

Full Council

Thursday, 18th October, 2018 at 1.30 pm in the Council Chamber, County Hall, Preston

Agenda

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 4. **Confirmation of the Minutes from the Meeting held on 19 July 2018** (Pages 3 - 10)
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 6. **Policy Position on the Future Provision of Halal Meat**
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 9. **Rural Services Network - Appointment of County Council Representative** (Pages 145 - 146)

10. **Lancashire County Council Timetable of Meetings 2019/20**
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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 Chairman 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.

B. Matters for Information

12. **Report of the Cabinet (Part B)** (Pages 151 - 162)

13. **Report of an Urgent Key Decision** (Pages 163 - 164)

14. **Report of County Council Committees**

To receive reports from:

(a) **The Audit, Risk and Governance Committee** (Pages 165 - 170)

(b) **The Employment Committee** (Pages 171 - 176)

(c) **The Pension Fund Committee** (Pages 177 - 188)

(d) **The Overview and Scrutiny Committees** (Pages 189 - 200)

(e) **The Lancashire Health and Wellbeing Board** (Pages 201 - 206)

15. **Report of the Lancashire Combined Fire Authority** (Pages 207 - 210)

C. Notices of Motion

16. **To consider the Notices of Motion submitted under Standing Order B36 (Pages 211 - 214)**

Angie Ridgwell
Interim Chief Executive and
Director of Resources

County Hall
Preston

10 October 2018

Agenda Item 3

Questions submitted under Standing Order B28

No.	To be asked by:	Question:	For answer by (Cabinet Member):
1.	CC Barron	Will the Cabinet Member for Highways and Transport please outline the remarkable progress achieved by using modern equipment and techniques on the dilapidated state of the roads inherited by the new administration in May 2017?	CC Iddon
2.	CC Fillis	Could the Cabinet Member for Highways and Transport please inform me why the current Lancashire County Council administration has failed to take into account the policies, procedures, community interest and democratically elected councillor's local knowledge by installing bollards outside 54c and 54b, Roby Mill Road, Roby Mill without any form of response to concerns raised by the local councillor on behalf of local residents?	CC Iddon
3.	CC Hennessy	Since 2013 when Public Health responsibilities were transferred to local authorities, how much grant has the County Council received each year to deliver our public health services?	CC Turner
4.	CC Dowding	Can the Cabinet Member for Highways and Transport please inform us what Lancashire County Council is doing to reduce its use of glyphosate given the increasing evidence of harm caused to wildlife and human health?	CC Iddon

Agenda Item 4

Minutes

At a meeting of the Full Council held at Council Chamber - County Hall, Preston,
on Thursday, 19th July, 2018

Present:

County Councillor Anne Cheetham (Chairman)

County Councillors

T Aldridge	A Gardiner	J Parr
A Ali	J Gibson	M Pattison
T Ashton	G Gooch	M Perks
A Atkinson	M Green	E Pope
M Barron	P V Greenall	J Potter
L Beavers	P Hayhurst	J Purcell
J Berry	N Hennessy	J Rear
P Britcliffe	S Holgate	P Rigby
I Brown	A Hosker	A Riggott
P Buckley	D Howarth	M Salter
T Burns	K Iddon	A Schofield
J Burrows	M Iqbal	J Shedwick
Mrs S Charles	A Kay	D T Smith
S Clarke	H Khan	K Snape
J Cooney	E Lewis	D Stansfield
L Cox	Ms S Malik	P Steen
C Crompton	J Marsh	M Tomlinson
M Dad	T Martin	C Towneley
B Dawson	J Mein	S Turner
F De Molfetta	J Molineux	A Vincent
G Dowding	S C Morris	C Wakeford
G Driver	Y Motala	D Whipp
J Eaton	E Nash	G Wilkins
C Edwards	D O'Toole	P Williamson
K Ellard	Mrs L Oades	B Yates
D Foxcroft	G Oliver	
J Fillis	M Parkinson	

1. Apologies and Announcements

Apologies for absence were presented on behalf of County Councillors Alf Clempson, Lizzi Collinge, Andrew Snowden and Jeff Sumner.

Announcements

The Chairman informed Full Council of the recent changes to Standing Orders which now meant that Question Time was an integral part of the Full Council agenda.

The Chairman also informed Full Council that she had agreed a variation to the running order for both Question Time and the Notices of Motion. Question 5 and Notice of Motion 3 would be dealt with first.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

Name of Councillor	Agenda Item Number	Nature of Interest (non-pecuniary unless stated)
George Wilkins	Notice of Motion 1 – Obesity and Hot Food Takeaways	Property Owner with Fast Food Facility (Pecuniary)

3. Question Time

County Councillors Paul Greenall, John Fillis, Julie Gibson, Nikki Hennessy and Peter Steen asked their respective questions and the appropriate Cabinet Members responded.

In respect of Question 5, the Chairman read out a statement of apology on behalf of County Councillor Alan Hosker.

4. Confirmation of the Minutes from the Meeting held on 24 May 2018

Resolved: - That the minutes of the meeting of Full Council held on 24 May 2018 be confirmed and signed by the Chairman.

5. Report of the Cabinet (Part A)

County Councillor Geoff Driver moved a report setting out the recommendation of the Cabinet to approve the revised Minimum Revenue Provision policy statements for 2017/18 and 2018/19, utilising the annuity method to calculate the Minimum Revenue Provision of both supported and self-financed capital expenditure.

Resolved: - That the recommendation of the Cabinet to approve the revised Minimum Revenue Provision policy statements for 2017/18 and 2018/19, utilising the annuity method to calculate the Minimum Revenue Provision of both

supported and self-financed capital expenditure as set out in the report, now presented, be approved.

6. Appointment to Independent Remuneration Panel

County Councillor Albert Atkinson moved a report setting out details of a proposal to re-appoint a member of the Independent Remuneration Panel.

Resolved: - That the re-appointment of Mr Dennis Mendoros OBE, DL, as a member of the Independent Remuneration Panel for a further four years until 5 October 2022, be approved.

7. Urgent Business

There was no urgent business to be considered.

8. Report of the Cabinet (Part B)

County Councillor Geoff Driver moved the report of the Cabinet from its meeting on 14 June 2018.

Resolved: - That the report of the Cabinet, now presented, be noted.

9. Report of an Urgent Key Decision

County Councillor Geoff Driver moved the report of an urgent Key Decision taken since the last meeting of Full Council.

Resolved: - That the report of an urgent Key Decision taken since the last meeting of Full Council, now presented, be noted.

10(a) The Pension Fund Committee

County Councillor Eddie Pope moved the report of the Pension Fund Committee from its meeting on 8 June 2018.

Resolved: - That the report of the Pension Fund Committee, now presented, be noted.

10(b) The Overview and Scrutiny Committees

County Councillor David O'Toole moved the report of the Overview and Scrutiny Committees from their meetings as follows:

- Children's Services Scrutiny Committee - 22 May 2018
- Education Scrutiny Committee - 25 June 2018
- External Scrutiny Committee - 4 June 2018
- Internal Scrutiny Committee - 18 May 2018

Resolved: - That the report of the Overview and Scrutiny Committees, now presented, be noted.

11. Report of the Lancashire Combined Fire Authority

County Councillor Frank De Molfetta moved the report of the Lancashire Combined Fire Authority from its meeting on 18 June 2018.

Resolved: - That the report of the Lancashire Combined Fire Authority, now presented, be noted.

12. To consider the Notices of Motion submitted under Standing Order B36

1. It was moved by County Councillor Frank De Molfetta and seconded by County Councillor David O'Toole that:

Since 28 June 2018 Lancashire Fire & Rescue Service and its partners have been dealing with a major wildfire incident at Winter Hill.

Many partners have been, and continue to be, involved in fantastic work in extreme weather and difficult conditions to protect the safety of residents, animals and wildlife. These include officers, firefighters, support staff, the County Council's Fleet Maintenance Service, partners and volunteers who have worked tirelessly to contain the fire thereby protecting the infrastructure on the top of the hill and threats to life and property while maintaining operational fire cover across Lancashire. The generosity and support of members of the public who have sent messages of support and given generous donations of supplies and machinery is also noted.

Lancashire County Council therefore asks the Interim Chief Executive and Director of Resources to liaise with the Chief Fire Officer to ensure the Council's gratitude is expressed to all Partners to thank them for their support.

On being put to the vote the motion was CARRIED and it was:

Resolved: - That:

Since 28 June 2018 Lancashire Fire & Rescue Service and its partners have been dealing with a major wildfire incident at Winter Hill.

Many partners have been, and continue to be, involved in fantastic work in extreme weather and difficult conditions to protect the safety of residents, animals and wildlife. These include officers, firefighters, support staff, the County Council's Fleet Maintenance Service, partners and volunteers who have worked tirelessly to contain the fire thereby protecting the infrastructure on the top of the hill and threats to life and property while maintaining operational fire cover across Lancashire. The generosity and support of members of the public who have sent messages of support and given generous donations of supplies and machinery is also noted.

Lancashire County Council therefore asks the Interim Chief Executive and Director of Resources to liaise with the Chief Fire Officer to ensure the Council's gratitude is expressed to all Partners to thank them for their support.

2. It was moved by County Councillor Charles Edwards and seconded by County Councillor Stuart Morris that:

In Lancashire approximately 67% of the adult population are living with excess weight. High levels of excess weight are also prevalent amongst the children of Lancashire, with the highest prevalence figures being found in the most deprived wards.

Obesity is a complex issue and requires a multifaceted approach. One element of this approach is working together to limit the over proliferation of hot food takeaways.

Between 2012 and 2016 every district in Lancashire saw increases in the numbers of fast food outlets, and Lancashire as a whole has seen an increase of 20%. In Lancashire 48.7% of fast food outlets fall within wards that sit in the 20% most deprived nationally.

Based on a review of evidence and implemented planning policies from other areas the 'Hot Food Takeaways and Spatial Planning Public Health Advisory Note' recommends that local planning authorities consider the development of policies or supplementary planning documents that include:

- A 400m restriction zone for new hot food takeaways surrounding secondary schools – limiting children's access to unhealthy food.
- Refusing applications for new hot food takeaways within wards where more than 15% of year 6 pupils and 10% of reception pupils are classed as obese.
- Prevent the clustering of too many hot food takeaways in deprived neighbourhoods.

Lancashire County Council therefore asks that the Leader of the County Council; the Cabinet Member for Economic Development, Environment and Planning; the Cabinet Member for Health and Wellbeing and the interim Chief Executive and Director of Resources jointly write to the Chief Executives and Leaders of each of the 12 Lancashire District Councils to support this request.

On being put to the vote the motion was CARRIED and it was:

Resolved: - That:

In Lancashire approximately 67% of the adult population are living with excess weight. High levels of excess weight are also prevalent amongst the children of Lancashire, with the highest prevalence figures being found in the most deprived wards.

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Lancashire County Council therefore asks that the Leader of the County Council; the Cabinet Member for Economic Development, Environment and Planning; the Cabinet Member for Health and Wellbeing and the interim Chief Executive and Director of Resources jointly write to the Chief Executives and Leaders of each of the 12 Lancashire District Councils to support this request.

3. It was moved by County Councillor Gina Dowding and seconded by County Councillor Paul Hayhurst:

Lancashire County Council notes:

- That in May this year Ministers outlined a proposal in a Written Ministerial Statement to redefine non-hydraulic fracturing shale gas exploration applications as permitted development and to redefine large scale shale gas production sites as Nationally Significant Infrastructure Projects, thus removing any local authority control and community involvement in decision-making.
- That the Government consultation on these proposals is expected to begin during the middle of July 2018.
- That on 5 July 2018, a report by the cross-party Housing, Communities and Local Government Committee warned the Government against its proposal to bring fracking applications under the Nationally Significant Infrastructure Projects regime, concluding that Mineral Planning Authorities, which in Lancashire is the County Council, were best placed to understand the local area and how fracking could best take place.
- That the above report said the Nationally Significant Infrastructure Projects regime was unlikely to speed up the application process for fracking.

Lancashire County Council is committed to the principles of localism and the involvement of local communities in decisions that affect their environment, their health and safety and their well-being.

Lancashire County Council believes:

- That moving decisions about fracking, which have huge implications for local communities, to a national level would contradict the principles of localism.
- That 'Permitted Development' – the category of planning that the government wants to move Shale gas exploration drilling into – which was designed for developments with low environmental impacts, is an inappropriate category for drilling with such wide-reaching implications for local communities and climate change.
- That bringing fracking applications under the Nationally Significant Infrastructure Projects regime will be harmful to local communities.
- That local authorities are best placed to continue to make decisions throughout the planning process for shale gas exploration drilling, appraisal and production.

Lancashire County Council resolves:

- To respond to the forthcoming government consultation with the above views.
- To share this response with Lancashire MPs and relevant government ministers.

The following amendment was proposed by County Councillor Barrie Yates and seconded by County Councillor Peter Steen:

Lancashire County Council notes that in May this year Ministers outlined a proposal in a Written Ministerial Statement to redefine non-hydraulic fracturing shale gas exploration applications as permitted development and to redefine large scale shale gas production sites as Nationally Significant Infrastructure Projects, thus removing any local authority control and community involvement in decision-making.

Lancashire County Council is committed to the principles of localism and the involvement of local communities in decisions that affect their environment, their health and safety and their well-being and resolves to respond to the Government's forthcoming consultation that applications for fracking should be determined by local planning authorities in accordance with planning law and guidance, and also to share this response with Lancashire MPs and relevant government ministers.

The amendment was accepted and became the substantive motion. The substantive motion was then put to the vote and was CARRIED. It was therefore:

Resolved: - That:

Lancashire County Council notes that in May this year Ministers outlined a proposal in a Written Ministerial Statement to redefine non-hydraulic fracturing shale gas exploration applications as permitted development and to redefine large scale shale gas production sites as Nationally Significant Infrastructure Projects, thus removing any local authority control and community involvement in decision-making.

Lancashire County Council is committed to the principles of localism and the involvement of local communities in decisions that affect their environment, their health and safety and their well-being and resolves to respond to the Government's forthcoming consultation that applications for fracking should be determined by local planning authorities in accordance with planning law and guidance, and also to share this response with Lancashire MPs and relevant government ministers.

Angie Ridgwell
Interim Chief Executive and
Director of Resources

County Hall
Preston

Meeting of the Full Council
Meeting to be held on Thursday, 18 October 2018

Report submitted by: Head of Legal and Democratic Services

Part A

Electoral Division affected:
None;

Report of the Employment Committee - Appointment of Chief Executive and Director of Resources

Contact for further information:
Ryan Hyde, Tel: (01772) 536212, Business Support Officer,
ryan.hyde@lancashire.gov.uk

Executive Summary

The Employment Committee has conducted interviews for the appointment to the post of Chief Executive and Director of Resources.

The Chair of the Employment Committee will report on the decision of the Employment Committee, from its meeting on 9 October 2018, at this meeting.

Recommendation

The Full Council is asked to consider the recommendations of the Employment Committee from its meeting on 9 October 2018 in respect of the appointment of the council's Chief Executive and Director of Resources.

Background and Advice

The Full Council has delegated to the Employment Committee the role of appointing the Chief Executive (Head of the Paid Service) and other senior officers including Executive Directors, the Monitoring Officer and the Chief Financial Officer (s. 151 Officer).

