

Lancashire County Council

Scrutiny Committee

Friday, 10th June, 2011 at 10.00 am in Cabinet Room 'B' - County Hall, Preston

Agenda

Part 1 (Open to Press and Public)

No. Item

1. **Apologies**
2. **Constitution: Chair and Deputy Chair; Membership; Revised Terms of Reference of the Scrutiny Committee** (Pages 1 - 10)
3. **Disclosure of Personal and Prejudicial Interests**
Members are asked to consider any Personal/Prejudicial Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda.
4. **Minutes of the Meeting held on 13 May and the Special Meeting held on 23 May 2011** (Pages 11 - 20)
5. **Flood Risk Management in Lancashire** (Pages 21 - 30)
6. **Arts Council England Funding** (Pages 31 - 44)
7. **Establishment of a Standing Joint Lancashire Health Overview and Scrutiny Committee** (Pages 45 - 50)
8. **Task Group Updates** (Pages 51 - 54)
9. **Recent and Forthcoming Decisions** (Pages 55 - 56)
10. **Workplan 2010/11** (Pages 57 - 66)

11. 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.

12. Date of Next Meeting - Training Session

The next meeting of the Scrutiny Committee has been designated as a training session for Members and will be held on Friday 8 July 2011 at 10am at the County Hall, Preston.

The next ordinary meeting of the Committee will, therefore, be held on 9 September 2011 at 10am at the County Hall, Preston.

I M Fisher
County Secretary and Solicitor

County Hall
Preston

Agenda Item 2

Scrutiny Committee

Meeting to be held on 10 June 2011

Electoral Division affected: All

Scrutiny Committee

Constitution: Chair and Deputy Chair; Membership; Revised Terms of Reference

(Appendix 'A' refers)

Contact for further information:

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Executive Summary and Recommendation

The Committee is asked: to note:

- i. The appointment of County Councillor J Shedwick and County Councillor K Ellard as Chair and Deputy Chair of the Committee for the remainder of the 2011/12 municipal year;
- ii. The membership of the Committee following the County Council's annual meeting; and
- iii. The revised Terms of Reference of the Committee.

Background and Advice

The County Council at its annual meeting on 26 May 2011 agreed that the Committee shall comprise 13 County Councillors (on the basis of 8 Conservative members, 3 Labour members, 1 Liberal Democrat members and 1 Independent member). It was also agreed that nominations of County Councillors to serve on the Committee should be submitted to the County Secretary and Solicitor by the respective political groups.

The following County Councillors have subsequently been nominated to serve on the Committee for the following year:

County Councillors (13):

S Chapman	P Malpas
F Craig-Wilson	D O'Toole
C Crompton	Mrs L Oades
M Devaney	J Shedwick
K Ellard	P Steen
Mrs J Hanson	D Westley
B Winlow	

The Full Council also appointed County Councillor J Shedwick and County Councillor K Ellard as Chair and Deputy Chair of the Committee for the remainder of the 2011/12 municipal year.

A copy of the Committee's revised Terms of Reference is attached at Appendix 'A'. The revised Terms of Reference now removes any reference to the Scrutiny Committee having overall responsibility for the work of the other committees. Opportunity was also taken to reflect legislative changes that affect some aspects of scrutiny work, notably on flood risk management and the Local Area Agreement.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

There are no risk management implications arising from this item.

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

Paper	Date	Contact/Directorate/Tel
Full Council papers	26 May 2011	Janet Mulligan, Office of the Chief Executive, 01772 533361

Reason for inclusion in Part II, if appropriate

N/A

Overview and Scrutiny

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

- Scrutiny Committee
- Health Scrutiny Committee
- Education Scrutiny Committee

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

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

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

Summary

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

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

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

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

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

To exercise the statutory functions of an Overview and Scrutiny committee in relation to petitions under the Local Democracy Economic Development and Construction Act 2009 and in line with the council's published petitions scheme – see Appendix 'O' to the Constitution.

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

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

To exercise the statutory functions of a health overview and scrutiny committee under the provisions of the National Health Service Act 2006. For this purpose the Committee shall include twelve non-voting Co-opted district council Members.

To consider and respond to petitions in accordance with the Council's petitions scheme – see Appendix 'O' to the Constitution.

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

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

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

To consider and respond to petitions in accordance with the Council's petitions scheme – see Appendix 'O' to the Constitution.

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

Scrutiny Committee

1. To review decisions made, or other action taken, in connection with the discharge of any functions which are undertaken by the Cabinet collectively, the Leader, Deputy Leader or the relevant Cabinet Members or Cabinet committees
2. To make reports or recommendations to the Full Council, the Cabinet, the Leader, Deputy Leader or the relevant Cabinet Members or Cabinet committees with respect to the discharge of any functions which are undertaken by the Cabinet collectively, the Leader, Deputy Leader or the relevant Cabinet Members or Cabinet committees.
3. To review decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the Cabinet, except for decisions of the Regulatory Committee, the Development Control Committee, the Audit Committee, the Standards Committee, the Pension Fund Committee, the Corporate Complaints Committee and the Student Support Appeals Committee or any other

committees of the Full Council as the Full Council may from time to time specify.

4. To make reports or recommendations to the Full Council or the Cabinet with respect to the discharge of any functions which are not the responsibility of the Cabinet.
5. In reviewing decisions (other than decisions designated as urgent under Standing Order 34(3)) made in connection with the discharge of any functions undertaken by the Cabinet collectively, the Leader, Deputy Leader or the relevant Cabinet Members or Cabinet committees, but which have not been implemented, the Committee may recommend that the decision be reconsidered by the person who made it or to refer the decision to the Full Council for it to decide whether it wishes it to be reconsidered by the decision taker. These rules do not apply to executive decisions which take the form of recommendations for final decision by the Full Council
6. To consider at its discretion as appropriate Forward Plans prepared by the Leader with a view to determining which, if any, of the proposed decisions it wishes to scrutinise.
7. To hold general policy reviews and to assist in the development of future policies and strategies (whether requested by the Full Council or the Cabinet, individual Cabinet members, Cabinet committees, or decided by the Committee itself) and, after consulting with any appropriate interested parties, to make recommendations to the Cabinet, individual Cabinet members, Cabinet committees or to the Full Council as appropriate.
8. To undertake reviews (whether requested by the Full Council, the Cabinet, the relevant Cabinet Members, Cabinet committees or decided by the Committee itself) and make recommendations to the Full Council, the Cabinet or the relevant Cabinet Members or Cabinet committees, as appropriate, on relevant services or activities carried out by external organisations which affect Lancashire or its inhabitants.
9. To consider any matter brought to it following a request by a County Councillor or a Co-optee of the Committee who wishes the issue to be considered.
10. The regular liaison and joint discussion of future policy issues with the Executive.
11. To consider requests from the other Overview and Scrutiny Committees on the establishment of task groups, and to establish Sub-Committees, task groups, and other working groups and panels as necessary, as well as joint committees to exercise the statutory function of joint health scrutiny committees under the NHS Act 2006
12. To determine which Committee considers a particular matter where this is not clear.

13. The co-ordination of Overview and Scrutiny training for County Councillors and Co-optees.
14. The facilitation of liaison with external bodies and neighbouring authorities as appropriate.
15. To invite to any meeting of the Committee and permit to participate in discussion and debate, but not to vote, any person not a County Councillor whom the Committee considers would assist it in carrying out its functions.
16. To require any Councillor, an Executive Director or a senior officer nominated by him/her, or the Director of the Lancashire County Commercial Group to attend any meeting of the Committee to answer questions and discuss issues.
17. To establish arrangements for the scrutiny of member development, and receive reports from the Member Development Working Group
18. To review and scrutinise the operation of the Crime and Disorder Reduction Partnership in Lancashire in accordance with the Police and Justice Act 2006 and make reports and recommendations to the responsible bodies as appropriate
19. In connection with 18. above, to require an officer or employee of any of the responsible bodies to attend before the Committee to answer questions
20. To co-opt additional members in accordance with the Police and Justice Act 2006 if required, and to determine whether those co-opted members should be voting or non-voting
21. To review and scrutinise the exercise by risk management authorities of flood risk management functions or coastal erosion risk management functions which may affect the local authority's area
22. To consider and respond to petitions in accordance with the Council's petitions scheme
23. To consider a matter referred to the County Council by a petition organiser if that person is dissatisfied with the County council's initial response, in accordance with the council's published petitions scheme
24. To arrange for a senior officer of the Council to attend if requested by a petition received meeting the requirements set out in the Council's petitions scheme.

Education Scrutiny Committee

1. To review decisions made, or other action taken, in connection with the discharge of any relevant functions undertaken by the Cabinet collectively, or the relevant Cabinet Members or Cabinet committee.
2. To make reports or recommendations to the Full Council, the Cabinet or the relevant Cabinet Members or Cabinet committee with respect to the discharge of any functions undertaken by the Cabinet collectively or the relevant Cabinet Members or Cabinet committee.
3. In reviewing decisions (other than decisions designated as urgent under Standing Order 34(3)) made in connection with the discharge of any relevant functions undertaken by the Cabinet collectively or the relevant Cabinet Members or Cabinet committee, but which have not been implemented, the Committee may recommend that the decision be reconsidered by the person who made it or to refer the decision to the Full Council for it to decide whether it wishes it to be reconsidered by the decision taker.
4. To consider at its discretion as appropriate Forward Plans prepared by the Leader with a view to determining which, if any, of the proposed decisions it wishes to scrutinise.
5. To hold general policy reviews and to assist in the development of future policies and strategies (whether requested by the Full Council, the Cabinet, the relevant Cabinet Members, Cabinet committee or decided by the Committee itself) and, after consulting with any appropriate interested parties, to make recommendations to either the Cabinet, the relevant Cabinet Members, Cabinet committee or to the Full Council as appropriate.
6. To fulfil all the statutory functions of an Overview and Scrutiny Committee as they relate to education functions of a Children's Services Authority.
7. To undertake reviews (whether requested by the Full Council, the Cabinet, the relevant Cabinet Members, Cabinet committee or decided by the Committee itself) and make recommendations to the Full Council, the Cabinet, Cabinet committee or the relevant Cabinet Members, as appropriate, on relevant services or activities carried out by external organisations which affect Lancashire or its inhabitants.
8. To consider any relevant matter referred to the Committee by the Scrutiny Committee following a request by a County Councillor or a Co-optee of the Committee who wishes the issue to be considered.
9. To request that the Scrutiny Committee establish sub-committees, task groups and other working groups and panels as necessary.
10. To invite to any meeting of the Committee and permit to participate in discussion and debate, but not to vote, any person not a County

Councillor whom the Committee considers would assist it in carrying out its functions.

11. To require any Councillor who is a member of the Cabinet, the appropriate Executive Director or a senior officer nominated by him/her, or the Director of the Lancashire County Commercial Group to attend any meeting of the Committee to answer questions and discuss issues.
12. To recommend the Full Council to co-opt on to the committee persons with appropriate expertise in the relevant education matters, without voting rights
13. To recommend to the Scrutiny Committee appropriate training for members of the Committee on education related issues.
14. To consider and respond to petitions in accordance with the Council's petitions scheme.

