

## **Lancashire County Council**

### **Executive Scrutiny Committee**

**Minutes of the Meeting held on Tuesday, 4th October, 2016 at 2.00 pm in Cabinet Room 'C' - The Duke of Lancaster Room, County Hall, Preston**

#### **Present:**

County Councillor Bill Winlow (Chair)

#### **County Councillors**

A Barnes	D O'Toole
A Atkinson	J Oakes
L Beavers	N Penney
B Dawson	S Perkins
S Holgate	D T Smith
K Iddon	D Westley

County Councillors L Beavers, K Iddon, D Smith and D Westley replaced County Councillors D Clifford, Mrs S Charles, G Driver and M Green at the meeting.

#### **1. Apologies**

None.

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

County Councillor A Barnes declared a non-pecuniary interest in item 4c (Property Strategy (Neighbourhood Centres) Consultation) as she was Chair of the Crawshawbooth Community Association and also Leader of Rossendale Borough Council.

County Councillor J Oakes also declared a non-pecuniary interest in item 4c as she was the chair of the Whitewell Bottom Community Association.

County Councillor A Atkinson declared a non-pecuniary interest in item 9b (Award of Contracts for the Acceptance and Composting of Green Waste Arising in the Administrative County of Lancashire and Blackpool) as he was a director of Global Renewables Lancashire Operations Ltd.

#### **3. Minutes of the meeting held on 6 September 2016**

**Resolved:** That the Minutes of the meeting held on 6 September 2016 be confirmed and signed by the Chair.

#### **4. Reports for decision by Cabinet**

The Committee considered the following decisions due to be taken by the Cabinet.

##### **a. Statutory Services Budget Review - PwC report**

Tim Gold and Amanda Newton, PricewaterhouseCoopers (PwC), attended the meeting to present a report on PwC's independent review of the resources needed by the County Council to deliver its statutory services. PwC had been appointed to undertake a review of the Council's business and operating model, and the 'Statutory Services Budget Review' report was the initial stage of their work.

It was noted that the PwC report confirmed that the County Council was not currently in a sustainable financial position, and members were informed that the report would help to press the Council's case to Government.

The report highlighted that the Council was forecast to have a cumulative deficit of £398m by the end of 201/21 and an in year deficit that year of £148m. Whilst that was predicted on all savings plans being achieved with no slippage, PwC had identified that a significant proportion of the planned savings were at risk of slippage. Even moving the Council to lower cost comparators across all services areas would not sufficiently close the Council's financial gap over the 4 year period.

The Committee was informed that PwC would soon commence a second piece of work to look at the options to help address the financial difficulties facing the authority. It was clear that the Council could not resolve the problems alone and that a very different business and operating model was needed across the public sector.

**Resolved:** That the recommendations set out in the report to Cabinet be noted, and that no additional comments or suggested alternative recommendations be made.

##### **b. Money Matters - The County Council's Re profiled Capital Programme for 2016/17 to 2018/19 and later years**

The Committee considered a report on the proposed re-profiling of the County Council's capital programme for 2016/17 to 2018/19 and, where appropriate, later years. This had been requested by the Cabinet at its meeting in July 2016.

It was noted that the re-profiling did not make allowance for unanticipated service demands e.g. out of the ordinary weather conditions which could increase costs of delivery. The Committee also noted that the report highlighted a number of specific risks within the existing programme.

**Resolved:** That the recommendations set out in the report to Cabinet be noted, and that no additional comments or suggested alternative recommendations be made.

c. **Property Strategy (Neighbourhood Centres) – Community Asset Transfer**

The Committee considered a report in relation to the business cases submitted by community organisations interested in taking on the running of County Council building where they were no longer required for the delivery of Council services.

The report summarised the assessment of the bids to date and provided recommendations on the way forward. The report also clarified the approach to be taken regarding any further expressions of interest/business cases which may be received.

The Committee's attention was brought to the Great Harwood Young People's Service property ((Bid reference number 78a) and the Heysham Children's and Young People's Centre (Bid reference 102b) bids that were included in table 4 - proposals that were considered to be unacceptable. Having considered the bids further and in light of additional information, it was proposed that Cabinet be asked to move to table 3 to enable the bids to be further clarified and developed. This amendment would be reported to Cabinet at its meeting on 6 October 2016.

Members agreed that it was important to give community groups and others the maximum opportunity to take over surplus buildings to enable them to enhance and develop their vital community work including the creation of independent community libraries. It was noted that whilst the County Council would welcome further bids from community groups, there was a need for the bids to be submitted for consideration as soon as possible.

**Resolved:** That the recommendations set out in the report to Cabinet including the proposed amendment mentioned at the meeting be noted, and that no additional comments or suggested alternative recommendations be made.

d. **Approval of the District of Lancaster Highways and Transport Masterplan for Publication**

The Lancaster Highways and Transport Masterplan was presented for consideration.

It was noted that the response to the County Council's consultation exercise on the draft Masterplan had largely endorsed the council's preferred option to improve and extend the existing transport network. This approach would see projects already programmed completed, the obligations under the development consent order for the Heysham to M6 link road fulfilled and a wider programme of sustainable transport measures and improvements delivered.

The Committee welcomed the Masterplan which presented a vision and programme of activity to deliver the objectives set out in the County Council's local transport plan and at the same time supported the growth ambitions and development expectations of key partners such as the Lancashire Enterprise Partnership and Lancaster City Council.

**Resolved:** That the recommendations set out in the report to Cabinet be noted, and that no additional comments or suggested alternative recommendations be made.

e. **Flood & Water Management Act 2010 Section 19 Investigation - December 2015 Floods - Initial Report**

The Committee agreed that County Councillor C Dereli be allowed to speak on this item in accordance with Standing Order 19(1).