The terms of reference of the Employment Committee provide that, where the Committee is appointing the Chief Executive, the Monitoring Officer or Chief Financial Officer, the Full Council must approve the appointment or dismissal before an offer of appointment is made. This is subject to the appointment being notified to every member of the Cabinet and that either:

- (a) Within the period specified in the notification no objection has been made by the Leader on behalf of the Cabinet to the appointment; or

- (b) The Committee making the decision is satisfied that any objection made is not material or is not well founded; or
- (c) The Leader has, within the period specified in the notification, notified the Committee that neither he/she nor any member of the Cabinet has any objections.

Interviews for the post of Chief Executive and Director of Resources were held on 9 October 2018. The recommendation of the Employment Committee and the outcome of any consultations with members of the Cabinet will be reported orally to Full Council at the meeting.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

N/A

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

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A

Meeting of the Full Council
Meeting to be held on Thursday, 18 October 2018

Report submitted by: Learning and Skills - Start Well

Part A

Electoral Division affected:
(All Divisions);

Policy Position on the Future Provision of Halal Meat
(Appendices 'A' to 'C' refer)

Contact for further information:
democratic.services@lancashire.gov.uk

Executive Summary

The county council is considering its current policy for the supply of Halal meat to schools. The council currently provides both stunned and un-stunned halal meat in a small number of schools (27) across multiple districts, providing this service for the provision of school meals where there is the demand for it from the Muslim community and where the Headteacher and Governing Body request this for a proportion of their children. The county council is considering the proposal that, where halal meat is supplied, this must be stunned.

Recommendation

Full Council is asked to consider and review the findings in this report to aid formal decision making on this issue. Particularly, Full Council is requested to:

- (i) Note Appendix 'A' and associated annexes together with background papers demonstrating the history of this policy area;
- (ii) Note the findings from the public consultation and the updated Equality Analysis (Appendices 'B' and 'C' refer); and
- (iii) Make a decision and, in coming to that decision, review and consider any relevant mitigation and agree next steps.

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

Paper	Date	Contact/Tel
Report to Cabinet - Review of the County Council's policy relating to the supply of Halal meat to schools	14 September 2017	Josh Mynott/(01772) 534580
Full Council report - Review of the County Council's Policy relating to the Supply of Halal Meat to Schools	26 October 2017	Josh Mynott/(01772) 534580

Reason for inclusion in Part II, if appropriate

N/A

Appendix A

Review of the County Council's policy relating to the supply of Halal meat to schools

Background and Advice

In June 2017, with the current contract for the supply of Halal meat coming to an end the council is reviewing its current policy on supplying Halal meat to schools with the current contract coming to a clause. The Council's current policy is to provide both stunned and un-stunned Halal meat and this report sets out the implications of changing this policy to stunned meat only.

The provision of Halal meat within school meals is not without controversy. School meal providers have to tread a fine line between satisfying the dietary expectations of a significant section of the community whilst respecting both procurement law and food standards legislation.¹

Key considerations

- No single defined standard for Halal exists in the UK.
- A local authority may specify that animals must be stunned before slaughter within the supply tender.
- To favour one accreditation body over another would breach EU procurement law.

What does Halal mean, how is it defined and by whom?

Halal - Arabic: 'Permissible' - Meat slaughtered and prepared in accordance with Islamic/Sharia law.

Haraam - 'prohibited by God, unwholesome, foul'.

The **Qur'an** makes reference to what is prohibited in terms of food and meat. From the verses, Muslims interpret what is Halal and Haraam (leaving scope for differing views).

Elements which are quite **clearly established for Halal slaughter** are:

- Only a permitted and healthy animal/bird can be slaughtered.
- Animal welfare is essential from farm to slaughter.
- The animal must be alive at the point of slaughter.
- Only a Muslim slaughter man using a sharp knife of adequate size can slaughter.
- The knife must be cleaned after each cut and sharpened out of sight.
- No animal must be allowed to see another being slaughtered or the blood.
- The windpipe, gullet, and preferably 2 carotid arteries and 2 jugular veins must be cut in a single action. Slaughter man must audibly recite "Tsmiyya" that is Bismillah Allahu Akbar ('in the name of Allah, Allah is greatest') at the time of doing the Zibah (religious slaughter).

The Qur'an is also clear as to **what is not permitted**:

¹ Association of Public Service Excellence – The Halal Dilemma Sept 2011

- Meat from swine, carrion (dead/rotting carcass), carnivorous animals/birds, and blood.
- Animals that have been sacrificed to other gods.
- Animals that have not been fed on a natural diet.
- Alcohol – in context of meat production – alcohol based cleaners and solvents for hand wash or equipment cleaning.
- Meat by-products, such as meat based gelatine and lard, from animals which have not been slaughtered in accordance with Islamic/Sharia law.

Pivotal issue: **Stunning**

- The Qur'an does not expressly forbid stunning (animals must be alive).

This manifests itself with differences of opinion within Muslim communities and consequently there is no single authoritative body in the UK representing a single agreed definition/standard for Halal. This has led to divided supply of options and competing 'regulatory' regimes.

School Food Regulations 2014

The requirements for School Food Regulations 2014, are to ensure that food provided to pupils in school is nutritious and of high quality; to promote good nutritional health in all pupils; protect those who are nutritionally vulnerable and to promote good eating behaviour.

School governing boards must provide school meals to a pupil free of charge if the pupil and/or a parent meets eligibility criteria set out within the Education Act 1996 and a request is received for free meals to be provided either by the pupil or someone acting on their behalf. The free school meal must comply with the requirements for School Food Regulations 2014; also referred to as the school food standards.

From September 2014 every child in reception, Year 1 and Year 2 in state-funded schools, is entitled to a free school lunch which must also comply with the school food standards.

The school governing board is also responsible for ensuring that the national school food standards are met.

Governing boards are strongly encouraged to work with its senior leadership team to develop a whole school food policy; setting out the school's approach to its provision of food, food education (including practical cooking), the role of the catering team as part of the wider school team and the school's strategy to increase the take-up of school lunches. This is expanded on further in The School Food Plan (Alliance) which places an onus on schools to adopt a whole school approach to school meals and food education.

The School Food Regulations 2014 require meat or poultry to be served on at least three days per week. Lancashire school meal menus are designed to comply with this requirement, with meat and poultry dishes being predominantly served between Monday and Thursday. Where a meat or poultry dish is included on a Friday, Roman

Catholic schools may adapt their menus to restrict the consumption of meat due to religious edict. However, the menu provision for the week must still include the provision of meat or poultry for a minimum of three days per week to ensure that the standards are met.

Prior to the School Food Regulations 2014, the government endorsed two sets of standards for school lunches:

- a) Food-based, which defined the types of food that children and young people should be offered in a school lunch and their frequency; and
- b) Nutrient-based which set out the proportion of nutrients that children and young people should receive from a school lunch.

The introduction of the School Food Regulations 2014 combined the benefits of these two standards, ensuring that the correct food choices and their constituent nutrients were reflected in the new standard. Meat and poultry are an important food group in respect of the 14 key nutrients, being a good source of protein, B vitamins and minerals, including iron and zinc.

Protein is required to repair body cells and make new cells, repair and build tissue. It is vital for building bones, muscle, cartilage, skin and blood. Zinc is needed for growth and maintenance in the body. It is also vital for the immune system and healing and is also used in the breakdown of carbohydrates.

Iron is required to make haemoglobin. Without haemoglobin the body cannot carry oxygen from the lungs to the rest of the body, without enough haemoglobin we are susceptible to anaemia. B vitamins are involved in many metabolic functions, including energy metabolism. B12 is generally lacking in a meat free diet as it is difficult to obtain from other sources, other than breakfast cereals which are fortified.

In 2012/13, the County Council conducted a limited year group survey which identified that upwards of 67% of pupils in Burnley and Pendle secondary school, arrive to school without having consumed breakfast; thus limiting the intake of fortified vitamins and minerals from breakfast cereals.

Department for Education

Advice from the Department for Education states that schools should make reasonable adjustments for pupils with particular requirements, for example to reflect medical, dietary and **cultural needs** and that school food menus are designed for the majority of the school population.

An evaluation of the benefits of universal free school meals was funded by the Department for Education (DfE) and the Department of Health (DH) between autumn 2009 and summer 2011. The pilot scheme and resultant evidence led to the then coalition government introducing universal free school meals for all infants and key stage 1 pupils from September 2014.

The universal pilot had a significant positive impact on attainment for primary school pupils at Key Stages 1 and 2, with pupils in the pilot areas making **between four and eight weeks' more progress** than similar pupils in comparison areas. These effects could have arisen either through the provision of free school meals directly or

through the wider activities that accompanied the pilot (such as the promotion of school meals and healthy eating to pupils and parents) or both.

The universal entitlement pilot also appeared to improve attainment by more, amongst pupils from less affluent families than amongst pupils from more affluent families. It also appeared to improve attainment by more, for pupils with lower prior attainment than for those with higher prior attainment.

Of particular note is the fact that the universal pilot approach improved outcomes among children from less affluent families: it increased the take-up of school meals among pupils who were already eligible for free school meals before the pilot was introduced and it had positive impacts on diet among these pupils. School staff in the qualitative case studies also noted that the pilot had a 'levelling effect' on the quality of lunches eaten by pupils from different backgrounds; the implication was that while the quality of packed lunches varied considerably by socio-economic background, all pupils taking school meals had access to a nutritious, balanced meal, thus reducing socio-economic differences in the quality of food eaten at lunchtime. The improvements in attainment in the universal pilot areas also appeared to be greater for children from less affluent backgrounds and those with lower prior attainment.

In July 2012, a report was presented to Lancashire County Council's Cabinet on an approach to increase the level of free school meals across Lancashire Schools. National evidence from take up campaigns suggested that the main reason for failure to claim was a lack of general awareness of entitlement, sometimes compounded by having to deal with a perception of a complex process of claiming free school meals. It was agreed that all Councils in Lancashire to joining up data to increase the level of free school meals across Lancashire schools (see Annex 2).

A move away from the current policy to supply both stunned and un-stunned Halal meat, may have adverse effects such as; fewer young people accessing their free entitlement of free school meals; risk of quality assurance within the supply chain; high uptake of packed lunches that don't meet the school food regulations; and longer term effects on attainment and achievement of young people, from high risk social economic backgrounds.

Ofsted's Common Inspection Framework

Under Ofsted's Common Inspection Framework, which came into force in September 2015, inspectors assess how "children and learners keep themselves healthy, including through healthy eating". Inspectors will look at "the food on offer and visit the canteen to see the atmosphere and culture in the dining space and the effect this has on pupils' behavior. In a recent Children's Food Trust survey only 1% of packed lunches met the requirements for School Food Regulations 2014, the study also found anecdotal evidence that pupils behaviour was adversely influenced by the varying contents of packed lunches.

Current situation

In Lancashire, we currently supply twenty seven schools, where the Governing Body has chosen Halal school meals, with 'un-stunned' Halal school meals as an option and cater for up to 12,000 children on roll. Not all 12,000 children will choose un-stunned Halal meat. These schools are within Lancashire County Council boundaries, Nelson, Burnley, Rawtenstall, Hyndburn and Preston including Blackburn with Darwen council area.

Financial information relating to these school catering contracts are detailed below under 'financial implications'. It explains that there is a potential loss of c.£285,000 (contribution to overhead) per annum, if these contracts are lost following this review. There is also the possibility that schools will seek alternative suppliers of Halal meat who may not be 'Accredited' suppliers. We currently offer meat accredited by the Halal Monitoring Committee which is a trusted quality brand amongst Lancashire's Muslim communities.

Another key factor to consider here is that there is currently no demand for stunned Halal meat from any school within the authority's catering service.

In Lancashire, where school meals are predominantly provided by the local authority, as a traded service, compliance with the school food standards is specified within the catering service level agreement and the catering service provide the governing board with evidence of compliance with the standards. The authority catering service is also intrinsic in ensuring that schools who use the service are able to meet their statutory obligations to provide pupil premium and universal infant free school meals.

The catering service strategy and pricing model acknowledges and communicates the combined benefits of increasing primary school meal uptake, with the price per meal charge to schools being lower the higher the school meal uptake percentage. Any reduction in school meal uptake has an adverse effect on the price per meal charged to schools and would most likely result in schools moving from a profit making school meal service to a loss making service.

As mentioned earlier, a reduction in school meal uptake may also impact upon the overall academic attainment levels; affect pupil's behaviour during lunchtime and afternoon lessons; and lead to an increase in the attainment gap between pupils from different socio-economic backgrounds. However, we cannot claim that a potential change in the County Council's current policy, would see academic attainment reduce as a direct result. There are other providers, other than the County Council, of Halal meat available to schools, to help them meet their cultural food requirements.

In reviewing this policy, we have also considered other County Council establishments where Halal meat may be in demand. Having consulted the Head of Service, Adults and Older People, at present, there is no current demand for Halal in residential care establishments however, there is a possibility of receiving requests via rehabilitation for Halal meat dishes and for future residents.

Considerations

Nationally, Central Government and Local Authorities continue to address the needs of a diverse set of residents against the following issues:

- The UK's legal position in religious slaughter.
- Stunned or not stunned Halal – supply options and animal welfare matters.
- Labelling and food provenance.
- Possibility for a single supply option that respects both Halal and Non-Halal consumers.
- Halal

What the legislation says:

- EU/UK law requires farm animals to be stunned prior to slaughter (Halal and Kosher slaughter Guidance October 2015).
- Exemption for religious slaughter: Schedule 12 of The Welfare of Animals (Slaughter or Killing) Regulations 1995 Jewish and Muslim.
- Significant meat producing countries such as Denmark (EU) and New Zealand legally mandate pre-stunning even for Halal slaughter.

The ability of the animal to feel pain following stunning is the subject of much debate and academic study and the exemptions to stunning are opposed by organisations such as the RSPCA who are opposed to the slaughter of any animal without first ensuring it is rendered insensible to pain and distress.

There is debate amongst Muslims about some aspects of the Halal rules, and there is no single set of national or international standards. In the UK, “Halal” is not defined in law. Instead, there are a range of Halal accreditation agencies who will inspect and accredit firms involved in the production and handling of meat in order for that meat to be described as Halal.

The two biggest accreditation agencies in the UK are currently the Halal Food Authority (HFA) and the Halal Monitoring Committee (HMC).

Whilst the two organisations agree on many things, there are also differences, perhaps most notably on the issue of stunning animals before slaughter. The HFA allows this in certain conditions, the HMC does not allow it at all.

In 2014, there was a Halal and Kosher meat debate in the House of Commons relating to the labelling of such meat at the point of sale. Part of this debate examined the method of 'slaughter labelling'². The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs at the time, (George Eustice), concluded that; *"such regulation should be introduced at a European level however, if one were to introduce compulsory method of slaughter labelling, I think one would go not for labelling as halal or kosher, for the reasons I gave earlier, but for labelling as stunned or unstunned"*.