Health Scrutiny Committee

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

1. To review decisions made, or other action taken, in connection with the discharge of any relevant functions undertaken by the Cabinet collectively, or the relevant Cabinet Members or Cabinet Committee.
2. To make reports or recommendations to the Full Council, the Cabinet or the relevant Cabinet Member or Cabinet committee with respect to the discharge of any relevant functions undertaken by the Cabinet collectively or the relevant Cabinet Member or Cabinet committee.
3. In reviewing decisions (other than decisions designated as urgent under Standing Order 34(3)) made in connection with the discharge of any relevant functions undertaken by the Cabinet collectively or the relevant Cabinet Member or Cabinet committee, but which have not been implemented, the Committee may recommend that the decision be reconsidered by the person who made it or to refer the decision to the Full Council for it to decide whether it wishes it to be reconsidered by the decision taker.
4. To consider at its discretion as appropriate Forward Plans prepared by the Leader with a view to determining which, if any, of the proposed decisions it wishes to scrutinise.
5. To hold general policy reviews and to assist in the development of future policies and strategies (whether requested by the Full Council, the Cabinet, the relevant Cabinet Member, Cabinet committee or decided by the Committee itself) and, after consulting with any appropriate interested parties, to make recommendations to either the

Cabinet, the relevant Cabinet Member, Cabinet committee or to the Full Council as appropriate.

6. To review and scrutinise any County Council services planned or provided as part of the Council's wider responsibility to seek health improvements and reduce health inequalities for Lancashire and its inhabitants, and to make recommendations to the Full Council or the Cabinet or Cabinet committee, as appropriate.
7. To review and scrutinise local services planned or provided by other agencies which contribute towards the health improvement and the reduction of health inequalities in Lancashire and to make recommendations to those agencies, as appropriate.
8. To review and scrutinise the operation of NHS services in Lancashire in accordance with the National Health Service Act 2006 and make reports and recommendations to NHS bodies as appropriate, and in the case of contested NHS proposals for substantial service changes to refer the matter to the relevant Secretary of State.
9. To refer to the relevant Secretary of State any NHS proposal which the Committee feels has been the subject of inadequate consultation.
10. To scrutinise the social care services provided or commissioned by NHS bodies exercising local authority functions under Section 31 of the Health Act 1999.
11. To request that the Scrutiny Committee establish as necessary joint working arrangements with district councils and other neighbouring authorities.
12. To draw up a forward programme of health scrutiny in consultation with other local authorities, NHS partners, the Local Involvement Network (LINK) and other key stakeholders.
13. To respond as appropriate to referrals on relevant matters from the Local Involvement Network (LINK).
14. To consider any relevant matter referred to the Committee by the Scrutiny Committee following a request by a County Councillor or a Co-optee of the Committee who wishes the issue to be considered.
15. To request that the Scrutiny Committee establish sub-committees, task groups and other working groups and panels as necessary.
16. To require the Chief Executives of local NHS bodies to attend before the Committee to answer questions, and to invite the chairs and non-executive directors of local NHS bodies to appear before the Committee to give evidence.
17. To invite any officer of any NHS body to attend before the Committee to answer questions or give evidence.

18. To invite to any meeting of the Committee and permit to participate in discussion and debate, but not to vote, any person not a County Councillor whom the Committee considers would assist it in carrying out its functions.
19. To recommend the Full Council to co-opt on to the Committee persons with appropriate expertise in relevant health matters, without voting rights.
20. To require any Councillor who is a member of the Cabinet, the appropriate Executive Director or a senior officer nominated by him/her, or the Director of the Lancashire County Commercial Group to attend any meeting of the Committee to answer questions and discuss issues.
21. To recommend to the Scrutiny Committee appropriate training for members of the Committee on health related issues
22. To consider and respond to petitions in accordance with the Council's petitions scheme.

Agenda Item 4

Lancashire County Council

Scrutiny Committee

Minutes of the Meeting held on Friday, 13th May, 2011 at 10.00 am in Cabinet Room 'B' - County Hall, Preston

Present:

County Councillor John Shedwick (Chair)

County Councillors

S Chapman	P Malpas
Mrs F Craig-Wilson	D O'Toole
C Crompton	Mrs L Oades
M Devaney	P Steen
K Ellard	D Westley
Mrs J Hanson	B Winlow

1. Apologies

No apologies for absence had been received.

2. Disclosure of Personal and Prejudicial Interests

None were disclosed.

3. Minutes of the Meeting held on 8 April 2011

Resolved: That, the minutes of the meeting held on 8 April 2011 be confirmed and signed by the chair.

4. Communications Service

The Chair welcomed Tim Seamans, Head of Communications, and Louise Wood, Deputy Head of Communications, to the meeting.

The Committee had received a six month progress report on the newly established communications service.

Mr Seamans explained the background to the significant re-structuring of the County Council's Corporate Communications and Marketing functions. In January 2009 the County Council had initiated a review of its marketing functions which was then later widened into a full restructure of all communications activities carried out centrally and within component Directorates of the County Council. The new structure was launched in August 2010 with:

- The formation of a newly centralised communications service;
- Establishing a council-wide approach to communications; and
- A 35% reduction in communications staff.

It was reported that the new single communications service was responsible for advertising, design, e-communications, internal communications, marketing, media relations and print production.

The Committee was informed that whilst it was too early to provide a detailed analysis of progress and performance since the inception of the new single communications service, the report nevertheless gave an overview of their performance over the first six months. An additional briefing note on the approach to communications was handed out at the meeting, a copy of which is set out in the Minute Book. The current structure chart for the service was also handed out at the meeting.

Mr Seamans recognised that assessment of performance for internal communications lacked year-on-year data. It was anticipated that by year two of the re-structured service a comparative measure performance could be drawn.

Examples of initiatives and campaigns to which the service had a role in assisting Directorates of the County Council achieving key corporate priorities were set out in the report.

The Committee was informed that whilst savings targets delivered by the restructure had been met, the Communications Service would still be affected by the County Council wide savings programme and would need to deliver a further 25% saving by March 2013. Officers were currently considering future options for income generation as one way of coping with such reduction in budget allocation.

A client satisfaction survey carried out across the authority had been conducted in March 2011. Feedback had been largely positive with 82% stating they were satisfied with the service overall. Officers intended to use this figure as a baseline for performance. The service had also set a target to improve overall satisfaction to 87% by April 2012.

It was reported that the new service would continue to have a role in supporting Councillors in their duties, providing guidance and facilitating training. However, this aspect did not constitute the bulk of the work carried out by the service. Early successes had been achieved by the service especially in relation to the campaign on winter services which recognised the status of councillors as key stakeholders in the delivery of such a high profile service.

Overall, officers felt that there was more work to be done to maximise benefits of the new arrangements and had identified recommendations across three areas to move forward on, being:

- Use of the county council's limited communications resource should be better prioritised so that it makes the greatest possible contribution to delivering the County Council's key objectives;
- Regular reports on performance to track the impact of communications, principally in the form of quarterly reports to the Management Team; and

- Improving the efficiency of communications through partnerships with other organisations and to proactively explore increasing income generation.

Councillors raised a number of comments and questions. The main points of which are summarised below:

- The 11% growth in museum visitor numbers was welcomed. However, the committee queried the extent to which these figures related to efforts made under the previous communications structure, on the basis of the generally accepted time lag of at least 6 months that existed between the launch of an effective marketing campaign for services and its consequent impact on increased footfall.
- Councillors noted that, when the restructure was implemented, many officers moved away from the areas they had previously been working in. Concern was expressed about the possible loss of expertise this entailed, especially in relation to cultural services. Whilst this point was accepted to a degree, it was felt that many of the skills were transferable, and also that the moves helped develop a wider understanding of the council's work among communications staff and could bring a freshness of approach
- The committee felt that, whilst there was a necessary emphasis on reporting the decisions and actions of the executive, this could mean that the work of other councillors was being under reported. In particular, there was scope for greater publicity of the Overview and Scrutiny function, both internally and externally. This point was accepted, and communications officers agreed that work could be done to develop this, perhaps commencing with consideration of the Overview and Scrutiny annual report due shortly.
- Regarding turnaround of press releases, Councillors were reassured that a 24 hour turnaround was expected and that a media protocol was in place which set out the process for approval.
- One Councillor enquired about the financial shortfall between what was centrally funded for the operation of the communications service and the income generation needed to maintain the level of staffing and service delivery, and what sources of external income generation the service could expand upon as a means to reduce the shortfall. Councillors were informed that the shortfall was in the region of £300K. However, officers were currently in the process of prioritising and rationalising work coming in to the service. Furthermore, officers were looking at the needs of existing clients and negotiating better rates for external customers. With regard to external income generation, officers confirmed that they were looking to expand on their design, print buying and advertising services. Officers were also looking into the possibilities of providing such services to district councils in Lancashire.
- Questions were asked in relation to the use of social media by the County Council. In particular, Councillors were interested in what editorial measures were in place for providing "out of hours" responses and how the use of websites such as Twitter could be developed to enhance County Council services. It was reported that the council is currently using

Twitter and other social media sites, although this needed to be carefully managed to ensure effective use of resources and to manage expectations appropriately. The Committee was informed that creating accounts on social media sites was at no cost to the county council and that such platforms were instant hits for potentially large audiences. It was reported that there were approximately eight thousand followers of the Twitter feed run by the Environment Directorate on winter services and gritting. It was reported that a draft strategy on e-communications had been developed and was currently with the Member Development Working Group for comment.

- In relation to how Directorates were charged for work carried out by the communications service, it was confirmed that directorates were not charged for staff time but were only charged if external partners or services were bought in to complete a given task. A work plan was also being drawn up to support the work of the directorates.
- Some concern was expressed about where responsibility for informing the communications service about important announcements, activities and initiatives carried out in the Directorates lay. It was noted that information came from a range of sources, most notably through the Account Managers set up in the restructure. It was acknowledged that, on occasion, opportunities had been missed, but that generally this was not the case.

Resolved: That,

- i. The report be noted;
- ii. The minutes of this item be passed on to the Head of Communications in order that he and his officers might consider some of the suggestions made by members of the committee for improvements to service delivery.

5. Establishment of a Standing Joint Lancashire Health Overview and Scrutiny Committee

The Committee considered a report on the proposal to establish a standing Joint Health Overview and Scrutiny Committee between Lancashire County Council, Blackburn with Darwen Borough Council and Blackpool Council. Draft terms of reference for the Joint Committee were also presented.

The Committee was informed that such a body was required under the Directions to Local Authorities (Overview and Scrutiny Committees, Health Scrutiny Functions) as issued by the Secretary of State in 2003 where the NHS was making proposals for substantial variation to services affecting more than one local authority area

The Committee noted that the Joint Committee would only consider substantial developments or variations proposed by the NHS that would affect all three authorities and that provision would also be made to involve Cumbria County Council where any such proposals would affect all three Lancashire authorities and Cumbria.