The Committee considered a report on the investigations which had been carried out by the County Council, as Lead Local Flood Authority, following the flooding in Lancashire in December 2015. The purpose of the investigations was to identify which flood risk management authorities had or still have relevant functions to be exercised in regard to these flood events.

It was noted that the report discharged the Council's Section 19 responsibilities under the Flood and Management Water Act 2010. The Committee was informed that the report started the major process of publishing the findings of the Lancashire flood risk partnership into how local communities were flooded, so that ways of managing the risks and impacts of similar events in the future could be developed.

The Committee acknowledged that the December 2015 flooding had been caused by the extreme and unprecedented rainfall events of November and December 2015. However, it was important that all risk management authorities and other responsible partners including land owners undertook their duties seriously and fully utilised the powers available to them to manage the risks and impacts of similar events in the future.

The Committee was informed that an individual report for each district council area in Lancashire would be published in the near future. These would cover the investigations undertaken at each identified location, any flood risk improvements already completed and the opportunities for further investigations and/or works.

It was also reported that since the publication of the investigation report representations about flooding in the Burscough area had been received from the Burscough Parish Council and the West Lancashire Labour Group. It was noted that a meeting had already been arranged with the Parish Council to discuss flooding in its area.

**Resolved:** That the recommendations set out in the report to Cabinet be noted, and that no additional comments or suggested alternative recommendations be made.

## **5. Forthcoming Individual Cabinet Member Key Decisions**

The Committee considered the following reports on Key Decisions due to be taken by individual Cabinet Members as indicated:

### **a. Procurement Report - Request for Approval to Commence Procurement Exercises**

The Committee considered a report to go to the Leader of the County Council and the Cabinet Member for Adult and Community Services on the proposed commencement of procurement exercises in relation to:

- (i) Occupational Health Services;
- (ii) Framework for the provision of Home Care Services across Lancashire for older people with physical disabilities, people with learning disabilities/autism and people with mental health problems; and
- (iii) Extra Care Services.

**Resolved:** That the recommendations set out in the report to the Leader of the County Council and the Cabinet Member for Adult and Community Services be noted, and that no additional comments or suggested alternative recommendations be made.

### **b. Implementation of the Care Act 2014 - Approval of revised Adult Social Care Policies and Procedures, incorporating Telecare and Protection of Property**

The Committee considered a report to go to the Cabinet Member for Adult and Community Services in respect of revisions to the following Adult Social care Policies:

- Protection of Property
- Telecare

It was reported that recommendation (ii), as set out in the report, was unnecessary and had been withdrawn as the Council's Constitution already permitted the Cabinet Member and officers to undertake the proposed action, and the matter had also been covered in an earlier report to the Cabinet Member.

**Resolved:**

1. That recommendation (i), as set out in the report to the Cabinet Member for Adult and Community Services be noted, and that no additional comments or suggested alternative recommendations be made.

2. That the withdrawal of recommendation (ii) as reported at the meeting be noted.

## **6. Urgent Business**

None.

## **7. Date of Next Meeting**

It was noted that the next meeting of the Committee would be held on Tuesday 8 November 2016 at 2.00 p.m. at County Hall, Preston.

## **8. Exclusion of Press and Public**

**Resolved:** - That under Section 100A(4) of the Local Government Act, 1972, the press and 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 paragraphs of Part 1 of Schedule 12A to the Local Government Act, 1972 and that in all circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

## **9. Forthcoming Individual Cabinet Member Key Decisions**

The Committee considered the following reports on Key Decisions due to be taken by individual Cabinet Members as indicated:

- a. **Award of a Flexible Agreement relating to the provision of supported living services - Transforming Care: Pan Lancashire**

(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 interest in disclosing the information)

The Committee considered a report to go to the Cabinet Member for Adult and Community Services on the award of a Flexible Agreement relating to the provision of supported living services - Transforming Care: Pan Lancashire.

**Resolved:** That the recommendation set out in the report to the Cabinet Member for Adult and Community Services be noted and that no additional comments or suggested alternative recommendations be made.

- b. **Award of Contracts for the Acceptance and Composting of Green Waste Arising in the Administrative County of Lancashire and Blackpool**

(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 interest in disclosing the information)

The Committee considered a report to go to the Cabinet Member for Environment, Planning and Cultural Services on the award of contracts for the Acceptance and Composting of Green Waste Arising in the Administrative County of Lancashire and Blackpool.

**Resolved:** - That the recommendation set out in the report to the Cabinet Member for Environment, Planning and Cultural Services be noted and that no additional comments or suggested alternative recommendations be made.

c. **Disposal of Land at Bluebell Way Preston**

(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 interest in disclosing the information)

The Committee considered a report to go to the Deputy Leader of the County Council on the disposal of land at Bluebell Way, Preston and the award of a conditional contract for the sale of the site.

**Resolved:** - That the recommendations set out in the report to the Deputy Leader of the County Council be noted and that no additional comments or suggested alternative recommendations be made.

d. **Disposal by way of formal tender Residential development land at Liverpool Road, Hutton, Preston**

(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 interest in disclosing the information)

The Committee considered a report to go to the Deputy Leader of the County Council on the sale of land at Liverpool Road, Hutton, Nr Preston.

**Resolved:** - That the recommendations set out in the report to the Deputy Leader of the County Council be noted and that no additional comments or suggested alternative recommendations be made.

I Young  
Director of Governance, Finance  
and Public Services

County Hall  
Preston