In December 2013, written evidence was received from a number of the bodies listed below (see Annex 1 for further information). In reviewing the current policy, where

² <https://hansard.parliament.uk/Commons/2014-06-12/debates/1406124000021/HalalAndKosherMeat>

the County Council supplies both stunned and un-stunned Halal meat to schools, a desktop exercise took place where the following information was gathered. Notably, none of the advice and guidance has changed:

- **Food Standards Agency (FSA)** - The animal **should be alive or deemed to be alive** at the actual time of slaughter and slaughter must be carried out in compliance with Islamic Sharia and the Welfare of Animals (Slaughter or Killing) Regulations 1995 (as amended). The FSA animal welfare survey undertaken in abattoirs across Great Britain during one week in September 2013 showed around 84 per cent of animals slaughtered by the Halal method were stunned before slaughter.
- **Animal Welfare** - The ability of the animal to feel pain following stunning is the subject of much debate and academic study and the exemptions to stunning are opposed by organisations such as the RSPCA who are opposed to the slaughter of any animal without first ensuring it is rendered insensible to pain and distress
- **Halal monitoring Committee** – The British Law allows the Muslim to carry out religious slaughter **without stunning**.
- **Halal Food Authority** – **stunning allowed** as per European Council Regulation EC1009/2099
- **Humane Slaughter Association (HSA)** - The view of the HSA remains that all animals **should be effectively stunned** prior to being bled, because this precludes the possibility of suffering.
- **The Farm Animal Welfare Council (now Committee) (FAWC)** - “Slaughter **without pre-stunning is unacceptable** and that the Government should repeal the current exemption”. Until then any animal not stunned before slaughter should receive an immediate post-cut stun.
- **Muslim Council of Britain (MCB)** - At the end of the day, informed consumer **choice, rather than prejudice** should be the motivating factor here.
- **Lancashire Council of Mosques (LCM)** – a number of attempts have been made to meet with the LCM which have been declined. The LCM have engaged in the consultation and it is the view that based on the events in 2103, that the LCM will take the same view and boycott school meals.

Advice received from Lancashire County Council services

This isn't the first consideration of this item as referred to in Annex 1. The following advice looks at the impact of a potential change in policy to supply stunned meat only, to Lancashire schools;

Financial implications

Lancashire County Council currently supplies, where the school and Governing Body have chosen Halal school meals, Halal meat to twenty seven schools and caters for up to 12,000 children who are served over 1.2m meals per annum. Not all 12,000 children will choose Halal un-stunned as an option. These schools are in Blackburn, Nelson, Burnley, Rawtenstall, Hyndburn and Preston where the catering service employ 139 part time, term time, catering employees.

Currently, JW Young's are our Halal frozen meat supplier.

When considering a change in this policy, if Lancashire County Council were only to buy Halal stunned meat, there would be variable factors to such a decision.

- When Halal un-stunned (HMC) meat was banned from use in Lancashire in 2013, the Lancashire Council of Mosques asked all Muslim families to boycott Lancashire school meals completely, not just the ones who were affected by the ban of Halal un-stunned meat. This was followed not just in the schools who were affected by the ban of Halal un-stunned meat. The boycott resulted in a significant drop in meal uptake in schools serving both Halal and non-Halal menus and thus income and contribution. The effect was particularly damaging in the east of the county and the central Preston area where school meal uptake decreased by over 7%.
- The school meals service is charged to schools who in turn charge parents for paid meals or receive a price per meal from the government for universal infant free school meals. If the primary schools (Annex 2) are unable to satisfy the cultural food requirements of their pupils, and consequently their parents, there is a strong possibility that they will choose to contract with an alternative catering provider, or manage their own catering arrangements in house.
- Secondary school contract income is predominantly received from pupils, so again, if the secondary schools are unable to satisfy the cultural food requirements of their pupils there is a strong possibility that they will also choose to contract with an alternative catering provider, or manage their own catering arrangements in house.
- A potential reduction in the County Council's competitiveness in a commercial environment as it could see new entrants in the market place providing this service for example, other Council Catering Services. This would also limit the services diversification plans in entering new markets and territories. As a change in current policy would reduce our ability to provide a full end-to-end service.
- The **potential loss** of the twenty seven Halal school meal catering contracts would result in the loss of c.£2.5m of traded income and **c.£285,000 per annum** reduction in contribution to corporate overheads; plus reduction in food procurement rebates, plus any additional impact of another school meal boycott by the Lancashire Council of Mosques.
The impact of the loss of the twenty seven Halal school meal catering contracts, the headlines of which are:
 - Food expenditure could decrease by £981,369 per annum, 75% of which is spent directly with local food manufacturers and distributors
 - 139 catering employees could be faced with TUPE transfer to alternative catering providers, or directly to schools.
 - Annual catering income could decrease by 8.36%
 - Annual contribution could decrease by 5.41%
 - 10.59% of Lancashire's pupil population may be affected
 - Food rebates could decrease by £28,000
- It is important to note that there is a potential risk of further income losses for the service if there is a wider boycott of school meals (as was the case in 2013) across Lancashire.

- Under the current policy where the council provides stunned and un stunned Halal meat. In the 27 schools there is currently no demand for stunned Halal meat, nor would there be an expected increase in demand for stunned Halal meat if the Lancashire Council of Mosques adopt the same position of boycotting all school meals and only advocating un-stunned Halal meat. Ultimately, schools and individuals will choose whether to accept stunned Halal meat should there be an absence of un stunned Halal meat.
- Our pricing model is based upon a sliding scale of charges whereby the higher the meal uptake the lower the meal charge to schools. Any resultant reduction in meal uptake from a change in policy would see the price per meal charged to schools increase.

As detailed above, there are the additional impacts, such as the government's school food standards, nutritional impact, obesity and diabetes, increase in packed lunch uptake and pupils leaving the premises for home lunches to be considered.

There is also the financial impact on the Muslim community, if they were to boycott school meals. Families may be encouraged to provide alternative food options for their children (which may not meet the School Food Regulations) whether this be as a packed lunch or provided at home. This also could lead to additional costs in terms of travelling from school to home and back again.

Legal implications

It is possible that the Council would face a risk of challenge to a decision to procure only halal meat that has been stunned prior to slaughter. Such a challenge could be based upon an allegation that:

- (1) The Council has breached the Public Contracts Regulations 2015; and/or
- (2) The Council has failed to comply with the equality Act 2010

Procurement implications

The County Council is obliged to procure in accordance with the Public Contract Regulations 2015 (the "Regulations") which prohibit any form of tender process which effectively restricts or distorts competition. Accreditation (or any aspect of the accreditation including for example a restriction on stunning prior to slaughter) of meat as Halal is classed under the Regulations as a "technical specification"

Regulation 42 (10) states that:

"Technical specifications shall afford equal access of economic operators to the procurement procedure and shall not have the effect of creating unjustified obstacles to the opening up of public procurement to competition".

A requirement that animals should be stunned prior to slaughter could also be categorised as a "characteristic" of a technical specification addressed under Regulation 42 (6) which provides that:

"In the case of any public contract, the required characteristics may also refer to -

- (a) the specific process or method of production or provision of the requested works, supplies or services, or
- (b) a specific process for another stage of its life cycle, even where such factors do not form part of the characteristics' material substance provided that they are linked to the subject-matter of the contract and proportionate to its value and its objectives".

To stipulate one sole accreditation body, or a specific slaughter process, for Halal meat in Lancashire may breach Regulation 42 (10) if it could be proved that it creates an unjustified obstacle to potential bidders. However, Regulation 42 (6) suggests that there is some flexibility allowing authorities to specify processes as part of a technical specification provided that the process relates to what is being procured and does not for example lead to a disproportionate increase in costs.

It does not seem immediately apparent that limiting the range of possible bidders to those who stun animals prior to slaughter would either unfairly restrict competition or introduce an extraneous requirement that would be unreasonable of itself.

Equality Impact Implications and Assessment

The County Council is under an obligation to consider each strategic proposal in terms of possible impact upon certain groups (defined in the Equalities Act 2010 by reference to protected characteristics). This process is usually undertaken by way of an equality impact assessment which addresses the potential impact of a proposal upon equality issues in a substantive and thorough manner. Whilst the Equalities Act 2010 does not prohibit public authorities from taking decisions which may detrimentally affect those with protected characteristics, authorities must have due regard to such matters when making relevant decisions. As the assessment attached as appendix C to this report makes clear, the review of the procurement of halal meat is likely to have an impact upon a number of groups with protected characteristics in a number of ways.

Undertaking an equality impact assessment evidences the process by which appropriate information is sought and analysed in terms of the potential impact upon groups with protected characteristics. The contents of the assessment must be considered when making a decision in order to be able to make a lawful decision and to evidence that relevant considerations have been taken into account.

Failure to comply with the Act and to evidence that this is the case has in the past proved a fruitful ground of challenge and the assessment should be fully considered as part of the decision-making process.

An Equality Analysis has been completed and can be found at Appendix C.

Academic implications

As explained in detail above, the provision of a nutritious meal in the middle of the day to the children of Lancashire is of fundamental importance. This is not just a matter for Muslims or Muslim children. For some children, it may be the only meal they get in a day, and for all children, the importance of good nutrition in the

development and achievement is key. The aim of all the people involved in this ongoing debate has been to make sure that Lancashire is offering something to its children that presents them with a genuine choice, that presents them with meat they, and their parents, feel comfortable with as being reflective of their needs and wishes.

Economic implications

The economic impact would affect the County Council, the suppliers the County Council currently trade with and the suppliers along the food chain, schools and families.

The international market for Halal is worth around £423bn making up approximately 16% of the global food market;

- 1.8 million Muslims live in the UK,
- 356,458 in the North West and
- 96,600³ in the Lancashire 14 area.
 - Blackburn with Darwen (27.0%) and
 - Pendle (17.4%) had high rates of Muslims.
 - The Blackburn with Darwen rate was the third highest in England and Wales.

The debate is not just around the supply of Halal meat to schools, The Muslim Council of Britain claim that many popular curry houses and restaurants clearly displaying Halal, attract customers who are not often Muslims. They welcome any move by mainstream companies to cater for Muslim consumers. They also believe that at the end of the day, informed consumer choice, rather than prejudice should be the motivating factor here.

It is also understood that well known food retailers such as Nandos and KFC in the Blackburn area, only serve Halal meat based on studying the racial make-up of the area. It is difficult to qualify in figures, particularly in the global economic market place and where a number of establishments state to provide meat that is Halal whether this is stunned or unstunned Halal meat.

In terms of schools, the impact on schools has been explained in terms of them making a profit through take up of school meals against the potential loss of income if Halal supply did not meet the demand. As schools are now more self-sufficient and have a choice on whether to buy services from the County Council or elsewhere, a change in this policy could see a reduction in the number of school catering/lunchtime supervisor staff at certain times, due to the reduction in pupils staying in school for lunch.

There is also the potential for more schools to seek Academy status as we may be seen as not responding to the market. If we cannot supply choice within the market, schools may choose to buy elsewhere. Just by the County Council changing its policy, doesn't mean that schools will follow.

³ Census, March 2011 indicated that their religion was Muslim

Emergency Planning

Government Guidance on evacuation and shelter (2014) requires Emergency Planners to consider individuals or groups who may require special care and attention and to consider potential special requirements. These could be for example, dietary (Halal food) cultural (unisex facilities) or religious (need for prayer facilities). A change in the County Council's policy will impact on our emergency responses planning.

Social implications

The fact remains that slaughter without stunning for religious purposes remains legal in this country, and that government agencies such as the Foods Standards Agency have made it clear that there is no single 'correct' definition of Halal.

As identified by the Halal Meat Supplies Task Group, the opportunity remains that a choice is made available to Muslims at a local level. This could be achieved by allowing individual schools, if they so choose, to make a judgement for their own pupils on issues connected to accreditation and stunning. Parents would be able to make their views known to the Head Teacher and Governors of an individual school, and the County Council would be able to meet that requirement.

It should be noted that locally and nationally policy changes around the provision of stunned and un-stunned halal meat to schools may result in community tensions and some may use this policy to feed the agenda of the far right whose activity is currently growing across the UK and Europe. Community tensions are already heightened following recent terrorist attacks from both ISIL/Daesh and Far Right in London and Manchester. As experienced in 2013 there is likely to be a strong response from the both the Muslim community and far right activist impacting negatively on community tensions, community cohesion and integration across our Lancashire communities.

This policy area has the potential to lead individuals undertaking acts of hate incident/crime and Leaders/ Governing Boards/ communities spokespersons will have a role and be key to managing this . Extreme hate ideology can be a trigger along with other frustrations of an individual that lead to them to carrying out a terrorist act. Evidence shows that the community tensions are very delicate at the moment. From the opposite spectrum certain communities can feel marginalised and feel they are being targeted by the effects of policy changes made by public bodies e.g. the Muslim community and Halal meat provision. This can be exacerbated by press coverage and social media comment.

However, there is support available from across Lancashire agencies to respond following any referrals or concerns raised.

Thought and consideration also needs to be given in terms of Lancashire's Muslim population where they have expressed a preference for un-stunned Halal meat only and that the Jewish community will only accept un-stunned meat and will watch closely what happens in the Muslim community.

Cultural leadership across Lancashire is very strong and the County Council should be mindful of the reaction of communities and schools, who may perceive the authority distancing themselves from their cultural needs and differences and thus marginalising the affected schools.

Communications

The last time un-stunned Halal meat was banned in school meals there was a significant amount of negative media attention, particularly focused on opposition to the policy by the Lancashire Council of Mosques, and their boycott of Lancashire school meals.

Media reaction this time around is likely to be determined by the reaction of the Muslim community. If the Lancashire Council of Mosques again opposes the policy, as seems likely, then it would be reasonable to assume that more negative stories will again be generated.

Consultations

. The following information/reports/views have been considered:

- Report of the Halal Meat Supplies Task Group: December 2013.

In addition a desk top exercise has been conducted to research the current national and local intelligence relating to the supply of halal meat, particularly to schools. The main bodies referred to are:

- Food Standards Agency;
- Halal Monitoring Committee;
- Halal Food Authority;
- Humane Slaughter Association;
- The Farm and Animal Welfare Council;
- Muslim Council of Britain;
- Lancashire Council of Mosques.

Consideration has also been given to the demographics of the areas most affected by this policy and representatives from key service areas within the county council have been consulted, including School Meals/Catering Service, Legal, Procurement, Adult and Older Peoples Services and Equality and Cohesion.

A 4-week public consultation exercise was launched during which, the council continues to supply halal meat under the terms of the contract that supports current policy.

The consultation was carried out between 7 February and 7 March 2018. The consultation report can be found in Appendix C

Implications:

This item has a number of implications, as indicated above.

Risk management

This report has significant risk implications as detailed above and are summarised below:

- Legal – Animal Welfare vs. School Food Regulations/Requirements of Sharia Law
- Procurement – restrict/distort competition
- Finance – potential loss to LCC and individual schools
- Community – increase in community tensions
- Market place – not seen as a supplier of school meals to Muslim schools

The monitoring and review of these risks have been included in the Policy, Information and Commissioning Team's Risk Register.