The Committee also noted that the Joint Committee would only meet when necessary and that it in no way would direct or affect the work of the individual Overview and Scrutiny Committees. Where all authorities agree, the Joint Committee would have the power to refer appropriate NHS proposals to the Secretary of State for independent review.

The Committee was informed that nominations for membership from the County Council would be politically balanced and that clerking, support and chairing arrangements for the first year were subject to further discussions.

A similar report would also be presented to the Health Scrutiny Committee at its meeting on the 17 May 2011.

It was explained that the three District Council representatives would be determined between the District Councils in line with the former Multi Area Agreement clusters. As on the county council's own health committee, the district council representatives were to be non-voting.

The committee expressed the view that the balance of representation from the three authorities should be reviewed to more accurately reflect the relative size and area of the three member authorities, and that a further report on that subject should come to the next meeting.

Resolved: That,

- i. The establishment of a standing Joint Health Overview and Scrutiny Committee be approved;
- ii. A further report on the composition of the Joint Committee be presented at the next meeting of the Scrutiny Committee on 10 June 2011

6. Task Group Updates

The Committee received an update on current task groups and their proposed completion dates.

County Councillor Steen, Chair of the task group "Who Cares? Cross Boundary Looked After Children explained that there had been a good response from a variety of public, private and voluntary bodies to provide evidence to the Task Group. He anticipated that a draft report and recommendation would be presented to the Committee at the 9 September 2011 meeting.

Resolved: That, the update on existing task groups be noted.

7. Recent and Forthcoming Decisions

The committee had been given the opportunity to view and consider recent relevant decisions made and also forthcoming decisions including those set out in the current Forward Plan.

Resolved: That, the report be noted.

8. Workplan 2010/11

The workplan for the committee was presented for noting and comments. The Chair gave an outline of the work to be carried out by the Committee over the coming months.

Resolved: That, the report be noted.

9. Date of Next Meeting

It was noted that the next meeting of the Committee will be held on 10 June 2011 at 10am at County Hall, Preston.

I M Fisher
County Secretary and Solicitor

County Hall
Preston

Lancashire County Council

Scrutiny Committee

Minutes of the Meeting held on Monday, 23rd May, 2011 at 10.30 am in Cabinet Room 'D' - County Hall, Preston

Present:

County Councillor John Shedwick (Chair)

County Councillors

K Bailey	Mrs J Hanson
S Chapman	P Malpas
C Crompton	D O'Toole
M Devaney	D Westley
K Ellard	B Winlow

1. Apologies

Apologies were received from County Councillors Fabian Craig-Wilson and Mrs Liz Oades.

2. Attendance of Cabinet Member

The Committee were advised that the Code of Conduct required that the permission of the Committee be granted to allow County Councillors Geoff Driver, Leader of the County Council, and Mark Perks, Cabinet Member for Young People, to attend and speak at the meeting.

Resolved: That, County Councillors Geoff Driver, Leader of the County Council, and Mark Perks, Cabinet Member for Young People, be permitted to attend and speak at the meeting.

3. Officers and Witnesses

The Chair welcomed County Councillor G Driver, Leader of the County Council, County Councillor M Perks, Cabinet Member for Young People, Bob Stott, Director of Universal Services, and Rod Norton, Head of Integrated and Targeted Support for Young People.

The Chair also welcomed County Councillors Clive Grunshaw and Jennifer Mein, signatories to the request for the call in, accompanied by County Councillor Sam Riches.

4. Disclosure of Personal and Prejudicial Interests

None were disclosed.

5. Date of Next Meeting

It was noted that the next meeting of the Committee will be held on Friday 10 June 2011 at 10am at County Hall, Preston.

6. Exclusion of Press and Public

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

7. Purpose of the Meeting

Josh Mynott, Committee Support Team Leader, explained that this meeting had been called under the county council "Call In" procedures. It had been called at the request of six county councillors, named in the report, and the purpose was to discuss whether this Committee wished to formally ask the Leader to reconsider the decision made on 13 May 2011 on the restructure of the Lancashire Young People's Service (recommendations 'E' and 'F').

8. Call-in: Restructuring of the Lancashire Young People's Service

(Exempt information as defined in Paragraph 2 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 Chair invited the signatories to the request for this special meeting, along with their invited witness, to present to the Committee.

A response was provided by the Leader of the Council, following which members of the committee debated the matter.

At the close of the debate, the Chair thanked Cabinet Members and Officers for their attendance. The Cabinet Members then left the room while the Committee considered its decision.

After hearing the case for call-in it was then moved and seconded by County Councillor Shedwick and County Councillor Westley respectively that:

The Leader be asked to reconsider the decision on the restructure of the Lancashire Young People's Service (recommendations 'E' and 'F').

On being put to the vote the motion was lost.

Resolved: That the Scrutiny Committee did not request the Leader to reconsider the decision made on 13 May 2011 on the restructure of the Lancashire Young People's Service (recommendations 'E' and 'F').

I M Fisher
County Secretary and Solicitor

County Hall
Preston

Scrutiny Committee

Meeting to be held on 10 June 2011

Electoral Division affected: All

County Council Responsibilities for Flood Risk Management in Lancashire (Appendix 'A' refers)

Contact for further information:

Rick Hayton, 01772 536033, Environment Directorate,
rick.hayton@lancashire.gov.uk

Executive Summary

This report provides an update on the implications for the County Council arising from the Flood Risk Regulations 2009 and the Flood & Water Management Act 2010, both of which impose new duties on the County Council as a "lead local flood authority". It also draws attention to the enhanced scrutiny role now provided to lead local flood authorities through the Flood Risk Management Overview & Scrutiny (England) Regulations 2011 (attached at Appendix 'A').

Recommendation

The Scrutiny Committee is asked to:

- i. Note the report; and
- ii. Comment as appropriate on the issues raised, and on the approaches being taken to deliver against the duties imposed.

Background and Advice

In the summer of 2007 severe flooding occurred across many areas of England. As a consequence the Government commissioned an independent review by Sir Michael Pitt, who duly reported with 92 recommendations for improvements in the assessment and management of flood risk. Two pieces of legislation have been introduced that bring new flood risk management responsibilities for local authorities and other organisations; the Flood Risk Regulations 2009, and the Flood & Water Management Act 2010.

1. The Flood Risk Regulations 2009: Requirement for Preliminary Flood Risk Assessment.

The Flood Risk Regulations 2009 transpose the EU Floods Directive into UK law, and require the assessment of "significant" flood risk. These regulations confirm a lead local flood authority role for county and unitary authorities, and impose a duty to

prepare preliminary flood risk assessment (PFRA) reports by June 2011. "Significant" in this context is measured by criteria developed by Defra exclusively for this purpose, and deliberately set so as to identify only the greatest national flood risk threats. To assist in this process, the Environment Agency have produced national mapping of areas meeting the criteria, and there are none within the Lancashire area, the only areas in the north-west being parts of Manchester and Liverpool. Lead local flood authorities will nevertheless have to lead the partnership development of strategies for managing lesser levels of flood risk under the Flood and Water Management Act, as explained later in this report.

The lack of nationally "significant" flood risk areas in Lancashire means that whilst an assessment report still has had to be prepared and submitted to the Environment Agency by June 2011, as required by the Flood Risk Regulations, the further duty to prepare flood hazard and risk maps, and flood management plans for these areas, will not apply. This cycle of activity will be repeated every six years.

2. The Flood & Water Management Act 2010

New Roles and Responsibilities

The Environment Agency (EA) have a "Strategic Overview" role under the Flood and Water Management Act 2010. One of their key responsibilities is to support upper tier and unitary authorities in taking on new duties, through the creation of a national flood risk management strategy, and the provision of guidance for lead local flood authorities.

The upper tier and unitary authorities are designated as "Lead Local Flood Authorities" under the Act, and take on a number of new duties which will be expanded on later in this report, in addition to delivering the preliminary flood risk assessment report referred to earlier. There is now in place a duty on the County Council as a lead local flood authority to start preparing a local flood risk management strategy for its area, to complement the EA national strategy.

A number of "Risk Management Authorities" are identified under the Act. These include the EA, lead local flood authorities, district councils, highway authorities and water companies. District councils will be expected to continue delivering existing responsibilities relevant to flood risk management, including managing coastal erosion (where appropriate), land drainage matters, planning decisions and emergency planning. They will be required by the Act to exercise their flood risk management functions in a way that aligns with the flood risk management strategy to be developed for Lancashire. There is scope in the legislation for risk management authorities, including the county council, to delegate certain flood risk management functions to other risk management authorities, by agreement.

Lead Local Flood Authorities

Lancashire County Council (LCC), Blackpool Council and Blackburn with Darwen Borough Council are all designated as lead local flood authorities. The delivery of the new duties will be based on effective partnership between lead local flood authorities and other risk management authorities. At present officers from the district, county

and unitary councils across Lancashire are working together in a single partnership with the EA and United Utilities (UU) to develop responses to the new duties, an approach agreed by the Lancashire Chief Executives in March 2009.

The key duties which the Flood and Water Management Act will require of lead local flood authorities are set out below:

- From October 2010 the lead local flood authority has a duty to develop, maintain, apply, monitor and consult on a Local Flood Risk Management Strategy for its area. Local flood risk includes surface runoff, groundwater, and ordinary watercourses (including lakes and ponds). This strategy is being developed by the partnership outlined above, following the advice from Defra that the information gathered for the PFRA report should then be used to underpin subsequent development of the local strategy.
- From April 2011 the lead local flood authority and the EA have a power to request information from third parties in connection with flood risk management duties. Risk management authorities such as the district councils will have a duty to co-operate with the EA and the lead local flood authorities in the provision of such information.
- From April 2011 the lead local flood authority has a duty to ensure that where it considers it necessary or appropriate, flooding incidents in its area are investigated by the appropriate organisations, which is likely to include district councils, UU and the EA, and that intended actions are identified and published.
- From April 2011 the lead local flood authority has a duty to develop and maintain a register of structures or features which might impact on flood risk, including ownership details and condition. The register must be available for inspection.
- From April 2011 the lead local flood authority Scrutiny Committee is empowered to request reports or attendance at a meeting from any risk management organisation, to allow scrutiny of the delivery of flood risk management functions (Appendix 'A' refers).

Other key duties and powers are listed below

- The lead local flood authority will have a duty to ensure that the local strategy is consistent with a national strategy developed by the EA.
- The lead local flood authority will have powers to undertake works for managing flood risk from surface runoff or groundwater.
- The lead local flood authority will have a duty to contribute to sustainable development principles generally in carrying out its flood risk management functions.
- The lead local flood authority will be responsible for developing a generic off-site emergency plan for large reservoirs, of which there are several across Lancashire, and location specific plans for those reservoirs deemed the highest risk. LCC Emergency Planning Team has this work in hand.
- The lead local flood authority will have powers to designate structures or features as affecting flooding, including those on private land. Designation

would mean the owner would need consent before making any changes, and the lead local flood authority would have powers of enforcement action.

