Wigan Lane - Chorley Borough

The Cabinet Member for Highways and Transport approved the proposed speed limits as set out in the report.

Award of Framework Contracts for Red Textureflex/Anti-Skid/Super-Imposed Roadmarkings and Roadstuds Service

The Cabinet Member for Highways and Transport approved the recommendation as set out in the full report.

This report was dealt with Under Part II. 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.

List of Background Papers

Paper	Date	Contact/Tel
Reports of key decisions taken by the Leader of the County Council, the Deputy Leader of the County Council and Cabinet Members	29 April 2016 – 20 May 2016	Janet Nuttall (01772) 533110

Reason for inclusion in Part II, if appropriate

N/A

Report to the Cabinet

Meeting to be held on Thursday, 9 June 2016

Report of the Head of Service Legal and Democratic Services

Electoral Division affected: None;

Report of the Waiver of Procurement Rules by the Deputy Leader of the County Council

Contact for further information:

Janet Nuttall, Tel: (01772) 533110, Executive Support Officer,
janet.nuttall@lancashire.gov.uk

Executive Summary

Action taken by the Deputy Leader of the County Council under procurement Rule 4.2 (Waiver of Procurement Rules). Such actions are required, under Procurement Rule 4.3, to be reported to Cabinet for information.

Recommendation

Cabinet is recommended to note the report.

Background and Advice

In accordance with the provisions of Procurement Rule 4.2, the Deputy Leader of the County Council agreed the following:

Waiver of Standing Orders to Extend the Learning Disability Residential Respite Service in Central Lancashire

Waived Procurement Rule 6.2 as set out in the full report.

This report was dealt with under Part II. 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.

List of Background Papers

Paper	Date	Contact/Tel
Report to the Deputy Leader of the County Council	16 May 2016	Jane Johnson (01772) 534374

Reason for inclusion in Part II, if appropriate

N/A