List of Background Papers

Paper	Date	Contact/Tel
Lancashire Education Act 1984 The Asian Religions – Their Dietary Restrictions (Annex 5)	12 th March 1984	Ajay Sethi 01257 517100
Report of the Halal Meat Supplies Task Group)	6 th December 2013	Josh Mynott 01772 534580
Procurement of a supplier or suppliers to provide Lancashire County Council with frozen Halal meat (Annex)	21 st October 2014	Rachel Tanner 01772 534904

Halal Meat Task Group – Final report

Background

In July 2013, Lancashire County Council's Full Council considered a motion that

"This Council confirms that it will not provide meat to any of its kitchens unless the animal was stunned before it was slaughtered."

Following discussion, it was resolved by Full Council

"That consideration of this motion be referred to the Scrutiny Committee with a request that a task and finish group be set up to examine all issues relating to the council's supply of Halal meat"

The proposal was put to the Scrutiny Committee in September 2013, where it was agreed to establish a Task Group to consider the matter.

Membership

CC Bill Winlow (chair)
CC Geoff Driver CBE
CC David O'Toole
CC Sandra Perkins
CC Yousuf Motala
CC Chris Henig
CC Munsif Dad

Scope

At the Scrutiny meeting in September 2013, the scope of the task group was agreed. The key objective was agreed as:

To consider all issues relating to the supply of Halal meat to the County Council in order to recommend to the Cabinet the basis for a policy on the provision of Halal meat.

Initial analysis made it clear that by far the most significant area in which the supply of Halal meat was an issue was in relation to the provision of school meals. It was therefore this area where the Task group concentrated their attention.

Methodology

The Task Group considered a range of evidence, written and oral.

- Roger Eakhurst, Assistant Director (Catering), Lancashire County Commercial Group (LCCG) attended all meetings of the Task Group to advise and support.

The task group spoke to:

- Lancashire Council of Mosques (LCM)
 - Abdul Qureshi, Chairman
 - Imam Yusuf Shabbir
 - Ishmael Nakhuda, General Manager

- Halal Monitoring Committee (HMC)
 - Nadeem Adam, Operations Manager
 - Mohammed Giga

- Halal Food Authority (HFA)
 - Saqib Mohammed, Acting Chief Executive
 - Sardar Qadri, Sharia law expert
 - Munsur Ahmed, Meat and Poultry lead

The Task Group watched a video produced by the English Beef and Lamb industry organisation EBLEX, showing various types of Halal slaughter.

Written evidence was received from:

- RSPCA “Religious Slaughter” February 2013
- Laura Sales, Assistant County Solicitor (Contracts and Procurement), Lancashire County Council
- Association of Public Service Excellence (APSE) “The Halal Dilemma” September 2011
- Lancashire Council of Mosques Halal Sub Group “Criteria and Definition of Halal” April 2007
- EBLEX Halal Survey results November 2013
- Halal Monitoring committee “UK Scholar Halal Survey” August 2009
- 2011 Census Information on Religious Belief
- Briefing Note prepared by Roger Eakhurst outlining the history of the issues from 2001-present

Findings

Lancashire has a significant Muslim population. According to the 2011 census, around 5% of the total population of Lancashire is Muslim, rising in some districts to between 10% and 17%. It is clearly essential that Lancashire County Council properly takes into account the needs of this population when making its decisions. One key area is the provision of food for Muslim children in Lancashire schools, which means making sure that the food offered is Halal.

“Halal” is an Arabic term which means permissible or lawful. In terms of food, it relates to both what food can be eaten, and also how that food must be prepared. In terms of meat, certain animals are completely prohibited or forbidden (haram), such as pork. Other meat – beef, chicken, lamb, for example - can be eaten so long as it is prepared in line with certain rules. A brief summary of some of the key rules is as follows:

- The slaughterman must be a Muslim
- The slaughterman must invoke the name of Allah before every slaughter

- The slaughter must be done with a single stroke of a clean, sharp blade, severing the arteries without damaging the spinal cord
- The animal must be alive prior to slaughter

There are also rules that require each animal to be slaughtered separately without seeing or hearing the slaughter of another animal or seeing its blood.

There is debate amongst Muslims about some aspects of the Halal rules, and there is no single set of national or international standards. In the UK, “Halal” is not defined in law. Instead, there are a range of Halal accreditation agencies who will inspect and accredit firms involved in the production and handling of meat in order for that meat to be described as Halal. The two biggest accreditation agencies in the UK are currently the Halal Food Authority (HFA) and the Halal Monitoring Committee (HMC). Whilst the two organisations agree on many things, there are also differences, perhaps most notably on the issue of stunning animals before slaughter. The HFA allows this in certain conditions, the HMC does not allow it at all.

UK law requires that all animals are stunned before slaughter. However, in the regulations that set out what is permissible, the Welfare of Animals (Slaughter or Killing) Regulations 1995 – known as WATOK, there is a specific exemption for religious slaughter, meaning that for Muslims and Jews, slaughter may take place in properly licensed slaughterhouses without stunning.

Stunning is a major area of debate for Muslims and non-Muslims alike. For some, it is an issue of animal welfare. The RSPCA, for example, actively campaign for a change to the law to remove the exemption for religious slaughter. They believe that slaughter without stunning increases the pain and distress felt by the animals, and have produced studies they say proves this.

There is no consensus within the Muslim community itself. Whilst the more Muslims oppose stunning than support it, it is clear that many will accept meat as “Halal” even if it is stunned. The main issue for Muslims is ensuring that the meat is killed by the incision, and whether stunning can be done in a way that is reliably recoverable. In other words, for many Muslims, whilst there remains a risk that the stunning will (inadvertently) kill the animal, the technique cannot be relied upon as Halal. Other Muslims believe that stunning can be done in a way that ensures that the stun doesn’t kill the animal, for example through appropriately low current, or by a “post-cut” stun (where the animal is stunned after its neck is cut).

What Lancashire County Council cannot do is come to any judgement on what is and what isn’t Halal. That is entirely a matter for Muslim scholars and the wider Muslim community. Individual Muslims will make their own choices on what they accept as Halal, based on advice and information. When it comes to school meals, however, the supplies are procured by Lancashire County Commercial Group (LCCG) on behalf of schools, and so there is an imperative to ensure that this food is acceptable to those to whom it is being served.

In Lancashire, Halal meat has been an option on the school menu from at least 1994. In 2007, The Lancashire Council of Mosques (LCM) Halal Sub Group undertook a considerable amount of work on the issue, and, having developed a

criteria and definition, approached the County Council to discuss the issue. The LCM Halal Sub Group aimed at a definition that was as all-inclusive as possible, setting criteria that all Muslims in the county would agree were Halal. One key issue highlighted by the LCM was that whilst some Muslims may accept stunned meat, all Muslims accept non-stunned meat, and so, to ensure as many Muslims as possible could accept the criteria, non-stunning became part of the definition. The LCM expressed a view supportive of the Halal Monitoring Committee's approach and accreditation, which does not allow stunning, and which also required a high level of strict monitoring throughout the production process. The County Council adopted the LCM criteria for its procurement of Halal meat, including the requirement in its tender documentation of "HMC accredited Halal Meat or equivalent"

In 2009, the contract was due for renewal. At this point, the County Council's legal team provided advice that made it clear that the term "HMC accredited Halal Meat of Equivalent" severely restricted competition, in a way that left the county council open to challenge. Approaches had already been received from the HFA expressing concern about companies with their accreditation being excluded. Advice from the County Council's legal department was that the term should be removed, and that Halal meat from any accreditation body should be accepted. This advice was shared with the LCM at the time.

No changes to the supply were made, however, until October 2012, when the County Council's policy was changed to require that all Halal meat supplied to the County Council was stunned before slaughter. The LCM expressed concern at this move, and, following conversations with the County Council, the LCM took the decision to advise that all Muslims boycott school meals. Following discussions, it was agreed that this boycott would be reduced to simply be a boycott of meat meals. The LCM have continued to ask the County Council to reconsider the policy, and in the meantime, to withdraw any meat described as by the County Council as "Halal".

Whilst the County Council has always sought the views of the LCM in developing its policy on Halal, a major issue exists in reconciling that with the legal obligations on the County Council in relation to procurement. The Task Group sought to confirm the legal advice provided in 2009, and the County Council's legal department provided a clear statement (see "Legal Position" below). The advice was also supported by guidance produced by the Association of Public Service Excellence (APSE). The Task Group were clear that, regardless of any other consideration, these rules meant that the Council simply could not either specify a single accreditation agency or set of production processes where these would exclude significant parts of the market. It was made clear that, if the council was to specify non-stunned meat only, that this would be open to challenge, which would very likely lead to the council losing the challenge, at significant expense.

Although the task group considered at some length the issue of whether slaughter without stunning was more painful or distressing for animals, and strong views were expressed on both sides of the argument by task group members, the task group ultimately resolved that the County Council should be recommended to accept both stunned and non-stunned meat. This was reflective of the fact that slaughter without stunning for religious purposes remains legal in this country, and that government

agencies, such as the Food Standards Agency have made it clear that there is no single “correct” definition of Halal.

What was identified by the Task Group, however, was an opportunity to ensure that a choice was available to Muslims at a more local level. This could be achieved by allowing individual schools, if they so chose, to make a judgement for their own pupils on issues connected to accreditation and stunning. Parents would be able to make their views known to the Head Teacher and Governors of an individual school, and the County Council, through LCCG, would be able to meet that requirement.

In the Task Group’s considerations, it was very clear that there was significantly more to the issue than the single point of slaughter. The Task group noted and accepted many of the points made by the LCM and both accreditation agencies spoken to in relation to the integrity of the food served, the importance of understanding the provenance of all our food, and the need to create trust in the food on our plates. The Task Group was cognisant of the significant food security issues in the news earlier this year, and, whilst this was not formally part of the task groups’ remit, it was very clear that the criteria and definition of Halal developed by the LCM, as well as the wider principles of Halal food, had much to say about the provenance of food and respect for animals that could usefully apply to all food supplies to the County Council and elsewhere. It was clear to the task group that there were many lessons that could be learnt from the rules of Halal that applied to all food bought and served by the County Council, and the task group was keen to see that work developed further, in partnership with the LCM as well as other interested bodies.

Partly with these issues in mind, the task group received significant reassurance from LCCG about the inspection regimes in school kitchens. LCCG conforms to ISO9001, which is a raft of requirements set down to ensure that food is prepared in a clean safe environment, that cross contamination of different foods (for example Halal and non-Halal meat) did not occur, and that staff were well trained to understand the issues. The task group noted that some Halal accreditation bodies would willingly accredit schools (the HMC, for example, offer a service involving a termly inspection for a fee of £50 pa with a £100 initial joining fee), which some schools may be interested in, where this would add reassurance to their local communities. It was widely agreed, however, that the ISO9001 standards provided ample reassurance to schools, parents and children that the food they were served was sourced and prepared in line with whatever requirements they might have.

This final point highlights what was universally regarded as the real key issue. The provision of a nutritious meal in the middle of the day to the children of Lancashire is of fundamental importance. This is not just a matter for Muslims or Muslim children. For some children, it may be the only meal they get in a day, and for all children, the importance of good nutrition in the development and achievement is key. The aim of all of the people involved in this debate has been to make sure that Lancashire is offering something to its children that presents them with a genuine choice, that presents them with meat they, and their parents, feel comfortable with as being reflective of their needs and wishes.

To achieve this, the task group heard, requires good information to enable choices to be made. Whilst the task group was clear that the County Council must operate

within procurement law, it was felt that, by providing information to schools and parents, informed choices could be made which would enable children and parents to confidently enjoy school meals in Lancashire schools.

Legal Position

The following advice was provided to the task group by the County Council's lawyers:

"Before specifically advising on the regulations governing procurement some careful research was undertaken in relation to how Halal meat is classified and dealt with by food regulation agencies in the UK.

The classifications "HMC" and "HFA" refer to two out of the many accreditation bodies that accredit Halal meat products. "HMC" is generally considered to be more orthodox although both comply with Sharia law according to the Food Standards Agency. There is no clear cut definition of Halal, and this extends to the belief as to whether stunning the animal prior to slaughter is appropriate otherwise.

The County Council is obliged to procure in accordance with the Public Contract Regulations 2006 (the "Regulations") which prohibit any form of tender process which effectively restricts or distorts competition. Accreditation (or any aspect of the accreditation including for example a restriction on stunning prior to slaughter) of meat as Halal is classed under the Regulations as a "technical specification". Regulation 9(4) states that we must :

".....ensure that technical specifications afford equal access to [bidders] and do not have the effect of creating unjustified obstaclestocompetition".

To stipulate one sole accreditation body, or a specific slaughter process, for Halal meat in Lancashire would breach Regulation 9(4). It would unnecessarily limit competition which would enable dissatisfied suppliers to challenge the decision and if successful to claim substantial compensation from the Authority".

Note that this advice applies only to Halal meat supplies. It was made clear to the Task Group that meat supplied to Lancashire schools is not Halal unless it is clearly labelled as such. No children in Lancashire schools would eat Halal meat unknowingly. Even in schools where the majority of meat meals may be Halal, a non-Halal equivalent alternative will always be provided for those children for whom there is no requirement or wish to eat Halal food.

Conclusions

Clearly the County Council cannot and should not make a judgement of any time on what is or is not Halal.

It is also clear that the law allows for religious slaughter. This is specifically included in the WATOK regulations. It is the view of the task group that, whilst individuals may

hold views on that for moral, ethical or religious reasons, the county council should focus on the practical matter of procurement and contracting.

The task group does note that the aim of all bodies involved is honourable in intent, and all agree on certain key issues, such as the need to increase our knowledge on where our food comes from and our trust in the products being provided. Recent scandals in Lancashire and across the country have highlighted the wider issue of contaminated food. This is not just a matter for Muslims and Halal, but a crucial lesson from the evidence supplied is that the Halal meat issue is about much more than the moment of slaughter; It is about respect for the animals we eat and a desire to properly understand its provenance.

Recommendations

The Task Group recommends that Lancashire County Council should:

1. recognise the importance of providing meat for Muslim children in Lancashire schools that is:
 - a. Produced and prepared in line with Halal requirements
 - b. Accredited by a recognised Halal accreditation body
 - c. From a trusted source and traceable
2. recognise the value of the work of the Lancashire Council of Mosques (LCM) in this area; acknowledge that LCM is a representative body which speaks for the vast majority of Muslims in Lancashire; and understand and respect the principles behind the LCM statement on Halal, but recognise that legal constraints prevent the council from specifying the procurement of only non-stunned meat.
3. recognise and accept the current legislation that allows for religious slaughter without stunning.
4. recognise that the production of meat in accordance with Halal principles is not simply about the actual moment of slaughter, but a question of all aspects of the welfare of animals and the provenance of the food on people's plates.
5. recognise it is not in a position to make a judgement itself on what constitutes Halal meat. It should procure from suppliers accredited as Halal, and should work with suppliers and schools to provide accurate information about the production methods used.
6. should take steps through its procurement process to ensure that schools are able to make a choice which allows them to meet local needs.
7. make clear its belief that the current inspection regime to ISO9001 standard provide ample assurance for schools, parents and children that food is prepared and served in line with Halal requirements. It should also note that some accreditation agencies offer accreditation to schools as food preparers, and that individual schools may wish to consider this.