- The lead local flood authority will take on the current EA role for consenting works that are likely to affect the flow capacity of ordinary watercourses.
- The lead local flood authority will act as a Sustainable Urban Drainage System (SuDS) Approval Body, to work in tandem with the planning system. In this capacity, the lead local flood authority will have to approve or otherwise sustainable drainage proposals associated with any construction work for buildings, or any structure that covers land and will affect water absorption (including patios). The lead local flood authority will also have a duty to adopt and maintain those SuDS serving more than one property. This process will clearly need close working with districts in the planning context.

The Designation, Consenting, and Sustainable Urban Drainage roles outlined in the final three bullet points above are quite complex to deliver, and there remain unresolved issues in terms of how best they should be carried out. For this reason their introduction is being deferred until October 2011 or April 2012.

Issues arising from the Flood & Water Management Act 2010

The main issues for the lead local flood authorities (LCC and the two unitaries) are those of resources, skills, and knowledge. The EA are currently running workshops for lead local flood authorities across the country on a range of themes, to develop the necessary skills, and LCC officers are fully engaging with these opportunities. The Environment Directorate has appointed officers into area-based flood risk management roles, and has taken advantage of an opportunity to part fund a secondee from the Environment Agency, who is engaged for twelve months helping the county council to develop appropriate responses to the new duties. The directorate is also part funding a trainee who is undergoing a foundation engineering degree programme in flood risk management, and who is therefore bringing the new skills to bear in the council. It will be critical going forward that all councils across Lancashire are sufficiently skilled and resourced to exercise their current and new flood risk management duties properly. As identified earlier, the Act provides scope for certain functions to be delegated between authorities by agreement, which offers an opportunity to make best use of expertise. Hence whilst LCC, Blackpool and Blackburn will take on the lead local flood authority role, other organisations including the district councils will be required to play a full role in flood risk management partnership working, and in delivering their own flood risk related functions.

Funding remains a major issue. Whilst the lead local flood authorities are receiving monies from Defra to "fully fund" the additional burdens imposed by this legislation, the Local Government Association remains sceptical that it will be sufficient to actually achieve this. Defra have also recently been consulting on a proposed new system for funding capital flood risk management schemes, based on "payment for outcomes". Under current arrangements schemes generally receive full government funding or are deferred. The payment for outcomes approach would see any potential scheme receive a notional proportion of government funding depending on how many properties would have reduced flood risk as a consequence, but with the onus on lead local flood authorities and their partners to raise the balance from other

sources, such as local beneficiaries of the scheme within the community. This approach brings further challenges of engaging communities and other stakeholders to contribute to such schemes, in difficult economic times.

The Regional Programme of flood risk management schemes will be prioritised by the Regional Flood & Coastal Committee (RFCC) which will continue to raise local levy to help achieve schemes within it. The RFCC is looking to align its council member representation in line with the new lead local flood authority areas, and any county council members selected to represent the Lancashire area will have a significant influence in helping to promote the county's interests in getting schemes selected and delivered.

The Way Forward

The approach to developing internal capability to take on the duties has been outlined above. In order to ensure a strong and unified partnership approach to engaging with these emerging new duties, a Lancashire Flood Risk Management Officer Group has been meeting in recent months, under the chairmanship of the county council. The group is attended by officers from the county council, all the district and unitary councils in Lancashire, UU and the EA. This group is developing the strategic approaches to the issues raised in this report. In support of this, fledgling "Making Space for Water" Groups are being established in each district, whereby the same core agencies will ensure operational delivery of flood risk management work going forward. The Lancashire Flood Risk Management Officer Group has been making good early progress on gathering local flood data, with all Lancashire's councils contributing historical flood information. It will be necessary going forward to achieve a closer working relationship between County Council Members with flood risk management responsibilities, and the officer structures outlined above. The EA and the Chair of the Regional Flood and Coastal Committee are particularly pleased with the approach Lancashire's officers are developing and see it as an emerging model of good practice for delivering the new duties.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

The County Council runs the risk of reputational damage, or a failure to properly deliver new duties, if the approaches being taken to engage with this legislation are not adequately developed and scrutinised. The report sets out how the County Council is both developing internal capacity, and leading on the creation of appropriate multi-agency structures, in line with the expectations of the legislation, with progress subject to constant review and feedback from the Environment Agency in their strategic overview role.

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

Paper	Date	Contact/Directorate/Tel
The Flood Risk Regulations	2009	Rick Hayton, Environment Directorate, 01772 536033
The Flood & Water Management Act	2010	
The Flood Risk Management Overview & Scrutiny (England) Regulations	2011	

Reason for inclusion in Part II, if appropriate

N/A

*Status: This is the original version (as it was originally made). UK
Statutory Instruments are not carried in their revised form on this site.*

STATUTORY INSTRUMENTS

2011 No. 697

FLOOD RISK MANAGEMENT, ENGLAND

The Flood Risk Management Overview and
Scrutiny Committee (England) Regulations 2011

Made - - - - - *7th March 2011*

Laid before Parliament *10th March 2011*

Coming into force - - - *6th April 2011*

The Secretary of State, in exercise of the powers conferred by sections 21F(4) and 105(2)(a) of the Local Government Act 2000(1), makes the following Regulations:

Citation, commencement and expiry

1. These Regulations—
 - (a) may be cited as the Flood Risk Management Overview and Scrutiny Committee (England) Regulations 2011;
 - (b) come into force on 6th April 2011; and
 - (c) cease to have effect on 6th April 2018.

Review

- 2.—(1) Before the end of the review period, the Secretary of State must—
 - (a) carry out a review of these Regulations;
 - (b) set out the conclusions of the review in a report; and
 - (c) lay the report before Parliament.
- (2) The report must in particular—
 - (a) set out the objectives intended to be achieved by these Regulations;
 - (b) assess the extent to which those objectives are achieved; and
 - (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a scheme that imposes less regulation.
- (3) In this regulation, “review period” means the period of five years beginning with the day on which these Regulations come into force.

(1) 2000 c. 22. Section 21F was inserted by paragraph 54 of Schedule 2 to the Flood and Water Management Act 2010 (c. 29).

Duty to comply with requests for information and responses

3.—(1) A request under section 21F(3) of the Act must be in writing.

(2) The duty under section 21F(3) of the Act includes a duty—

- (a) to comply with a request made under section 21F(3) within 28 days beginning with the date on which the risk management authority received the request, or a longer period as agreed between the risk management authority and the overview and scrutiny committee;
- (b) to indicate what (if any) action the risk management authority proposes to take, if a response to a report is requested; and
- (c) for the risk management authority to attend before an overview and scrutiny committee to give information orally, if requested to do so by such a committee.

(3) If a risk management authority must disclose confidential information during a meeting of the overview and scrutiny committee in order to comply with regulation 3(2)(c) then, if requested by that authority, the overview and scrutiny committee must hold that meeting in private.

(4) Without the consent of a risk management authority, the overview and scrutiny committee must not disclose any confidential information it receives from that authority in compliance with a request under section 21F(3), except to the local authority that appointed that committee.

(5) In this regulation—

- (a) “the Act” means the Local Government Act 2000; and
- (b) information is “confidential information” if—
 - (i) it constitutes a trade secret;
 - (ii) its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the risk management authority); or
 - (iii) it was obtained by a risk management authority from any other person, and its disclosure to the public by the risk management authority would constitute a breach of confidence actionable by that or any other person.

Richard Benyon
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

7th March 2011

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations relate to the duty of a risk management authority under section 21F(3) of the Local Government Act 2000 (c. 22) to comply with any request made by an overview and scrutiny committee for information or a response to a report.

Regulation 3 specifies that this duty includes a duty to attend before the overview and scrutiny committee to give information orally, if requested by that committee (paragraph (2)(c)). It also requires responses to be made within 28 days unless agreed otherwise (paragraph (2)(a)), and for responses to a report to include an indication of the action (if any) the risk management authority proposes to take (paragraph (2)(b)).

Regulation 3 also contains provisions to safeguard any confidential information held by the risk management authority against disclosure (paragraphs (3) and (4)).

Regulation 1(c) provides that these Regulations are to cease to have effect seven years after their coming into force.

Regulation 2 requires the Secretary of State to review the operation and effect of these Regulations and to lay a report before Parliament within five years after the Regulations come into force. Following the review, the Secretary of State will decide whether the Regulations should be allowed to expire as Regulation 1(c) provides, be revoked early, or be maintained in force with or without amendments. A further instrument would be needed to maintain the Regulations in force with or without amendments or to revoke them early.

An impact assessment of the effect that this instrument will have on the costs of business and the public sector is available from the website of the Department for Environment, Food and Rural Affairs at www.defra.gov.uk.

Scrutiny Committee

Meeting to be held on 10 June 2011

Electoral Division affected: All

Arts Council England Funding

(Appendix 'A' refers)

Contact for further information:

Ian Watson, (01772) 534009, Adult & Community Services Directorate,
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Executive Summary

Arts Council England has issued information about funding for 2012-2015 of its National Portfolio Organisations which has far-reaching effects on arts organisations within Lancashire.

The County Council, through the Arts Development Team within Cultural Services, along with District Councils and individual arts organisations are concerned about the levels of funding secured for the Lancashire region in comparison to the rest of the North West. This will have significant implications on arts organisations operating across Lancashire, as well as on how the County Council delivers its support to the arts infrastructure across the County.

Recommendation

- i. The Committee is asked to note the report and to receive the presentations from a representative of Preston City Council and from two major Lancashire arts organisations; and
- ii. Consider if and how it wishes to reflect these views to the Arts Council.

Background and Advice

As part of the recent Government Spending Review the Arts Council's funding nationally will be cut by 29.6% over the next four years. In light of this the Arts Council has undergone a strategic re-modelling of its funding arrangements, covering its financial support to regularly funded organisations, its grants for the arts programme and its strategically managed funds.

From April 2012 a new National Portfolio Funding programme comes into effect for regularly funded organisations. A competitive application process was launched nationally in late 2010, and was open to all organisations to apply. Applications received were evaluated against the Arts Council's mission to deliver

Great art for everyone. Organisations needed to show how they would contribute towards creating the conditions in which great art can be made, experienced and appreciated by everyone.

At the end of March 2011 the Arts Council announced its allocations to arts organisations across the country through the National Portfolio Funding programme, taking us through the next four years. The new funding measures come into play from April 2012 for a three year period. Current funding is broadly maintained for the next twelve months as had previously been announced, and there will be increased opportunities for project grants over the coming years through the lottery. Details of the funding programme for the North West are set out at Appendix 'A'.

This process was the first time in years that a snapshot of the arts across the country could be gleaned in any way. In many ways the implications for Lancashire were not good. Some of our long standing arts organisations lost their regular funding and there were limited successes from the process. We are now left with a much reduced Arts Council investment in the arts infrastructure of the county at a time when resources are tighter everywhere.