8. continue to work with the Lancashire Council of Mosques and others to promote school meals, provide information to schools, parents and children, and work to ensure that the food provided by Lancashire County Council meets the needs of individual schools
9. take steps to provide the information to schools, parents and children to enable them to make an informed choice about the meat they eat, and the reassurance to enable them to be certain that Halal meat is provided to those children who want it, and non-Halal meat to those who don't
10. recognise that the provenance of food served to our children is a vitally important issue, not just for Muslim children, and so would support any initiatives which increase reassurance about the provenance and integrity of all food.
11. support efforts nationally and internationally to agree universal standards for Halal food.

Cabinet - 5 July 2012

Report of the Chief Executive

Electoral Division affected:

All

Benefits Take Up - Free School Meals and the Data Sharing Opportunities

Contact for further information:

Eddie Sutton, (01772) 535171, Office of the Chief Executive,
eddie.sutton@lancashire.gov.uk

Executive Summary

To set out an approach to increasing the level of free school meals across Lancashire Schools.

Recommendation

The Cabinet is asked to:

- (i) Note the approach agreed by all Councils in Lancashire to joining up data to increase the level of free school meals across Lancashire Schools;
- (ii) Authorise the Chief Executive to take forward these proposals with One Connect Ltd.

Background and Advice

In 2011/2012 some 23,500 children were awarded free school meals (FSM) in Lancashire. However, national statistics would suggest that more than 10% of entitled families to this benefit do not claim this entitlement.

Free school meals are recognised as a vitally important contribution to the nutrition of children in low income families. The cash value of free school meals is around £400 per child per year. A significant sum to a family in poverty.

Failure to award free school meals has a major impact on school funding. Schools now receive an annual pupil premium worth £600 for each child eligible for free meals. It is likely that Lancashire schools are missing out on around £1.5 million. Essential local spending to support improving the life chances of the most economically deprived children is not available due to a simple failure to join up data and ensure entitlement.

National evidence from take up campaigns suggests that the main reason for failure to claim is a lack of general awareness of entitlement which can sometimes be compounded by having to deal with what seems like a complex process of claiming free school meals.

The majority of families that are entitled to free school meals will be receiving Housing and / or Council Tax Benefit from their local Council. They will have actually provided all the income information needed to process a claim for free school meals as part of this process. If this data could be used then all families entitled to (but not receiving) free school meals could be identified and the benefit awarded to the benefit of; families, children and schools.

An approach to joining up data has been proposed that will overcome these historic problems of failure to claim. This approach has been agreed by each of the Councils of Lancashire. This approach will also help to open up the possibilities of further data integration to support improved intelligence led take up claims for other vulnerable households and individuals across Lancashire.

Working Together To Award Free School Meals

By all Councils (and the County Council) working together the failure to take up free school meals can be remedied very quickly and simply. However this will need full support and cooperation from all Borough and District Councils over the coming weeks and months. However the prize is great.

A new and proactive approach to maximising the take up and award of free school meals is proposed which looks to secure the customer's consent to share income and household details from Housing and Council Tax Benefit (HB/CTB) claims with the County Councils. This will allow the children of families entitled to free school meals to be awarded and schools to receive additional funding **without parents** having to make any further claim.

This approach overcomes reservations that some Councils have previously expressed about data sharing. District and Borough Councils HB/CTB claim forms often allow for the claimant to consent that the data held about them can be used to positively identify their entitlement to other benefits. However some Councils have suggested that information supplied for HB/CTB claims could not be used for this purpose because free school meals do not fall within the legal definition of a 'benefit'. Others have expressed concerns that some information was supplied by DWP solely for HB/CTB processing.

The simple remedy to overcome these concerns is to write to all customers to advise them of this change and ask their permission to share the data using an 'informed consent' process.

What will happen next?

Councils across Lancashire award HB/CTB to around 110,000 households. Information on income and family make up is used to calculate entitlement to these benefits. By comparing this with the existing records for free school meals claims

and school admissions data held by the County Council it is possible to identify households that are entitled to but not claiming free school meals.

By writing to households receiving HB/CTB with school age children and seeking 'informed consent' to share data with the County Council all those entitled to free school meals can be awarded **without the need** to complete a claim form.

The first stage will involve each Council running reports from its HB/CTB system to identify households who meet the criteria for free school meals. At this stage it will not be possible to ascertain which households are already receiving free school meals.

The next stage will involve a mail shot to all potentially qualifying households to advise that unless they object, then the Council will share their details with Lancashire County Council to allow them to confirm and award free school meals entitlement.

A special telephone and email 'hotline' will be set up by One Connect Limited for a 4 week period in line with data protection requirements to any customers that do not want to take part and to opt out. During the final stage for those customers who decide not to opt out, their details will be securely shared with the County Council's Children and Young People Service to confirm and award any missing entitlements. The school and the child's parent or guardian would then be notified of their award ahead of the early October school census data. This census data will be used for the allocation of funding in the coming year and it is therefore essential to both families and schools to complete this exercise before October 2012.

The high level tasks associated with the project are:

- Councils identify FSM eligible households.
- County Council provides template to all local Councils for mail shot to eligible parents.
- Hotline set up with One Connect Limited to receive any opt out responses.
- Mails hot issued by local Councils with 4 week period for parents to respond.
- Hotline closes and all opted out households removed from list.
- Remaining households sent securely to the County Council Children's Services.
- Eligibility confirmed and entitlements awarded.
- Schools and parents notified of awards.

Future Opportunities

This exercise will demonstrate that by integrating data and working together vulnerable households can be assisted to claim. The approach is far more effective than publicity or outreach campaigns because it uses specific data intelligence to identify under-claiming and award benefits. Traditional take up campaigns cannot target in this way and ultimately place the responsibility to claim on the individual (who has already failed to claim perhaps due to ignorance, the complexity of the process or other reasons).

Soon the Government plans to introduce new data sharing powers enabled under the Welfare Reform Act. Regulations will come into force in July 2012 to enact new powers. These will enable local Councils to share data gathered for the processing of HB/CTB with other 'welfare services' and County Councils. This will include:

- Social Care Financial Assessments (home and residential care).
- Blue badges.
- Homelessness.
- Disabled Facilities Grant.

Data sharing will relate to households affected by restrictions on housing benefit under new rules about excessively large accommodation in the social sector.

This opens up major opportunities to maximise the income of vulnerable households within local areas. At the same time by re-using data it will be possible to make sure customers do not have to repeatedly supply the same information to different services. This also reduces costs to Councils with fewer transactions and duplication. For example it would be possible to:

- Compare data on households receiving care to confirm if local Councils hold details of disability benefits that trigger higher HB/CTB payments.
- Remove the need for customers receiving a new care package to supply financial details if these have already been used to claim HB/CTB.
- Identify further take up campaigns around disability benefits.

These are new opportunities and they demand that County, Boroughs and District services start to understand how they can best join up to support vulnerable customers, maximise entitlements, improve customer services and ease the process of claiming benefits or receiving a financial assessment.

Consultations

District Councils in Lancashire.

Implications:

This item has the following implications, as indicated:

Financial

As indicated in the body of the report, by increasing the take up of free school meals the County Council will be maximising the resources available to Lancashire schools through the pupil premium mechanism potentially increasing resources within the schools budget by c£1.5m (c0.2%). In addition, the provision of free school meals if taken up by families will reduce the financial pressure they are under which may reduce demand on other County Council services.

Risk management

The risks relating to data sharing will be managed by writing to customers to advise them of the change and ask their permission to share the data using an "informed consent" process.

Any representations made to the Cabinet prior to the issue being considered in accordance with the Public Notice of Forward Plans

Name:	Organisation:	Comments:
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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



Briefing 11- 48

September 2011

The Halal Dilemma

To APSE catering and main contacts throughout the UK.

The provision of Halal meat within school meals is not without controversy. School meal providers have to tread a fine line between satisfying the dietary expectations of a significant section of the community whilst respecting both procurement law and food standards legislation.

Key points:

- No single defined standard for Halal exists in the UK
- A local authority may specify that animals must be stunned before slaughter within the supply tender
- To favour one accreditation body over another would breach EU procurement law.

1.0 Background:

The international market for Halal is worth around £423bn making up approximately 16% of the global food market. Around 1.8 million Muslims live in the UK.

What does Halal mean, how is it defined and by whom?

Halal - Arabic : 'Permissible' : Meat slaughtered and prepared in accordance with Islamic/Sharia law.

Haram - 'prohibited by God, unwholesome, foul'.

The **Qur'an** makes reference to what is prohibited in terms of food and meat. From the verses, Muslims interpret what is Halal and Haram (leaving scope for differing views).

Elements which are **quite clearly established for Halal slaughter** are:

- Only a permitted and healthy animal/bird can be slaughtered.
- Animal welfare is essential from farm to slaughter.
- The animal must be alive at the point of slaughter.
- Only a Muslim slaughter man using a sharp knife of adequate size can slaughter
- The knife must be cleaned after each cut and sharpened out of sight.
- No animal must be allowed to see another being slaughtered or the blood.

- The wind pipe, gullet, and preferably 2 carotid arteries and 2 jugular veins must be cut in a single action. Slaughter man must audibly recite “**Tsmiyya**” that is Bismillah Allahu Akbar (*‘In the name of Allah, Allah is greatest’*) at the time of doing the **Zibah** (*religious slaughter*).

The Qur'an is also clear as to **what is not permitted:**

- Meat from swine, carrion (dead /rotting carcass), carnivorous animals/birds, and blood.
- Animals that have been sacrificed to other gods.
- Animals that have not been fed on a natural diet.
- Alcohol – in context of meat production - alcohol based cleaners and solvents for hand wash or equipment cleaning.

Pivotal Issue: **Stunning**

- The Qur'an does not expressly forbid stunning (animal must be alive).

This manifests itself with differences of opinion within Muslim communities and consequently there is no single authoritative body in the UK representing a single agreed definition/ standard for Halal. This has led to divided supply options and competing ‘regulatory’ regimes.

2.0 Issues for public bodies:

- The UK's legal position on religious slaughter.
- Stunned or not stunned Halal – supply options and animal welfare matters (recent research & views from the RSPCA & FAWC).
- Labelling.
- Possibility for a single supply option that respects both Halal and Non-Halal consumers
- Halal accrediting/regulatory organisations

Legislation

- EU/UK law requires farm animals to be stunned prior to slaughter.
- Exemption for religious slaughter : Schedule 12 of ***The Welfare of Animals (Slaughter or Killing) Regulations 1995*** (SI 731) Jewish & Muslim.
- Significant meat producing countries such as Denmark (EU) and New Zealand legally mandate pre-stunning even for Halal slaughter.

The ability of the animal to feel pain following stunning is the subject of much debate and academic study and the exemptions to stunning are opposed by organisations such as the RSPCA.

One supply option for both Halal and Non-Halal consumers

Regulation exists to ensure meats labelled Halal are authentic (Trade Descriptions etc), however there is no legal requirement for **non-Halal** meat to be labelled so, or to be labelled stunned or not stunned at slaughter. It is estimated that 40% of poultry and 30% of lamb consumed in the UK meets Halal specifications. Halal meat is therefore routinely served to non-muslims and this can lead to objections from other faith groups

Halal meat served to everybody – a simple service solution?

- More than 200 schools use only Halal meat . *LCC FOI request Aug 10.*
- Top councils for Halal-only meat: Tower Hamlets 103; Waltham Forest 44; Westminster 20; Harrow 10; Herefordshire 9; Camden 6; Slough 5; Bolton 3; Surrey 2; Leeds 2; Wandsworth 2, Hertfordshire 2.
- Sports fans are unknowingly being served Halal meat: All beef, chicken and lamb at Wembley, Ascot and Twickenham is Halal.
- Whitbread which owns Costa Coffee shops and Premier Inn hotels said 80 per cent of its chicken is Halal

Accreditation / Regulation

There is no single agreed standard for Halal therefore no single authoritative UK accrediting body for validating authenticity.

- The World Halal Council (WHC) was established in Dec 99 aiming for an international Halal certification standard.
- There has been an increasing trend for local government departments to take charge of Halal certification as a result of the increasing demand for Halal exports.
- Examples incl: Malaysia, Thailand, Indonesia, Singapore, Philippines and this has added further complications to agreeing a global standard.

Some certification bodies purely address the religious authenticity of the products/production and not food safety i.e., BRC/STS/SALSA .

The UK has in excess of 20 different Halal certification bodies. Some permit the use of stunning while others (Halal Monitoring Committee and the Muslim Council of Britain) firmly reject such practice. By way of example:

	Halal Food Authority (HFA)	Halal Monitoring Committee (HMC)
Status	Not for profit	Not for profit
Established	1994	2003
Coverage	UK	UK
Labelling	Yes	Yes
Inspection / Monitoring	Annual licence with unannounced inspections	Employment of a HMC Monitor – continuous 24/7

Stunning permitted?	Yes	No
Approved outlets (excludes restaurants & takeaways)	20 slaughterhouses, 21 food processors	25 butchers in the NW, other regions also except Scotland & Ireland at present.
Schools	n/a	3 certified schools in Blackburn

European Halal Development Agency (EHDA)

The EHDA launched the European Halal Standard (EHS) in 2009:

- Audit incorporates food safety as well as Halal authenticity so is akin to BRC & EFSIS (European Food Safety Inspection Service).
- Third party qualified food technologists audit - not the EHDA themselves.
- The EHS allows for both stunned or non-stunned slaughter provided there is clarity in labelling.
- Relatively new standard uptake/popularity has yet to be established

3.0 Defining a defensible procurement solution:

Local authorities are often forced to balance potentially conflicting requirements for the supply of Halal food.

The school meal provider should ensure that they fully understand their customer base (religious diversity) and the religious food requirements of those customers. They should also ensure that they understand the sensitivities around slaughter (stun vs non-stun). Research conducted in schools by APSE's best value consultancy uncovered cultural misunderstandings around food handling that inadvertently led some pupils to reject meat that they considered no longer Halal

Be fully aware of existing supply arrangements:

- Current purchases - religiously/Halal slaughtered whether or not labelled Halal?
- Media attention & FOI requests.
- Your supplier should have full traceability on the products and be able to advise if the product is Halal (stunned or not).
- Cross reference policies i.e., ethical purchasing policies; free range eggs, or farm assured meats. Take care not to disregard the likely concerns of non-Muslim communities, or create inequalities (*fresh/frozen*).

Understand the statutory/legal obligations as a public body:

- To achieve Best Value (Local Government Act 1999)
- To comply with the Public Contracts Regulations 2006

- SLAs and consultation with regional Council of Mosques
- Obligation to provide school meals that are nutritionally beneficial.

Tendering

A local authority (LA) **cannot** specify a restrictive Halal standard (either by reference to a non-mainstream accreditation or by prescribing in detail the slaughter/ production methodology). To do so would lead to a high risk of challenge for distorting/restricting competition and discriminating against other Halal accreditations.

An example which arguably distorts competition and is likely to fail to achieve Best Value is to mandate no-stunning when it is known the majority of Halal slaughters in the UK employ stunning. An Halal procurement exercise should ideally be opened up to the whole of the Halal accredited market (and not to one specific standard).

The LA **can** however specify that the product is identifiable as Halal (labelled) but cannot specify which particular label (would have *to state 'or equivalent'*).

A contracting authority **may** lay down special conditions relating to **social** and **environmental issues** provided:

- they relate to the performance of the contract
- **or for goods** – the characteristics, performance **or production process**
- they're compatible with EU law (equality, non-discrimination etc)
- they're advised in the contract notice or specification.

If a LA was opposed to non-stunned slaughter then it is permissible to mandate stunned slaughter in a tender because this is the desired method under the EU directive:

So to mandate stunning:

- Would not distort competition as most Halal slaughters in the UK employ stunning.
- Just as it is permissible to specify 'free range' when it comes to eggs, the requirement of stunning relates to the 'production method'.

Interestingly the Food Standards Agency was unable to find any justification for favouring a particular definition of Halal and their stance remains that unless the particular Muslim community to be served can demonstrate that certain forms of Halal conflict with Sharia Law then all should be allowed.

4.0 APSE Comment

APSE cannot give an opinion as to what sort of Halal is the correct sort of Halal and it would be inappropriate for us to do so. Until a widely agreed standard emerges, local authorities should not specify a particular accreditation body in a tender document.

Again it is not for APSE to specify whether animals should be stunned before slaughter, however it is right that individual authorities determine their own ethical policy on the subject and that their procurement of Halal meat reflects this.

It has to be remembered that whatever local agreements exist on procurement of food with sections of the community, contractual terms are automatically void if they conflict with national or EU procurement law.

Rob Bailey
Principal Advisor

Lancashire County Council's policy on the supply of halal meat to schools - consultation 2018

Summary report – June 2018

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1. Executive summary

Lancashire County Council's current policy is to provide both stunned and un-stunned halal meat to schools. We currently supply around twenty-seven Lancashire schools, where the governing body has the option to provide either stunned or un-stunned halal in their school meals. Un-stunned halal is provided in the provision of school meals for some of the 12,000 children in those schools. There is currently no demand for stunned halal meat from any school in Lancashire.

The consultation sought to understand people's views on the proposal to provide only stunned halal meat to schools. It asked respondents if they agree or disagree with the proposal and why, what impact they think the proposal will have and if they think anything regarding the proposal could be done differently.

This report summarises the response to the consultation concerning Lancashire County Council's policy on the supply of halal meat to schools.

For the consultation, online questionnaires could be accessed from www.lancashire.gov.uk.

The fieldwork ran for four weeks from 7 February 2018 until 7 March 2018. In total, 8,545 questionnaire responses were received.

1.1 Key findings

1.1.1 Demographic information

- Over half of respondents (53%) said that they were responding to the consultation as a Lancashire resident.
- A third of respondents (33%) said that they were responding to the consultation as a parent/carer of a Lancashire school pupil.
- Over two-fifths of respondents (45%) said they are Muslim, about a quarter of respondents (24%) said they are Christian and about one in six respondents (17%) said that they have no religion.
- Three-fifths of respondents (60%) said that they have children in their household.

1.1.2 Views on the proposal

- About two-thirds of respondents (65%) strongly disagree with the proposal and a third of respondents (33%) strongly agree with the proposal.
- Nine-tenths of Muslim respondents (90%) said that they disagree with the proposal.
- Of those respondents who strongly disagree with the proposal over two-fifths (44%) said that they are Muslim. Nearly two-fifths (38%) of respondents who strongly disagree with the proposal didn't answer the question about their religion or answered 'prefer not to say'.

- The most common reasons given for agreeing or disagreeing with the proposal were because of animal welfare reasons (40%) and because stunned slaughter is not halal (39%).
- Of the respondents who agree with the proposal and who stated their reasons why, over three-quarters (77%) said that they agree with the proposal for animal welfare reasons.
- The respondents who disagree with the proposal and who stated their reasons why can broadly be divided into two groups. One group can broadly be categorised as disagreeing with the proposal because they support un-stunned halal being supplied to schools in Lancashire (70%). The other group of respondents can broadly be categorised as disagreeing with the proposal because they don't think any halal meat should be supplied to schools in Lancashire (30%).
- When asked about the impact of the proposal the most common responses were children will stop eating meat in school (27%), adverse effect on our health/diet (20%), would lose confidence/trust in the system (20%), it will remove our choice (18%) and feel better knowing the animal hasn't suffered and was slaughtered according to British animal welfare standards (18%).
- Muslim respondents who are a parent/carer of a Lancashire school pupil most commonly said that the impact of the proposal on them would be that their children would stop eating meat at school (37%) and it would be inconvenient and more expensive (32%).

2. Introduction

Lancashire County Council's current policy is to provide both stunned and un-stunned halal meat to schools. We currently supply around twenty-seven Lancashire schools, where the governing body has the option to provide either stunned or un-stunned halal in their school meals. Un-stunned halal is provided in the provision of school meals for some of the 12,000 children in those schools. There is currently no demand for stunned halal meat from any school in Lancashire.

The consultation sought to understand people's views on the proposal to provide only stunned halal meat to schools. It asked respondents if they agree or disagree with the proposal and why, what impact they think the proposal will have and if they think anything regarding the proposal could be done differently.

3. Methodology

This report summarises the response to the consultation concerning Lancashire County Council's policy on the supply of halal meat to schools.

3.1 Fieldwork period and respondent numbers

The fieldwork ran for four weeks from 7 February 2018 until 7 March 2018 and the online consultation questionnaire could be accessed from www.lancashire.gov.uk/haveyoursay.

In total, 8,545 questionnaire responses were received; 7,840 online and 705 paper copies.

We received 47 other responses to the consultation – 10 letters and 37 emails. The majority were from members of the public (44). Three responses were also received from organisations, a response from the Board of Deputies of British Jews, a response from Lancashire Council of Mosques and a response from the National Secular Society.

3.2 Analysis of open questions

The questionnaire asked four open questions

- Why do you say this? (as a follow up question to, 'how strongly do you agree or disagree with the proposal to provide only stunned halal meat to schools?')
- What impact would this proposal have on you?
- What, if anything, do you think could be done differently in providing halal meat to schools?
- Is there anything else you would like to tell us?

Responses to the open questions have been classified against a coding frame to quantify the qualitative data. This coded and quantified data is presented in this report.

Coding is the process of combining the issues, themes and ideas in qualitative open responses into a set of codes. The codes are given meaningful names that relate to the issue, so that during close reading of responses it can be seen when similar issues relate to a similar code. As the analysis process continues the coding frame is added to and refined as new issues are raised by respondents. All responses to open questions are then coded against the coding frame, and can be subsequently analysed as quantitative data.

22,320 written responses were received across the consultation questionnaire's four open questions.

An external research company with coding experience completed this part of the data processing. The company was

Feedback Market Research Ltd
Fieldhouse Farm
Main St
Sigglesthorne
Hull
HU11 5QA

3.3 Responses using the Lancashire Council of Mosques template

In addition to submitting a response to the consultation as an organisation, Lancashire Council of Mosques (LCM) promoted the consultation and encouraged local people to respond.

LCM promoted the consultation on <http://www.lancashiremosques.com> where a template was provided suggesting how people could respond to the consultation questions. We received about 1,300 online responses from people who chose to follow this template. It is difficult to put an exact figure on the number of

respondents who chose to respond in the way suggested by LCM, as although many respondents exactly copied the wording, many other respondents chose to phrase their comments in a slightly different way and/or include their own additional points.

We also received 705 paper copies of the consultation questionnaire from LCM. These paper copies had the LCM template responses pre-printed on them. Respondents signed or printed their name on their form to indicate this was how they wished to respond to the consultation. These printed questionnaires did not include the online questionnaire's 'about you' demographic questions.

The template suggested by LCM was as follows:

How strongly do you agree or disagree with the proposal to provide only stunned halal meat to schools?

Answer: Strongly disagree

Why do you say this?

Answer: Stunned meat is against the teachings of my faith. And it is also unhealthy.

What impact would this have on you?

Answer: We will stop eating meat
It will make me lose confidence in the system
It will have an adverse effect on my health and removes my choice

What, if anything, do you think could be done differently in providing halal meat to school?

Answer: Keep providing the unstunned meat.

Is there anything else you would like to tell us?

Answer: Why do you keep opening this issue.

The responses from respondents who chose to respond in the way suggested by LCM have been analysed and presented in this report in the same way as all other consultation responses.

3.4 Limitations

The findings presented in this report are not representative of the views of the population of Lancashire and should only be taken to represent the views of people who were made aware of the consultation, and who had the opportunity and felt compelled to respond.

In charts or tables where responses do not add up to 100%, this is due to multiple responses or computer rounding.

The 705 paper copies of the consultation questionnaire submitted by Lancashire Council of Mosques didn't include responses to the questions in 'about you' section of consultation questionnaire. In the analysis included in this report it has been assumed that these 705 respondents were Muslim.

4. Main consultation findings

4.1 Demographic information

A full breakdown of the response to the questions asked in the 'about you' section of the consultation questionnaire is presented in appendix 1. However, a brief summary of the key information is described below.

Respondents were asked if they were responding to the consultation as a Lancashire resident and/or in any other capacity. For example, a parent/carer of a Lancashire pupil. Over half of respondents (53%) responded to the consultation as a Lancashire resident. A third of respondents (33%) responded to the consultation as a parent/carer of a Lancashire school pupil.

Nearly half of respondents (49%) said they are male and over two-fifths (44%) said they are female.

Nearly three-fifths of respondents (56%) said that they are aged 35-64 and a fifth of respondents (20%) said that they are aged 20-34.

Over two-fifths of respondents (45%) said they are Muslim, about a quarter of respondents (24%) said they are Christian and about one in six respondents (17%) said that they have no religion.

Three-fifths of respondents (60%) said that they have children in their household.

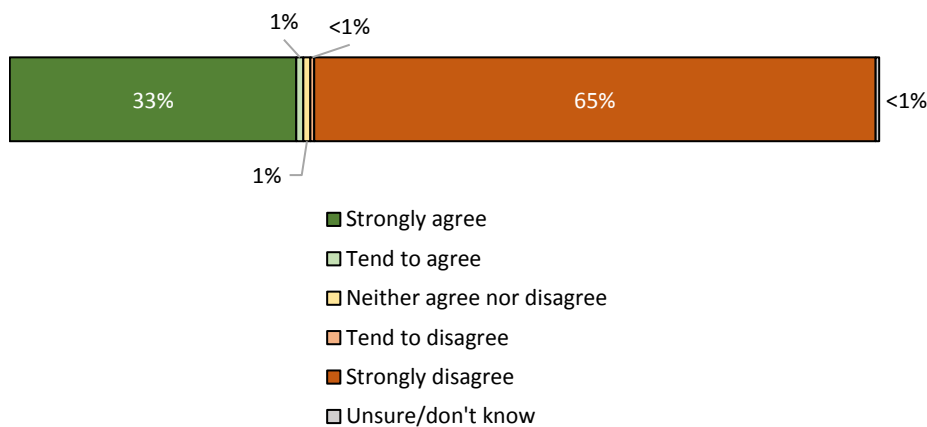
4.2 Agreeing or disagreeing with the proposal

First, respondents were presented with the following statement...

"The county council is considering its current policy for the supply of halal meat to schools. The council currently provides both stunned and un-stunned halal meat in a small number of schools, providing this service for school meals where there is the demand for it. The county council is considering the proposal to provide only stunned halal meat to schools."

Respondents were then asked how strongly they agree or disagree with the proposal to provide only stunned halal meat to schools. About two-thirds of respondents (65%) strongly disagree with the proposal and a third of respondents (33%) strongly agree with the proposal.

Chart 1 - How strongly do you agree or disagree with the proposal to provide only stunned halal meat to schools?



Base: all respondents (8,499)

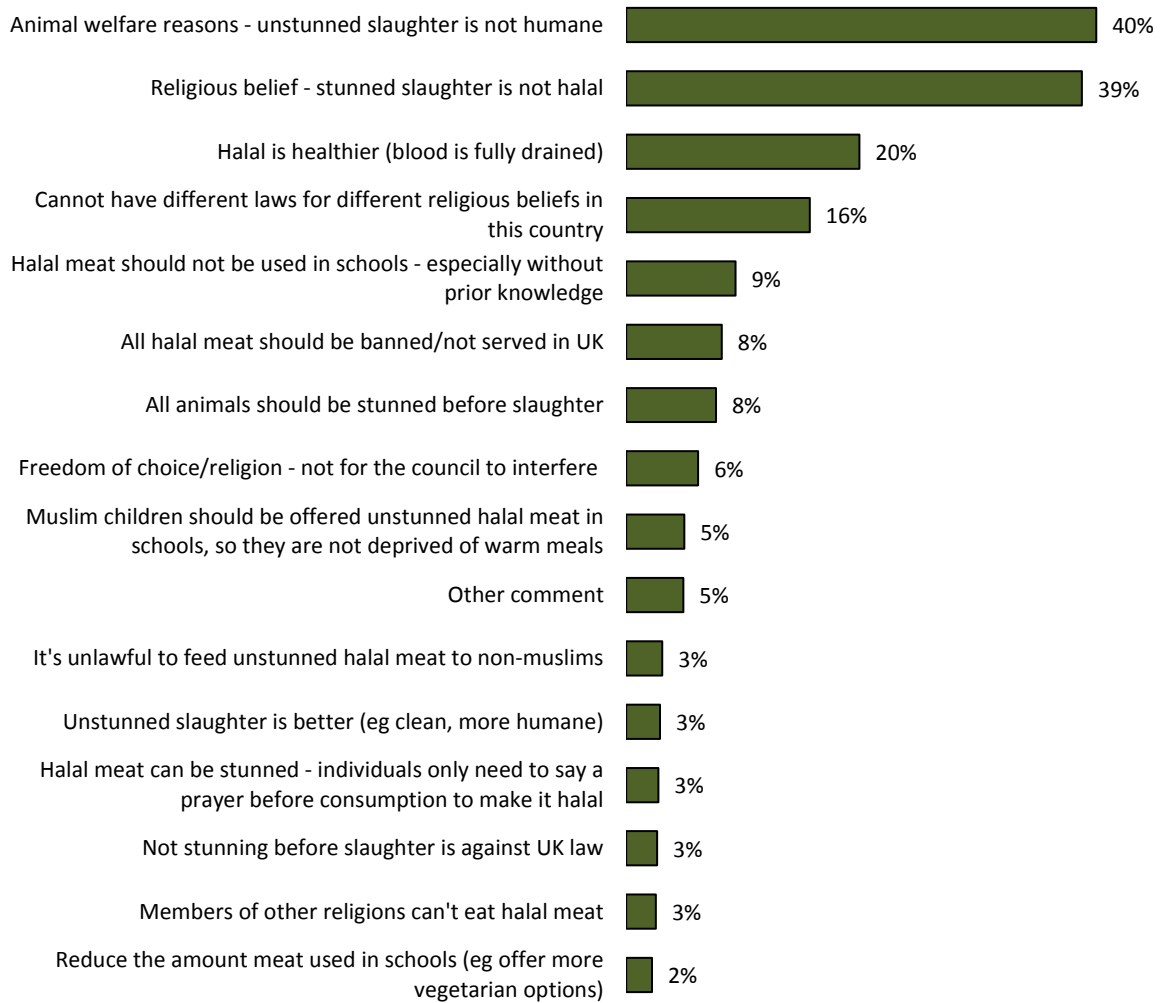
Nine-tenths of Muslim respondents (90%) said that they disagree with the proposal.