We have four years until the doors open again for National Portfolio Funding. Lancashire Arts Development Service is keen to use this time to look critically, and in depth, at the state of the arts in Lancashire. In so doing we should look clearly at:

- how we develop, maintain and support an arts infrastructure for the County, and what role the authorities can play in this
- what key projects should be prioritised across Lancashire to enhance artistic ambition across the County
- how we can develop a co-ordinated and vocal artistic leadership across Lancashire
- how political support for the arts can be enhanced and developed
- best practice around the region, and how we can learn from it in Lancashire
- the role that arts and artistic excellence could play in the economic growth of Lancashire.

To move these forward LADS had already commissioned All About Audiences to prepare a report into how the Arts Service could best provide effective support to the arts infrastructure across Lancashire over the coming years.

Findings are due in late June 2010, and should inform a more strategic discussion within the County, and across the sector, about how we focus our ongoing support to the arts sector.

This report outlines the decisions made by the arts council and the implications for Lancashire in a broad sense.

Arts Council Decisions

Table 1 provides full detail of all organisations who receive funding from the Arts Council in Lancashire, as well as in Blackburn with Darwen and Blackpool.

Currently the Arts Council provides regular funding to 13 arts organisations across Lancashire, to a value of around £1.5m per annum. All these organisations have agreed funding settlements up to March 2012, (a 6.9% reduction in their funding from that provided in 2010/11 was agreed in October 2010). In addition Action Factory in Blackburn with Darwen receives significant funding from the Arts Council as indicated.

On March 30th 2011 the Arts Council of England published their National Portfolio Funding decisions for 2012 -15. Over 1300 applications were received nationally, with only 695 organisations receiving funding.

Six Lancashire based organisations have had their regular funding cut by 100% from April 2012. These are Folly, Litfest, Mid Pennine Arts, Prescap, Preston City Caribbean Carnival and the Storey Gallery. In addition Action Factory, based within Blackburn with Darwen, lost its regular funding.

Of the organisations that maintained their funding status, Ludus have been offered a significant reduction in their settlement of 69.9%, with both the Dukes and Horse & Bamboo receiving an 11% reduction in real terms over the three year period. Burnley Youth theatre received a 9.5% increase and More Music fared best with a 52.9% increase.

In addition, the Spot On Rural Touring project submitted a successful application in partnership with Cheshire Rural Touring, as the Cheshire Lancashire Touring Partnership. Figures in this report include 50% of the award made to Cheshire Lancashire Touring Partnership to represent the value for Lancashire. ***Please note in Arts Council reports and spreadsheets this award is solely valued under Cheshire County.***

Two new bids were also successful from Blackpool Unitary Authority, The Grundy Gallery and Blackpool Grant Theatre for a dance project, totalling £165,000 per year.

On these figures,

- Funding for 12/13 in Lancashire goes down to £786,439 from a budget of £1,433,529 in 11/12. This represents a 45.13% reduction.
- If we include Blackpool and Blackburn with Darwen funding for 12/13, it stands at £951,439 down from £1,562,299 in 11/12. This represents a 39.1% reduction.

It should also be noted that Curious Minds has received substantial funding to act as the regional development agency for children and young people and the arts in the North West. Curious Minds currently leads on this work in Pennine Lancashire

and Merseyside. We have not included these figures in the Lancashire picture, as we would argue all regions will benefit equally from this investment. It is good news however that this agency has such a strong presence in Lancashire, and is now one of the new Bridge Delivery agencies that will provide a direct connection between the work produced by arts organisations and schools and communities.

	12/13	13/14	14/15
Curious Minds	£1,351,000	£1,386,000	£1,423,000

ACE Spend across the North West

Table 2 at the end of this report outlines the comparative spend across the North West region. Again, this highlights the real disparity across the regions, and how Lancashire has fallen behind other areas. The growth in Cumbria, with its obvious comparisons to Lancashire, should be noted. Some other points are:

- Investment per head of £0.60p in Lancashire in 2012/13 compares with £4.26 per head in Cumbria. This is a reduction from £1.08 per head for Lancashire in 2010/11
- From 2012/13 Lancashire (incl. Blackpool) will have 8 National Portfolio Organisations compared to 14 in Cumbria. In 2010/11 this figure for Lancashire, (incl Blackburn with Darwen) was 14.

Other Arts Council sources of funding

The National Portfolio Funding programme is one of a number of funding programmes that Arts Council runs. It also supports projects through its Grants for the Arts programme, funded through the national lottery. This funding pot is due to grow from £149m in 2010/11 to £223m in 2014/15 and it is expected that those organisations who have not received funding will be able to access project funds through this route.

The Arts Council also funds specific strategic projects. Further details about how it intends to fund strategic projects will be announced in 2011.

Lancashire Arts Development Service are looking to produce a comparable table around both grants for the arts and strategically managed funds, to further aid the comparison of funding secured in Lancashire and across the region.

Transition Process

The Arts Council has provided LCC with a £47,000 transitional fund to assist those arts organisations who are facing an uncertain future following their funding decisions. With a 12 month grace period, Lancashire Arts Development Service is working with the Arts Council to deliver a robust and targeted support service to assist organisations to remodel themselves during 2011/12. This will focus not just on business support and development, but will look at creative excellence and new potential commissioning streams.

LCC Arts Development Service Funding

LCC Arts Development Service provides strategic funding to seven principal arts organisations in Lancashire. Strategic funding approved for the year up to June 30th 2012 is as follows;

Organisation	2011/12
The Dukes	168,172
Horse and Bamboo	22,391
Litfest	16,628
Ludus	26,678
Mid Pennine Arts	25,443
More Music	25,029
Prescap	19,953
	304,294

In addition LCC Arts Development Service provides grant funding for specific projects delivered by other arts organisations in Lancashire, not just those receiving strategic support. The service will also be developing more commissioning opportunities into 2011/12 and beyond.

Lancashire Arts Development Service is currently researching local authority investment in the arts across the region to enable us to get a clearer picture of where Lancashire sits in comparison to other authority areas.

TABLE 1: Lancashire Arts Organisations

Organisation	10/11	11/12	12/13	13/14	14/15	Real % change from 12/13	Comments
Burnley Youth Theatre	54,967	51,174	63,00	64,449	66,125	9.5%	
The Dukes	273,592	254,714	254,714	260,572	267,347	-11%	
Folly	153,046	142,486	0	0	0	-100%	
Horse & Bamboo	132,030	122,919	122,919	125,746	129,016	-11%	
Litfest	70,171	65,330	0	0	0	-100%	
Ludus	301,781	280,958	95,000	97,280	99,809	-69.9%	
Mid Pennine Arts	188,828	175,799	0	0	0	-100%	
More Music	65,611	61,084	105,000	107,415	110,208	52.9%	
Nuffield Theatre (Lancaster Uni)	99,204	92,359	102,359	104,816	107,541	-1.3%	
Prescap	78,594	73,171	0	0	0	-100%	
Preston City Caribbean Carnival	41,978	39,082	0	0	0	-100%	
Spot On	46,667	43,447	43,447	44,446	45,602		50% of Cheshire Lancashire Touring Partnership from 12/13
Storey Gallery	33,304	31,006	0	0	0	-100%	
Sub-total	1,539,773	1,433,529	786,439	804,724	825,648		
Blackburn with Darwen							
Action Factory	138,314	128,770	0	0	0	- 100%	
Blackpool							
The Grundy	0	0	45,000	45,000	45,000	+100%	
Blackpool Grand Theatre	0	0	120,000	120,000	120,000	+100%	For Dance project
TOTAL	1,678,087	1,562,299	951,439	969,724	990,648		

TABLE 2: Comparative ACE spend across the North West

Please note the award for Cheshire Rural Touring has been split between Cheshire and Lancashire, and these figures have been amended accordingly. This table will be slightly different from Arts Council spreadsheets.

Area	11/12	12/13	13/14	14/15	Comments	Population (2009)	Amount per head of population (£/head) in 12/13
Cheshire		471,146	481,983	494,515	5 NPO incl 1 new NPO	1,005,800	0.47
Lancashire(incl. Blackburn with Darwen & Blackpool UA's)	1,562,299	951,439	969,724	990,648	8 NPO incl 2 new NPO	1,585,500	0.60
Cumbria		2,106,906	2,151,020	2,211,884	14 NPO incl 2 new NPO	495,000	4.26
Merseyside		8,068,483	8,252,306	8,510,810	20 NPO incl 3 new NPO	1,350,600	5.97
Gt. Manchester		10,878,294	11,131,437	11,371,268	34 NPO incl 6 new NPO	2,601,000	4.18
North West Region		22,476,268	22,986,470	23,579,125		7,037,900	3.19

Consultations

Other Local Authorities in Lancashire and local arts organisations have been consulted and their views will be represented in the presentations to be given by:

- Alex Walker, on behalf of Preston City Council
- Joe Sumsion, on behalf of the Duke's Theatre, Lancaster
- Mandy Precious, on behalf of Burnley Youth Theatre

Implications:

There are no direct implications at this stage.

Risk management

There are no risks at this stage.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Directorate/Tel
Arts Council England funding for 2012-2015	30 March 2011	http://www.artscouncil.org.uk/funding/national-portfolio-funding/

Reason for inclusion in Part II, if appropriate

N/A

Name	Region	Artform	Current RFO?	Regular Funding (RFOs) 10/11	Regular Funding (RFOs) 11/12	NPO 12/13	NPO 13/14	NPO 14/15	Cash % change	Real % change (Oct inflation estimates)	Alternative name	Local Authority	Constituency
20 Stories High	North West	Theatre	Non-RFO	-	0	131,000	131,000	170,000				Liverpool	Liverpool, Wavertree
24:7 Theatre Arts Network Ltd	North West	Theatre	Non-RFO	-	0	70,000	71,610	73,472				Trafford	Stretford and Urmston
Action Transport Theatre Company	North West	Theatre	RFO	184,334	171,615	120,000	122,760	125,952	-31.7%	-37.8%		Cheshire West and Chester	Ellesmere Port and Neston
Africa Oye Limited	North West	Music	RFO	172,823	160,898	162,507	166,245	170,567	-1.3%	-10.1%		Liverpool	Liverpool, Riverside
Art Gene	North West	Visual Arts	RFO	43,163	40,185	110,000	110,000	110,000	154.8%	132.0%		Barrow-in-Furness	Barrow and Furness
Blackpool Grand Theatre	North West	Dance	Non-RFO	-	0	120,000	120,000	120,000				Blackpool	Blackpool North and Cleveleys
Brouhaha International	North West	Combined arts	RFO	75,176	69,989	70,000	80,000	84,000	11.7%	1.7%		Liverpool	Liverpool, Riverside
Burnley Youth Theatre	North West	Theatre	RFO	54,967	51,174	63,000	64,449	66,125	20.3%	9.5%		Burnley	Burnley
Carcanet Press Ltd	North West	Literature	RFO	122,328	113,888	120,000	122,760	125,952	3.0%	-6.3%		Manchester	Manchester Central
Cheshire Dance	North West	Dance	RFO	94,199	87,699	87,699	89,716	92,049	-2.3%	-11.0%		Cheshire West and Chester	Eddisbury
Cheshire Rural Touring Network	North West	Combined arts	RFO	46,667	43,447	86,894	88,893	91,204	95.4%	77.9%		Cheshire West and Chester	City of Chester
Chester Festivals Ltd	North West	Combined arts	Non-RFO	-	0	70,000	71,610	73,472				Cheshire West and Chester	City of Chester
Chester Performs	North West	Combined arts	RFO	119,400	111,161	150,000	153,450	157,440	31.9%	20.1%		Cheshire West and Chester	City of Chester
Chinese Arts Centre	North West	Visual Arts	RFO	185,056	172,287	300,000	300,000	300,000	62.1%	47.6%		Manchester	Manchester Central
Collective Encounters	North West	Theatre	RFO	47,226	43,967	70,000	71,610	83,500	76.8%	61.0%		Liverpool	Liverpool, Walton
Comma Press	North West	Literature	Non-RFO	-	0	72,033	62,883	50,092				Manchester	Manchester Central

Name	Region	Artform	Current RFO?	Regular Funding (RFOs) 10/11	Regular Funding (RFOs) 11/12	NPO 12/13	NPO 13/14	NPO 14/15	Cash % change	Real % change (Oct inflation estimates)	Alternative name	Local Authority	Constituency
Commonword/Cultureword	North West	Literature	RFO	94,953	88,401	91,052	93,146	95,568	0.6%	-8.4%		Manchester	Manchester Central
Community Arts North West	North West	Combined arts	RFO	161,275	150,147	190,000	194,370	199,424	23.7%	12.6%		Manchester	Manchester Central
Company Chameleon	North West	Dance	Non-RFO	-	0	145,119	148,736	152,603				Manchester	Manchester, Gorton
Contact Theatre	North West	Theatre	RFO	930,349	866,155	911,155	932,112	956,346	2.8%	-6.4%	Manchester Young People's Theatre Ltd	Manchester	Manchester Central
Cornerhouse	North West	Visual Arts	RFO	865,465	805,748	870,000	935,000	1,028,775	18.9%	8.2%	Greater Manchester Arts Centre Ltd	Manchester	Manchester Central
Cumbria Theatre Trust	North West	Theatre	RFO	515,368	479,808	600,000	614,400	630,374	22.3%	11.4%	Theatre by the Lake	Allerdale	Copeland
DADA - Disability & Deaf Arts	North West	Combined arts	RFO	174,549	162,505	195,000	199,485	204,672	17.3%	6.8%		Liverpool	Liverpool, Riverside
Dance Initiative Greater Manchester	North West	Dance	RFO	94,199	87,699	172,000	174,051	176,365	87.2%	70.5%		Manchester	Manchester Central
Eden Arts	North West	Combined arts	RFO	38,369	35,722	40,000	40,000	40,000	4.3%	-5.1%		Eden	Penrith and The Border
FACT (Foundation For Art & Creative Technology)	North West	Visual Arts	RFO	1,074,234	1,000,112	1,000,112	1,023,115	1,049,716	-2.3%	-11.0%		Liverpool	Liverpool, Riverside
Fittings Multimedia Arts	North West	Theatre	RFO	108,530	101,041	113,000	115,599	120,000	10.6%	0.7%		Liverpool	Liverpool, Riverside
Full Circle Arts	North West	Not artform specific	RFO	129,713	120,763	120,763	123,541	126,753	-2.3%	-11.0%		Trafford	Stretford and Urmston
Future Everything CIC	North West	Visual Arts	RFO	58,357	54,330	85,000	85,000	85,000	45.7%	32.6%		Manchester	Manchester Central
Great Georges Community Cultural Project Ltd	North West	Combined arts	RFO	135,857	126,483	170,000	173,910	178,432	31.3%	19.6%	The Black-E	Liverpool	Liverpool, Riverside
Grizedale Arts	North West	Visual Arts	RFO	131,703	122,616	162,616	166,356	170,681	29.6%	18.0%		South Lakeland	Westmorland and Lonsdale
hAb	North West	Combined arts	RFO	27,699	25,788	70,000	71,610	73,472	165.3%	141.5%		Manchester	Manchester Central

Name	Region	Artform	Current RFO?	Regular Funding (RFOs) 10/11	Regular Funding (RFOs) 11/12	NPO 12/13	NPO 13/14	NPO 14/15	Cash % change	Real % change (Oct inflation estimates)	Alternative name	Local Authority	Constituency
Halle Concerts Society	North West	Music	RFO	2,225,206	2,071,667	2,071,667	2,119,315	2,174,418	-2.3%	-11.0%		Manchester	Manchester Central
Highlights Rural Touring Network	North West	Combined arts	RFO	46,667	43,447	119,109	121,849	125,017	167.9%	143.9%		Eden	Penrith and The Border
Hope Street Limited	North West	Combined arts	RFO	39,878	37,126	81,500	83,000	85,158	113.5%	94.4%		Liverpool	Liverpool, Riverside
Horse And Bamboo Theatre Company	North West	Theatre	RFO	132,030	122,919	122,919	125,746	129,016	-2.3%	-11.0%		Rossendale	Rossendale and Darwen
Inner City Music Ltd	North West	Music	RFO	127,940	119,112	173,656	145,349	99,093	-22.5%	-29.5%		Manchester	Manchester Central
Kendal Arts International	North West	Combined arts	Non-RFO	-	0	290,000	296,670	304,383				South Lakeland	Westmorland and Lonsdale
Lakeland Arts Trust	North West	Visual Arts	RFO	83,312	77,564	120,000	122,760	125,952	51.2%	37.6%	Blackwell, The Arts and Crafts House / Abbot Hall Art Gallery	South Lakeland	Westmorland and Lonsdale
Liverpool Arabic Arts Festival	North West	Combined arts	Non-RFO	-	0	110,000	112,530	115,456				Liverpool	Liverpool, Riverside
Liverpool Biennial Of Contemporary Art	North West	Visual Arts	RFO	596,503	555,344	695,344	706,172	718,333	20.4%	9.6%		Liverpool	Liverpool, Riverside
Liverpool Everyman & Playhouse	North West	Theatre	RFO	1,649,019	1,535,237	1,649,019	1,689,352	1,721,833	4.4%	-4.9%	The Liverpool and Merseyside Theatres Trust	Liverpool	Liverpool, Riverside
Ludus Dance	North West	Dance	RFO	301,781	280,958	95,000	97,280	99,809	-66.9%	-69.9%		Lancaster	Lancaster and Fleetwood
M6 Theatre Company	North West	Theatre	RFO	173,412	161,446	197,000	203,000	208,000	19.9%	9.2%		Rochdale	Rochdale
Manchester Camerata	North West	Music	RFO	167,259	155,718	155,718	159,300	163,441	-2.3%	-11.0%		Manchester	Manchester Central
Manchester Craft & Design Ltd	North West	Visual arts	Non-RFO	-	0	42,500	40,000	40,000				Manchester	Manchester, Central
Manchester International Festival	North West	Combined arts	Non-RFO	-	0	500,000	500,000	500,000				Manchester	Manchester Central
Manchester Jazz Festival	North West	Music	RFO	67,750	63,075	90,000	92,070	94,464	39.4%	26.9%		Manchester	Manchester Central

Name	Region	Artform	Current RFO?	Regular Funding (RFOs) 10/11	Regular Funding (RFOs) 11/12	NPO 12/13	NPO 13/14	NPO 14/15	Cash % change	Real % change (Oct inflation estimates)	Alternative name	Local Authority	Constituency
Manchester Literature Festival	North West	Literature	RFO	62,072	57,789	80,000	80,000	80,000	28.9%	17.3%		Manchester	Manchester Central
Merseyside Dance Initiative	North West	Dance	RFO	94,199	87,699	122,699	125,521	128,785	36.7%	24.5%		Liverpool	Liverpool, Riverside
Milap Festival Trust	North West	Combined arts	RFO	278,335	259,130	290,000	296,670	315,000	13.2%	3.0%		Liverpool	Liverpool, Walton
More Music	North West	Music	RFO	65,611	61,084	105,000	107,415	110,208	68.0%	52.9%		Lancaster	Morecombe and Lunsdale
New Contemporaries (1988) Limited	North West	Visual arts	RFO	132,029	122,919	122,919	122,919	122,919	-6.9%	-15.2%		Tower Hamlets	Bethnal Green and Bow
Nuffield Theatre Lancaster University	North West	Combined arts	RFO	99,204	92,359	102,359	104,816	107,541	8.4%	-1.3%		Lancaster	Lancaster and Fleetwood
Octagon Theatre Trust Limited	North West	Theatre	RFO	615,742	573,256	613,000	627,099	643,404	4.5%	-4.9%		Bolton	Bolton North East
Odopus	North West	Combined arts	Non-RFO	-	0	40,000	40,920	41,984				Barrow-in-Furness	Barrow and Furness
Oldham Coliseum Theatre	North West	Theatre	RFO	542,284	504,866	600,000	614,400	630,374	16.2%	5.8%		Oldham	Oldham East and Saddleworth
Open Eye Gallery	North West	Visual Arts	RFO	173,847	161,852	191,193	195,590	200,676	15.4%	5.1%		Liverpool	Liverpool, Riverside
Pagoda Chinese Youth Orchestra	North West	Music	RFO	20,989	20,000	45,000	45,900	46,818	123.1%	103.1%		Liverpool	Liverpool, Riverside
Performing Arts Network & Development Agency	North West	Not artform specific	RFO	52,472	48,852	48,852	49,976	51,275	-2.3%	-11.0%		Manchester	Manchester Central
Peshkar Productions	North West	Theatre	RFO	80,942	75,357	75,357	77,090	79,095	-2.3%	-11.0%		Oldham	Oldham West and Royton
Prism Arts	North West	Combined arts	RFO	42,680	39,735	50,321	51,478	52,817	23.8%	12.7%		Carlisle	Penrith and the Border
Psappha Contemporary Music Ensemble	North West	Music	RFO	41,387	38,531	60,000	61,380	64,000	54.6%	40.8%		Manchester	High Peak
Quarantine	North West	Theatre	RFO	115,340	107,382	160,000	163,680	167,936	45.6%	32.6%		Salford	Salford and Eccles
Rasa Productions	North West	Theatre	RFO	76,646	71,357	106,372	108,819	111,648	45.7%	32.6%		Manchester	Manchester Central
Redeye, the Photography Network	North West	Visual Arts	RFO	58,929	54,863	86,600	88,592	91,750	55.7%	41.8%		Manchester	Manchester Central