Of those respondents who strongly disagree with the proposal over two-fifths (44%) said that they are Muslim. Nearly two-fifths (38%) of respondents who strongly disagree with the proposal didn't answer the question about their religion or answered 'prefer not to say'.

Respondents were then asked why they agree or disagree with the proposal. Just over four-fifths of respondents (83%) answered this follow up question.

The most common responses to this question was for animal welfare reasons (40%) and because stunned slaughter is not halal (39%).

Chart 2 - Why do you say this?



Base: all respondents (7,069)

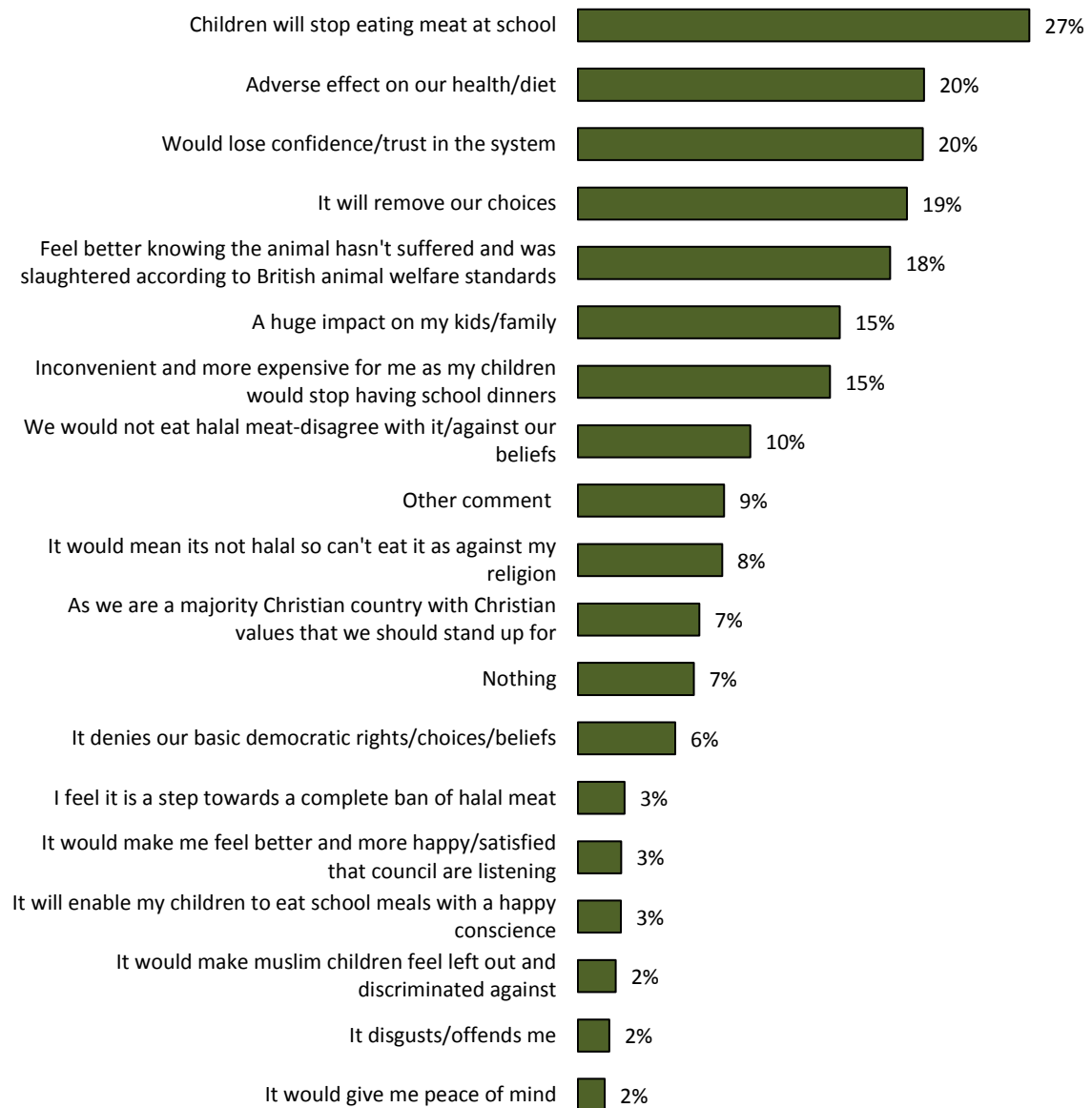
Of those respondents who agree with the proposal and who stated their reasons why, over three-quarters (77%) said that they agree with the proposal for animal welfare reasons.

The respondents who disagree with the proposal and who stated their reasons why can broadly be divided into two groups. One group can broadly be categorised as disagreeing with the proposal because they support un-stunned halal being supplied to schools in Lancashire (70%). The other group of respondents can broadly be categorised as disagreeing with the proposal because they don't think any halal meat should be supplied to schools in Lancashire (30%).

Respondents were then asked what impact this proposal would have on them.

The most common responses to this question were children will stop eating meat in school (27%), adverse effect on our health/diet (20%), would lose confidence/trust in the system (20%), it will remove our choice (18%) and feel better knowing the animal hasn't suffered and was slaughtered according to British animal welfare standards (18%).

Chart 3 - What impact would this proposal have on you?



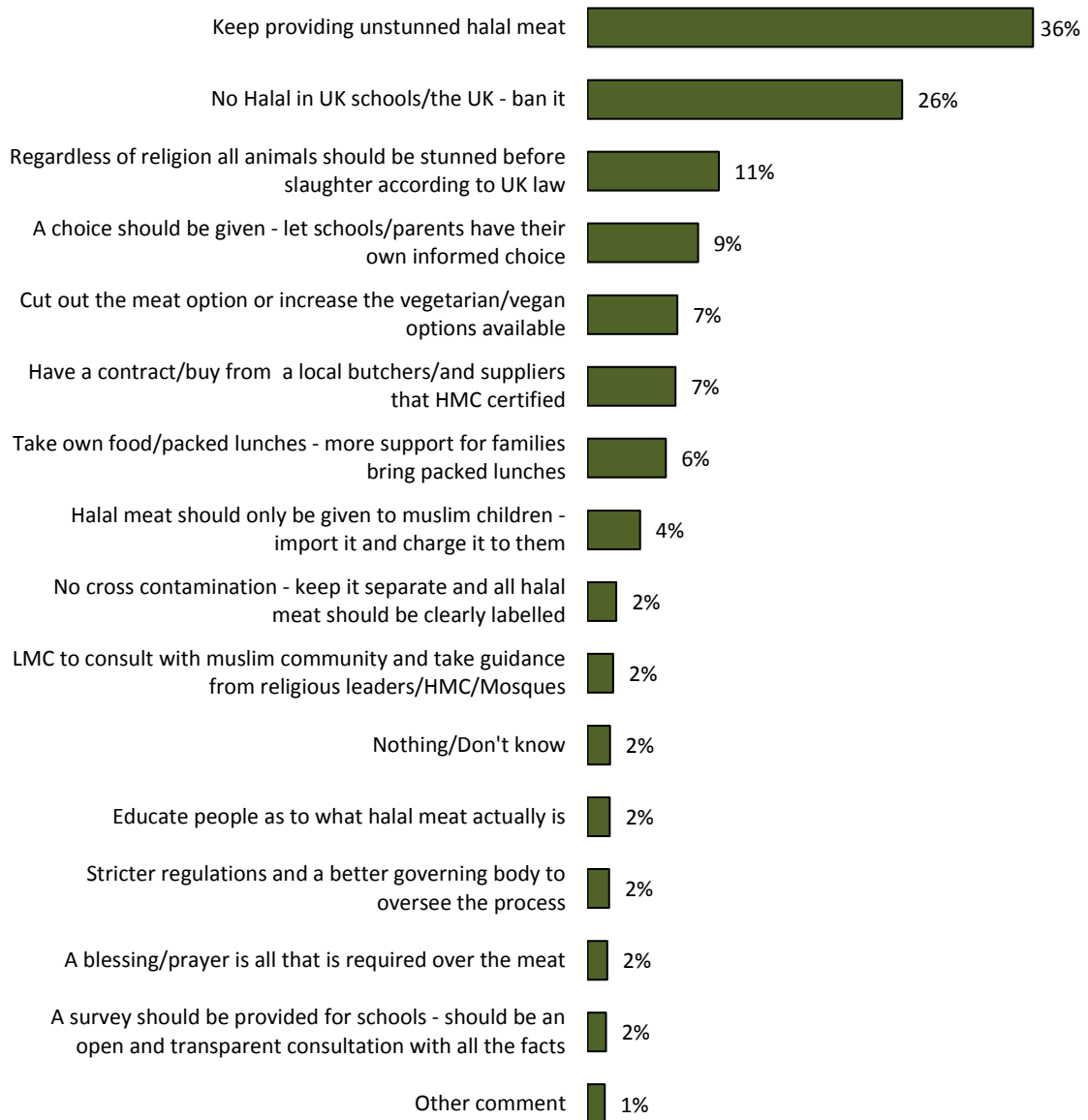
Base: all respondents (6,686)

Muslim respondents who are a parent/carer of a Lancashire school pupil most commonly said that the impact of the proposal on them would be that their children would stop eating meat at school (37%) and it would be inconvenient and more expensive (32%).

Respondents were then asked what, if anything, they thought could be done differently in providing halal meat to schools.

The most common responses to this question were keep providing un-stunned halal meat (36%) and no-halal in UK schools/the UK (26%).

Chart 4 - What, if anything, do you think could be done differently in providing halal meat to schools?

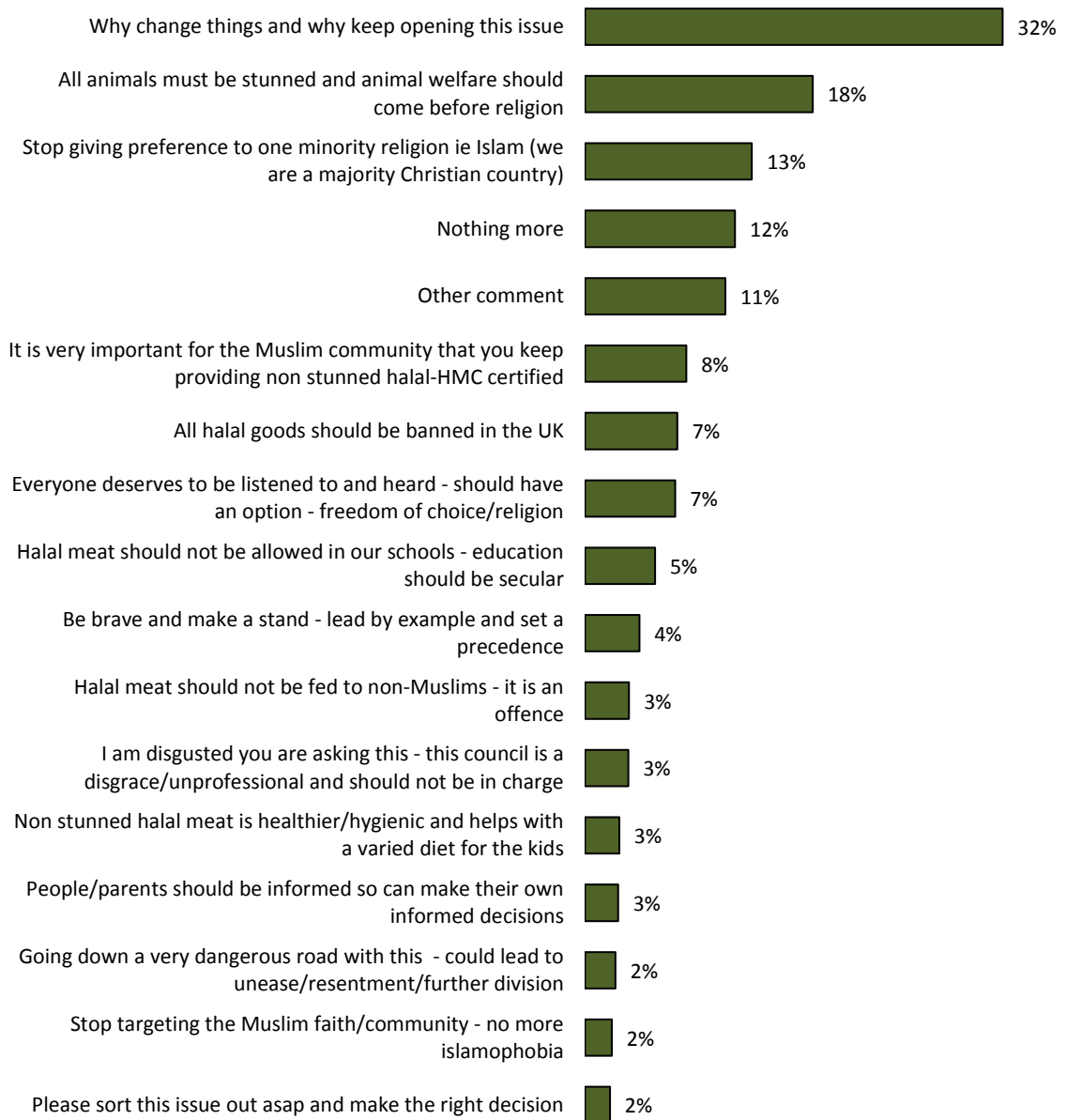


Base: all respondents (6,379)

Finally, respondents were asked if there was anything else they wanted to tell us.

The most common responses to this question were, why change things and keep opening this issue (32%) and all animals must be stunned and animal welfare should come before religion (18%).

Chart 5 - Is there anything else you would like to tell us?



Base: all respondents (4,850)

5. Other responses to the consultation

In total, we received 47 other responses to the consultation – 10 letters and 37 emails. The majority were from members of the public (44). Nearly all these responses from members of the public supported the proposal. Only one respondent opposed the proposal.

We also received three responses from organisations, a response from the Board of Deputies of British Jews, a response from Lancashire Council of Mosques and a response from the National Secular Society. The responses from the Board of Deputies of British Jews and Lancashire Council of Mosques opposed the proposal and the response from the National Secular Society supported the proposal.

All these responses can be found in full in Appendix 2.

Appendix 1: Demographic Breakdown

Table 1 - Are you responding to this proposal as...?

	%	No.
A Lancashire resident	53%	4,076
A parent/carer of a Lancashire school pupil	33%	2,497
Other	22%	1,657
A member of a voluntary, community or faith organisation	6%	467
A pupil at a Lancashire school	5%	353
A local business owner	4%	296
An employee of Lancashire County Council	3%	196
A member of staff at a Lancashire school	2%	187
A representative of a voluntary, community or faith organisation	2%	159
A school governor at a Lancashire school	1%	97
A representative of a private sector company/organisation	1%	87
An elected member of a Lancashire district council	0%	26
An elected member of a parish or town council in Lancashire	0%	18
An elected member of Lancashire County Council	0%	16
Total		7,660

Table 2 - Are you...?

	%	No.
Female	44%	2,323
Male	49%	2,614
Prefer not to say	7%	353
Total		5,290

Table 3 - What was your age on your last birthday?