Name	Region	Artform	Current RFO?	Regular Funding (RFOs) 10/11	Regular Funding (RFOs) 11/12	NPO 12/13	NPO 13/14	NPO 14/15	Cash % change	Real % change (Oct inflation estimates)	Alternative name	Local Authority	Constituency
Rosehill Theatre	North West	Combined arts	RFO	67,722	63,049	65,000	65,000	65,000	-4.0%	-12.6%		Copeland	Copeland
Royal Exchange Theatre	North West	Theatre	RFO	2,490,450	2,318,609	2,318,609	2,371,937	2,433,607	-2.3%	-11.0%		Manchester	Manchester Central
Royal Liverpool Philharmonic Society	North West	Music	RFO	2,225,206	2,071,667	2,071,667	2,121,987	2,172,301	-2.4%	-11.1%		Liverpool	Liverpool, Riverside
The Ashton Group - Theatre Factory	North West	Theatre	RFO	53,169	49,500	70,000	71,610	84,000	58.0%	43.8%		Barrow-in-Furness	Barrow and Furness
The Bluecoat	North West	Combined arts	RFO	519,959	484,082	484,082	495,216	508,091	-2.3%	-11.0%		Liverpool	Liverpool, Riverside
The Brewery, Kendal	North West	Combined arts	RFO	254,647	237,077	320,000	327,360	335,871	31.9%	20.1%		South Lakeland	Westmorland and Lonsdale
The Dukes Playhouse Limited	North West	Theatre	RFO	273,592	254,714	254,714	260,572	267,347	-2.3%	-11.0%		Lancaster	Lancaster and Fleetwood
The Grundy Art Gallery	North West	Visual arts	Non-RFO	-	0	45,000	45,000	45,000				Blackpool	Blackpool North and Cleveleys
The Lowry	North West	Combined arts	RFO	1,077,790	1,003,422	1,003,422	1,026,501	1,053,190	-2.3%	-11.0%		Salford	Salford and Eccles
The Met	North West	Combined arts	RFO	78,894	73,450	100,000	102,300	104,960	33.0%	21.1%		Bury	Bury North
The Whitworth Art Gallery	North West	Visual Arts	Non-RFO	-	0	40,000	75,000	75,000				Manchester	Manchester Central
The Wordsworth Trust	North West	Literature	RFO	82,020	76,360	76,360	78,116	80,147	-2.3%	-11.0%		South Lakeland	Westmoreland and Lonsdale
Tipp Centre	North West	Combined arts	RFO	37,109	34,548	55,000	56,100	57,222	54.2%	40.4%		Manchester	Manchester Central
Unity Theatre Company	North West	Theatre	RFO	260,286	242,326	284,000	284,000	284,000	9.1%	-0.7%		Liverpool	Liverpool, Riverside
Walk The Plank	North West	Theatre	RFO	61,110	56,893	152,000	152,000	152,000	148.7%	126.5%		Salford	Salford and Eccles
Whalley Range All Stars	North West	Theatre	RFO	58,270	54,250	91,500	92,900	76,900	32.0%	20.2%		Bury	Bury North
Whitewood And Fleming Theatre & Music	North West	Combined arts	RFO	43,122	40,147	43,500	44,501	45,658	5.9%	-3.6%		South Lakeland	Westmoreland and Lonsdale
Writing On The Wall	North West	Literature	Non-RFO	-	0	62,360	63,794	80,000				Liverpool	Liverpool, Riverside

Scrutiny Committee

Meeting to be held on 10 June 2011

Electoral Division affected: None

Establishment of a Standing Joint Lancashire Health Overview and Scrutiny Committee

(Appendix 'A' refers)

Contact for further information:

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

Executive Summary

A Joint Lancashire Health Overview and Scrutiny Committee is proposed. Appendix 'A' sets out the suggested terms of reference. Amended membership figures, based on recommendations made at the last meeting of this committee, are now proposed.

Recommendation

That the committee approve the establishment of the Joint Lancashire Health Overview and Scrutiny Committee.

Background and Advice

At the last meeting of the Scrutiny Committee, members considered proposals to establish a standing joint committee to consider substantial variations in the health service that affected Lancashire, Blackburn with Darwen and Blackpool.

The committee accepted the requirement to establish appropriate joint working arrangements in such cases, but requested that further consideration be given to the balance of representation from the three councils, on the basis that the relative sizes of the three authorities should be more accurately reflected in the overall composition.

It is therefore proposed that the membership be as follows:

Lancashire – 9 representatives
Blackburn with Darwen – 3 Representatives
Blackpool – 3 Representatives

There would continue to be three non-voting district representatives, and representation from Cumbria on any matters which affected that area in addition to the Lancashire authorities.

Whilst this proposal does not accurately reflect the relative sizes of the three authorities, this requirement was balanced against the need to keep the overall size of any committee within reasonable parameters, and also to ensure that the two unitaries maintained a reasonable level of representation.

This proposal has been put to the other authorities, and a response is awaited.

Revised terms of reference are attached as Appendix 'A'.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

There is a legal requirement to establish a joint health overview and scrutiny committee in certain circumstances as outlined in the report.

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

Paper	Date	Contact/Directorate/Tel
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N/A

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

JOINT LANCASHIRE HEALTH SCRUTINY COMMITTEE

TERMS OF REFERENCE

1. **TITLE**

The Committee to be named the Joint Lancashire Health Scrutiny Committee

2. **SCOPE**

The Committee to consider any future and proposed health service changes that will directly affect all three upper tier local authorities covering the pan Lancashire area and directly affect the citizens in the *Cumbria County Council area.

3. **MEMBERSHIP**

The Committee to be established on the following basis:

- 9 elected voting Members from Lancashire County Council.
- 3 elected voting Members from Blackburn with Darwen Borough Council
- 3 elected voting Members from Blackpool Borough Council
- 3 non-voting co-opted Members from Lancashire District Councils

- *2 Elected voting Members from Cumbria County Council to be invited to attend meetings of the Joint Committee on those occasions when consideration is given to any planned or proposed health service matter that would be likely to directly affect citizens in the Cumbria County Council area.

The Joint Committee to be appointed on an annual basis prior to its first meeting in each Municipal Year.

Any member of the Committee may be represented at a meeting of the Joint Committee by a substitute appointed by the appropriate local authority. Substitutes will have the same voting rights as the member they replace and count towards the establishment of a quorum.

It remains the responsibility of each Member on the Joint Committee to arrange for an appointed substitute to attend on their behalf if they are unable to attend a meeting.

If any Member or co-opted member ceases to be a Councillor of their local authority they shall no longer be a member of the Joint Committee.

Each meeting of the Joint Committee shall be advised by the relevant Scrutiny Officer.

4. CHAIR AND VICE CHAIR

The Chair and the Vice Chair shall be elected by the Joint Committee from among the Committee's voting membership (excluding Cumbria representatives) at the first meeting in each Municipal Year on the basis of the elected Chair and Vice Chair being Members of different local authorities.

The Chair shall preside at the meetings. In the absence of the Chair, the Vice Chair shall Chair the meeting. In the absence of both the Chair and the Vice Chair, the Joint Committee Members present shall elect a Chair for that meeting from among their number.

5. FUNCTIONS

To review and scrutinise issues around health service changes planned or provided that will affect all three upper tier local authority areas to seek health improvements and reduce health inequalities.

To exercise the statutory functions of a health overview and scrutiny committee under the provisions of the National Health Service Act 2006 and the Local Government and Public Involvement in Health Act 2007 and to make reports and recommendations to NHS bodies as appropriate.

Secretary of State Referrals

In the case of contested NHS proposals for substantial service changes or any NHS proposal which the Joint Committee feels has been the subject of inadequate consultation, by majority agreement, the Joint Committee to have delegated authority to directly refer the matter to the relevant Secretary of State.

That in relation to the function described above, any Joint Committee decision on whether or not a referral should be made to the relevant Secretary of State is not required to be approved by the individual Overview and Scrutiny Committees at those local authorities that may be directly affected by the decision. However the Joint Committee's power of referral does not remove, supersede or negate the power and authority of each individual Overview and Scrutiny Committee to make a referral to the Secretary to State should they wish to do so.

Scrutiny Arrangements

Scrutiny of approved topics should be carried out only "in meetings" of the Joint Committee. The need to establish separate working groups should only be implemented as a very last resort.

To require the Chief Executives (or their representatives) of local NHS bodies to attend the Joint Committee to answer questions and to invite the chairs and non-executive directors and officers of local NHS bodies to attend the Joint Committee to answer questions or supply evidence.

To invite to any meeting of the Joint Committee and permit to participate in discussion and debate, but not to vote, any person not an elected Member appointed to the Committee, whom the Joint Committee considers would assist it in carrying out its functions.

To co opt as and when necessary and under such terms as the Joint Committee thinks appropriate, persons with appropriate expertise in relevant health matters, without voting rights.

Review of functions, clerking arrangements and terms of reference

To review at least annually the functions of, and clerking arrangements for meetings of the Joint Committee.

To review the Joint Committee's terms of reference from time to time.

Conduct of Business Meetings

The Clerk to the Committee shall, with the agreement of the Chair and the Vice Chair, arrange meetings of the Joint Committee as and when necessary.

No meetings of the Joint Committee shall be held during the notice of election period for local authority elections

Any scheduled Joint meeting may be cancelled where the Chair and the Vice Chair of the Joint Committee both agree.

The venue for meetings of the Joint Committee shall be rotated between the local authorities and the Secretarial support for the Committee shall be rotated between each of the 3 upper tier Lancashire local authorities either annually or as necessary on an agreed basis between the respective authorities.

Agendas and Items of business

Agendas for meetings of the Joint Committee shall be circulated at least 5 working days in advance of the meetings and in accordance with the provisions of legislation relating to Access to Information.

Other than in very exceptional circumstances, the only business to be considered at any meeting will be that which has been notified.

Decisions

The Joint Committee will seek to make decisions by consensus whenever possible. In the event of any disagreement, the Chair will seek to resolve any differences. In the event any disagreement cannot be resolved, then a vote will be taken. In the case of a tied vote, the Chair will have a second or casting vote.

Declarations of Interest

Any Member having a Personal Interest within the meaning of the national Code of Conduct must disclose that fact and act accordingly.

Those Members declaring a Prejudicial Interest must leave the room and take no part the discussion or influence that particular item.

Quorum

The quorum for the Joint Committee shall be a third of the total membership on the basis of at least one voting Member from each of the local authorities of Lancashire County Council, Blackpool and Blackburn with Darwen being present.

Minutes

The minutes of each Joint meeting shall be submitted for information to the individual Overview and Scrutiny Committees at the respective local authorities.

Updated 01/06/11

DRAFT

Agenda Item 8

Scrutiny Committee

Meeting to be held on 10 June 2011

Electoral Division affected: None

Task Group Update

(Appendix 'A' refers)

Contact for further information:

Claire Evans 07917 836 698, Office of the Chief Executive,

claire.evans@lancashire.gov.uk

Executive Summary

This report has two purposes:

1. To update members on progress with existing Task and Finish Groups and impact of completed Task Group reports
2. To allow the Committee to consider any new proposals for Task Groups

Recommendation

That the Committee note the list of existing task groups and comment as appropriate.

Background and Advice

In order to ensure that the Scrutiny Committee is kept informed of progress on Task Groups, this item will appear on each agenda.

For information, a list of existing Task Groups is attached as Appendix 'A' to this report. It is not intended that members feed back on all existing task groups, but members are invited to comment on any issues of particular significance.

All new requests for task groups will be considered under this item. As a standing item, this should ensure that there is always a timely response to requests without the need to resort to the Urgent Business Procedure.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

There are no significant risk management implications.

Financial, Legal, Equality and Diversity, Human Rights, Crime and Disorder, Personnel, Property Asset Management, Procurement, Traffic Management, CIA (policies and strategies only):

N/A

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

Paper	Date	Contact/Directorate/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A

Overview and Scrutiny – Task and Finish Groups

June 2011

Current

Committee/Task Group	Chair	Proposed Completion Date
Scrutiny Committee		
Member Development	CC John Shedwick	Standing Group
Cross Boundary Looked After Children – "Who Cares?"	Cllr Peter Steen	Summer 2011
Health Scrutiny Committee		
Steering Group	CC Maggie Skilling	Standing Group
Education Scrutiny Committee		

Completed

Committee/Task Group	Completed	Next Steps
Scrutiny Committee		
Young People – Employment and Employability	July 2010	Exec response delivered Jan 2011
Museums	Sept 2010	Exec Response due April 2011 (full)
Rail Improvement Schemes	Feb 2011	
Health Scrutiny Committee		
Safeguarding Adults	May 2010	Final Exec response presented March 2011
Education Scrutiny Committee		

Scrutiny Committee

Meeting to be held on 10 June 2011

Electoral Division affected: None

Recent and Forthcoming Decisions

Contact for further information:

Claire Evans 07917 836 698 Office of the Chief Executive,
claire.evans@lancashire.gov.uk

Executive Summary

To advise the committee about recent and forthcoming decisions relevant to the work of the committee.

Recommendation

Members are asked to review the recent or forthcoming decisions and agree whether any should be the subject of further consideration by scrutiny.

Background and Advice

It is considered useful for scrutiny to receive information about decisions in the Forward Plan and decisions recently made by the Cabinet and individual Cabinet Members in areas relevant to the remit of the committee, in order that this can inform possible future areas of work.

Recent decisions taken by Cabinet Member or the Cabinet can be accessed here:
<http://council.lancashire.gov.uk/mgDelegatedDecisions.aspx?bcr=1>

Forthcoming decisions are included in the Forward Plan, which can be accessed here:
<http://council.lancashire.gov.uk/mgListPlans.aspx?RPId=244&RD=0>

The Forward Plan is published each month. It briefly describes matters likely to be subject to Key Decisions over the next four-month period. A Key Decision for this purpose is an Executive decision that:

- has significant effect on communities living or working in an area comprising two or more electoral divisions of the County Council without reference to a financial threshold.
- domestic decisions (affecting the internal workings of the Council) which have a financial impact on the Council of £1.2m or more.

The Forward Plan enables the public to see what Key Decisions are in the pipeline, who will be taking them and when, and what consultation will occur.

This can also be found under "F" via the alphabetical search on the front page of the county council's website via the following link:

<http://www.lancashire.gov.uk>

The Forward Plan is presented to all scrutiny committees on each agenda. The onus is on individual Members to have a look at the Forward Plan using the links provided above and obtain further information from the officer(s) shown for any decisions which may be of interest to them. The Member may then raise for consideration by the Committee any relevant, proposed decision that he/she wishes the Committee to review.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

There are no significant risk management or other implications

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

Paper	Date	Contact/Directorate/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A

Scrutiny Committee

Meeting to be held on 10 June 2011

Electoral Division affected: None

Work Plan 2010/11

(Appendix 'A' refers)

Contact for further information:

Claire Evans 07917 836 698, Office of the Chief Executive,

claire.evans@lancashire.gov.uk

Executive Summary

The plan at Appendix 'A' summarises the work to be undertaken by the Committee during 2010/11. The statement will be updated and presented to each meeting of the Committee for information.

Recommendation

The Committee is asked to note the report.

Background and Advice

A statement of the current status of work being undertaken by the Committee is presented to each meeting for information.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

There are not significant risk management implications.

Financial, Legal, Equality and Diversity, Human Rights, Crime and Disorder, Personnel, Property Asset Management, Procurement, Traffic Management, CIA (policies and strategies only):

N/A

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

Paper	Date	Contact/Directorate/Tel
N/A	N/A	N/A
Reason for inclusion in Part II, if appropriate		
N/A		

Scrutiny Committee Workplan 2010 / 2011

Date of Meeting	Agenda setting	Chair's Briefing	Topic	Witness	Purpose/Key issues
10 June		8 June	Arts Council – Impact of latest Funding Round on Lancashire's Arts and Culture sector	Ian Watson	
			Flood Risk Management	Rick Hayton	
			Revised Terms of Reference	Josh Mynott	
			(BRIEFING NOTE: Economic Development – latest progress)		
8 July		6 July			TRAINING SESSION

9 Sept		7 Sept	Winter Maintenance	Jo Turton	
			Report of the Task Group: "Who Cares?" Cross Boundary Looked After Children	Cllr Steen	<p>Terms of Reference</p> <ul style="list-style-type: none"> Assess whether current arrangements to support cross-boundary Looked After Children in Lancs or from Lancs are effective and value for money in achieving standards of care as set out in Care Matters – Time for Change and Every Child Matters Establish what vulnerabilities there may be in the current arrangements, in particular with regard: <ul style="list-style-type: none"> Safeguarding Education Access to health services Community safety Identify whether these possible vulnerabilities increase any risks that the county council and other local service providers fail to fulfil their statutory duties in an efficient and value for money way Make recommendations for improvements <p>1st report to Scrutiny Committee 8 Oct 2010: 8Octreport</p>
			Budget Scrutiny		Based on quarterly monitoring report
7 Oct		5 Oct	Lancashire County	Ian Watson	<ul style="list-style-type: none"> Analysis of Directorate outputs icw Culture and Sport Strategy

			Council's Cultural Offer	Cllr David Smith	<ul style="list-style-type: none"> • Corporate Action Planning • Dvpts icw Lancaster Castle • Progress on delivery of Records Office action plan
			Economic Development	Martin Kelly/Michael Welsh	Committee to scrutinise progress in outcomes from the EDF and achievements from a reoriented LCDL in support of it (following 10 Dec 2010 meeting)
			CYP Early Intervention and Prevention	Bob Stott	New Strategy implemented 2010 – performance and impact
11 Nov		9 Nov	Lancashire CC's Children Looked After – Leaving Care	Cllr Tony Winder Dave McHale	Background: following item on 12 Nov 2010 To scrutinise: <ul style="list-style-type: none"> -the evidence base for and progress in the development of a county-wide strategy on Leaving Care -the performance of a new county-wide strategy
			Highways Agency	FULL REPORT	To be decided, although background to this proposal is: http://www.bbc.co.uk/news/uk-england-lancashire-12463499
9 Dec		7 Dec	Youth Employment and Employability Strategy	Martin Kelly	
			Budget Scrutiny		Based on quarterly monitoring report
			Economic Development	Martin Kelly/Michael Welsh	Committee to scrutinise progress in outcomes from the EDF and achievements from a reoriented LCDL in support of it (following 10 Dec 2010 meeting)

Possible future issues:

Item	Suggested Action	Notes
20mph zones – Update on Cab member decision Feb 2010 when plans more developed / or implemented	Note for information	Short note, giving timings for various actions
Utilities Companies: Street Lighting and road Reinstatements Environment Directorate Commissioning		United Utilities and Electricity North West <ul style="list-style-type: none"> • Seeking advice and guidance from Env. Dir. Ref: UU and ENW at Scrutiny Committee on 4 February: http://mgintranet/mgAi.aspx?ID=2059
Supporting People Programme; Partnership working	Note for information	
VCFS – Voluntary, Community and Faith Sector	Note for information	Update on previous Communities report. Particular interest in formal commissioning arrangements & monitoring

Working with the Voluntary, Community and Faith Sector in Services for Young People		Discussion with Cabinet Member for Young People with chairs & deputies of Scrutiny
Positive Life Style Choices (include Lancashire Alcohol Network)	Note for Information	
Traffic Regulation Orders	Report to Committee?	Interest expressed by the Chair Issues around cost of introducing TROs and levels of enforcement. Lancs Constabulary as witness?
Budget Scrutiny	Reports to Committee	Quarterly budget monitoring report (as supplied to Cabinet) – George Graham January 2012 – scrutiny of budget proposals, same process as previous year. Focus on impact of new budget changes/cuts NB 09/03/2012 as third one.
Corporate Strategy 2010-13 REFRESH		Lynne Johnstone

LINKS TO KEY DOCUMENTS/SITESLancashire County Council [Corporate Strategy](#)Lancashire Partnership's Sustainable Community Strategy [Ambition Lancashire](#)Local Area Agreement [LAA](#)Lancashire Children's Trust [Childrens Trust](#)Children and Young Peoples' Plan [CYPP](#)Joint Lancashire Transport Plan 2011-2021 [JLTP](#) Final sign off by Cabinet due March 2011Safer Lancashire and Community Safety Agreement [CSA](#)

TOPICS ALREADY CONSIDERED

July 2010 – Impact Gvt Spending Reductions on Lancashire County Council
Youth Employment and Employability **TG report**

Sept 2010 – Subsidised Bus Services and Concessionary Travel
Highways Winter Maintenance

Oct 2010 – Impact of Gvt's £6.2bn Savings requirement on the county council
Private Children's Homes – task group established
Grit Bins

Lancashire Museums Service **TG report**

Nov 2010 - After Care for children who have been looked after by the county council
Road Safety for Children and Young People **TG** – Executive Response
Highways Winter Maintenance Service **TG** – Executive Response and Draft Plan

Dec 2010 – Role of LCC in local economic development: Economic Development Framework Strategy and LCDL

Jan 2011 – Scrutiny of Budget Proposals 2011/12-2013/14
Street-lighting – role and performance of county council

Feb 2011 – United Utilites – Roadworks and TMA; water management infrastructure;
Electricity North West - streetlighting

Mar 2011 - Crime and Disorder Scrutiny – evidence base for setting priorities; domestic violence/anti-social behaviour

April 2011 – Lancashire County Council Cultural Offer

- Cultural and Sport Strategy
- Cultural Services Restructure
- Museums Service **TG** – Executive Response
- Lancashire Records Office – Review and Action Plan

May 2011 – Corporate Communications Service

TASK GROUPS

Road Safety for Children and Young People – Completed

Youth Employment and Employability – Completed (Executive Response delivered)

Extending Use and Access to the Lancashire Museums Service (interim Exec Response given)
Cross Boundary Looked After Children, "Who Cares?" – ongoing
Budget Scrutiny 2011- (completed)