	%	No.
Under 16	3%	145
16-19	2%	132
20-34	20%	1,074
35-64	56%	2,985
65-74	9%	496
75+	1%	71
Prefer not to say	8%	415
Total		5,318

Table 4 - Which best describes your ethnic background?

	%	No.
White	43%	2,287
Asian or Asian British	34%	1,806
Black or Black British	1%	33
Mixed	2%	113
Other	2%	114
Prefer not to say	18%	954
Total		5,307

Table 5 - What is your religion?

	%	No.
Muslim	45%	2,707
Christian	24%	1,448
No religion	17%	1,010
Buddhist	<1%	21
Jewish	<1%	15
Sikh	<1%	13
Hindu	<1%	8
Any other religion	1%	49
Prefer not to say	12%	744
Total		6,015

Table 6 - Are there any children or young people in your household aged under 20?

	%	No.
No, but expecting	3%	149
Yes, aged under 5	19%	1,032
Yes, aged 5-8	22%	1,188
Yes, aged 9-11	20%	1,056
Yes, aged 12-16	22%	1,157
Yes, aged 17-19	11%	566
No children aged under 20	24%	1,270
Prefer not to say	16%	846
Total		5,305

Appendix 2: Other responses to the proposal

These responses are presented in the order they were received

Response 1

[REDACTED]
28.12.2017
To Cllr Geoff Driver

I am writing to congratulate you on your stance regarding halal meat.

It is quite wrong and cruel not to stun animals prior to slaughter, and schools and other institutions here in G. Britain should always purchase meat killed in this way.

As a retired farmers wife it saddens me that we, when farming, tried hard to make enough money for the family (never easy on a 250 acre farm) but at the same time we took great care not to cause

stock stress. They deserve the kindest possible end in life and that is to be stunned first.



It benefits all, as meat killed when an animal is stressed is tougher!

Well done you making a stand.

Yours sincerely
[REDACTED]

Response 2

Hang in there Geoff - It is Shamefull that people in authority haven't taken this Stand before you. If people and business's continue to take the easy way out with Halal Meak, then the State of animal welfare in this Country regresses 200 years.

 You should be given an OBE and I'm a card carrying Labourman! Yours 

Response 3

DEAR COUNCILLOR DRIVER

MANY THANKS TO YOURSELF AND ALL THE OTHER COUNTY COUNCILLORS WHO VOTED AGAINST THE PRACTICE OF SERVING HALAL MEAT WHICH HAD NOT BEEN PRE-STUNNED.

HOW ANYONE CAN BE IN FAVOUR OF TORTURING ANIMALS TO DEATH FOR WHATEVER REASON ESCAPES ME. THE WELFARE OF THE ANIMALS SHOULD BE THE MAIN CONCERN AND I HOPE AND PRAY THAT THIS DECISION WILL NOT BE REVERSED IN THE FUTURE.

WHEN THE DECISION WAS TAKEN TO ALLOW ANIMALS TO BE TREATED IN SUCH A CRUEL WAY NO ONE WAS CONSULTED AT THAT TIME UNLIKE THE COUNCIL FOR MOSQUES WHOSE OPINIONS APPEAR TO BE ABOVE OTHERS.

YOURS SINCERELY

A large black rectangular redaction box covers the signature and name of the sender.

Response 4

[REDACTED] 28/10/17
Dear Cllr Geoff Driver,
I was very glad to read that Lancashire County Council has vetoed the purchase of nonstun-slaughtered meat. I was a [REDACTED] councillor, [REDACTED] and remain slightly active for the "Compassion in world farming" campaign. The issue appears distinct from party politics, and it's an unsatisfactory sort of religion whose god wants unnecessarily cruel husbandry. Constitutionally we're a Christian nation via 1688 Bill of Rights and our Queen's Coronation Oath; and people who ^{have} come here with other faiths should do as we do, either by stun-halal or by vegetarianism. Well done! [REDACTED]

Response 5

[Redacted]

[Redacted]

Veterinary Surgeon

PERSONAL

9th November, 2017

Geoffrey Driver Esq.,
Leader,
Lancashire County Council,
PO Box 78,
County Hall,
Fishergate,
PRESTON,
Lancs., PR1 8XJ.

Gen M. Driver

Congratulations on your efforts to have halal meat banned in the county, or at least labelled as such.

Most reasonable electors in Lancashire accept that it is a medieval practice and without any apparent basis in science.

I am sure that you already had background information prior to your proposal, but I thought the enclosed measured article from a respected veterinary journal might be useful in arguing your case. The British Veterinary Association (BVA) is a non-confrontational organisation to which most veterinary surgeons belong. Lord Trees, who was Sandy Trees in another life, is a well-respected academic and Dean of the Faculty of Veterinary Medicine at the University of Liverpool.

More power to your elbow and good luck.

Yours truly,

[Redacted Signature]

Response 6

[Redacted]

Lancashire County Council
PO Box 78 County Hall
Fishergate, Preston
Lancashire
PR1 8XJ

2 January 2018

Dear Cllr Geoff Driver CBE,

Firstly, I wish to commend you and Lancashire County Council in trying to implement all schools in your authority to serve meat from non-halal suppliers. It is refreshing to hear you are trying to make a stand for the vast majority against this cruel and unnecessary slaughter method.

You have the overwhelming support of the British Public. My parents were not born in the UK, however they both whole heartily agree no animal should die a painful death based purely on 'religious' belief as do I.

Please keep up the momentum and do not allow some quarters [who do not speak for 'us'] to silence the animals' screams and general public's compassionate voice.

Below I have quoted some public opinions in response to this, source:
<http://www.dailymail.co.uk/news/article-5208075/Lancashire-mosques-legal-action-against-council-halal-ban.html#ixzz525fabdlHb>.

The number of green 'best rated' comments, show feeling on this subject matter is very strong [over 7,783]. The words written speak for themselves in terms of how the public feel about Abdul Hamid Qureshi's (CEO of the Lancashire Council of Mosques (LCM)) idiotic and without merit stance.

I have also written to the Secretary of State for Environment, Food and Rural Affairs - Michael Gove MP to see what he can do to help assist in this matter to ensure animals do not need to suffer this unnecessary and cruel slaughter. I enclose my letter written to Mr Gove for your reference. As Mr Gove has said in his own words: 'all animals should be treated with the utmost respect at all stages of life subject to the highest possible welfare standards'.

Newest Oldest **Best rated** Worst rated [View all](#)

The comments below have been moderated in advance.

 **criticus** Reading, United Kingdom, 3 days ago

No need to consult. It's a barbaric stoneage practice that has no place in the modern world. It flies in the face of our anti cruelty legislation. If they are that devout then go to a muslim country and Stop trying to turn out into one

Click to rate  7883  220

2 of 5 replies | [See all replies](#)

-  **mysterytramp** The streets, United Kingdom, 3 days ago
- Not as hurtful and negative as the poor animals endure. Ban halal for the whole UK
-  Click to rate  6458  176
-
-  **sceptic** somewhere in europe, United Kingdom, 3 days ago
- The majority of the British population do not agree with the slaughter of animals in the halal way, they and their children should not be forced into eating it either at school or in restaurants. The same goes for halal meat on sale in supermarkets that is not marked as such. If parents do not want their children to eat non halal meat at school, they should instruct their children not to eat the meat, they can continue to feed it to their children at home. Good for Lancashire County Council, hope all other UK councils follow their lead
- Click to rate  6164  110
-
-  **cherry** london, United Kingdom, 3 days ago
- The halal meat shouldn't be forced on the non-Musim population, and should be banned in this country, because off suffering of animals!
- Click to rate  5507  84
-
-  **Caroline** Limousin, France, 3 days ago
- They were not consulted, well what about all the parents of the children who were served this who are against it. So their feelings were hurt, well not as much as the animals they bar baricaly sl au ghler who suffer the most horr end ous pain when kil led. Well done Lancashire Council, now ban it in every school. It should be outlawed in a country that supposed to support animal welfare
- Click to rate  6255  92
-
-  **ScotMk** Mk, United Kingdom, 3 days ago
- Were we asked if it was OK to have halal meat served in our Schools in the first place?
-  Click to rate  6234  64
-
-  **Web349** North Yorks, United Kingdom, 3 days ago
- This is a good decision and should be made law for everyone.
- Click to rate  4949  152



There was a recent petition:
<https://www.change.org/p/rt-hon-theresa-may-mp-to-ban-halal-slaughter-in-the-uk>
 In which over 209,705 people agreed with the subject title.
 Screenshot overleaf.

Petitioning Prime Minister of the United Kingdom and Leader of the Conservative Party Theresa May MP and 6 others

To ban halal and Kosher slaughter in the UK

Steve Anderson Wales, United Kingdom



Halal and Kosher slaughter was the only way known to kill ANIMALS for food. However, that was thousands of years ago. Times have changed, this practice has no place in a civilised society. The cruel slaughter, which unqualified people perform on a daily basis, needs to be banned in this country. Our slaughter

I sincerely hope you are successful in the implementation of introducing non-halal meat to schools and would be interested if you could keep me updated on matters. Thank you Geoff.

Yours sincerely,



Petition Closed

Original Petitioners

90 225 needed to reach 300,000

Share on Facebook

Find a local group to support this petition

It's how Theresa May MP To ban halal slaughter in the UK

Post to Facebook

Send a Facebook message

Send an email to friends

Follow this petition on Facebook

Response 7



31 October 2017

Councillor Geoff Driver CBE
Lancashire County Council
County Hall
Preston
PR1 8XJ

Dear Councillor Driver,

I am writing on behalf of the Board of Deputies of British Jews, the national representative body of the UK Jewish community.

It is with some concern that we note coverage of the resolution passed by Lancashire County Council on Thursday 26th October, concerning the provision of non-mechanically stunned meat in Lancashire for school meals.

We found the tone of the debate concerning in the context of respecting an inclusive, diverse and pluralist society. We also believe that the discussion assumed that mechanical stunning is good while religious slaughter is bad. This could not be further from the truth, as mechanical methods including drowning, electrocuting and gassing cause pain and often go wrong, prolonging an animal's suffering.

We would therefore appreciate the opportunity to meet you to discuss the vote and its implications. I would be grateful if you could send us some dates that you might be available for this.

Yours sincerely,

Marie van der Zyl

Marie van der Zyl
Vice President

Response 8

8.1.18

Dear Sir

10 JAN 2018

The meaning of Christmas is to spread love, kindness to all mankind, and to pursue peace amongst all nations on earth. I am therefore writing, very distressed by your desires to cause so much distress and anxiety to the Orthodox Jewish Community and the Muslim community regarding ritual killing which has been practised for centuries.

If you refer to the Sunday Times Newspaper, Sunday edition, about 3 years ago,

a full page was written with photographs of cows writhing in pain, not having been stunned properly. This indicated that "stunning" is not the perfect answer.

We should all be so grateful to you, to restore our peace of mind and allow our caring traditions to continue. The Torah teaches that we first have to be kind to our animals and care for our animals first and then care for others.

Thanking you in anticipation, of receiving, peace of mind.

Most sincerely

Response 9

You get my backing on the subject of banning Hala Meat. This is a disgusting practice and should be banned for the sake of animal welfare.

Response 10

I support your campaign to ban all non-stunned halal meat to schools. The law states that non-stunned halal meat is not allowed to be served to people unknowingly. Furthermore, the law states that non-stunned halal meat should not be given to non-Muslim children and adults. I want the law upheld.

The law should protect the welfare of all animals (including chickens) and protect children and adults from being served non-stunned halal meat. It is well-known that animals that are slaughtered without being stunned first can suffer a prolonged and cruel death that is contrary to the protection of animal rights and welfare in the UK.

Response 11

I'm in favour supplying animals slaughtered by full captive bolt for school meals. Unstunned and recoverable stunned slaughter has been deemed cruel by vets and other associations. We have fought long and hard in the UK for the least stressful method of slaughter to see the results being undermined. Sikhs and some other religions are not allowed to eat ritually slaughtered meat and their rights must be considered.

Response 12

I think it's wrong that British children are forced to eat non stun Halal meat unknowingly, and if we can prevent this from happening in our schools and businesses, you get my backing.

Response 13

I was most disturbed to hear of your reversal of a decision to now allow halal meat to be served in our schools . I do not agree with the inhuman slaughter methods used in the preparation of halal meat and also having my granddaughter's right to eat non halal meat taken away .
Concerned Lancashire resident !

Response 14

I would like to protest against halhal meat being served in our schools. I do not agree with the slaughter of animals in this way and if it goes ahead I will be sending my daughter to school with a packed lunch. Unless of course non halal is also available.

Response 15

I am against cruel methods of animal slaughter and therefore fully support your campaign to ban non stunned halal meat from schools.

Response 16

I am writing to you to express my concern about Halal meat being served in our schools. I am astonished that this has been allowed to happen. This meat is being fed to children who do not know the nature of the slaughter. It is unfair to force this on children by stealth.

The Government says in it's own legislation that Non stun Halal is not allowed to be served to people unknowingly or who are not Muslim.

Britain has a high standard of animal welfare. Non stunned is cruel and unnecessary and that's if the slaughter goes well. In many instances because the animal puts up resistance it is a laborious death.

I am an animal lover and I find this completely unacceptable.

Please try your hardest to get this meat removed from our schools. It upsets me that my beautiful nieces are being forced to eat this meat. I know that they would be very distressed if they were told about the cruel method of the slaughter.

Response 17

I am utterly appalled that non stun Halal meat is being served to children in schools, who do not follow the Muslim or Jewish faith and are totally oblivious to the fact that the poor animal they are eating, had to die in such an abhorrent way.

I understand that Muslim and Jewish people eat non stun Halal meat, because of their religious beliefs. However, they have lived in European countries for years and have always managed to source meat which has been slaughtered in accordance with their religious beliefs. So why are we suddenly having to purchase meat, that has not been pre-stunned?

At the very least, the meat should be labelled as Halal, so that schools, or the general public can make an informed choice as to what they are buying.

Animals are sentient beings who feel pain, emotion and grief the same as we do and I for one, want to be able to choose meat that has been pre-stunned.

Response 18

I am a slaughterman who works in stunned slaughter and will happily sign any paper to have non halal meat in our schools or even our country. Halal slaughter is barbaric and should have no place in Any sort of civilised society


Response 19

I support your campaign to ban all non-stunned halal meat to schools. The law states that non-stunned halal meat is not allowed to be served to people unknowingly.

Furthermore, the law states that non-stunned halal meat should not be given to non-Muslim children and adults. I want the law upheld.

The law should protect the welfare of all animals (including chickens) and protect children and adults from being served non-stunned halal meat. It is well-known that animals that are slaughtered without being stunned first can suffer a prolonged and cruel death that is contrary to the protection of animal rights and welfare in the UK.

Response 20

Good luck with your fight. Go for it. 

Response 21

Further to my last e-mail I wholeheartedly support the ban on non-stunned halal meat being served in Lancashire schools because:

- The Government says in its own legislation that Non stunned Halal is not allowed to be served to people unknowingly or who are not Muslim
- it completely violates the UK's animal welfare standards
- it causes totally unnecessary suffering to the millions of animals killed this way
- People who do not follow a religion that insists on this slaughter should not be forced to accept it
- If you told the (non-muslim) children how the meat on their plate has been killed they would stop eating it
- Halal meats are available pre stunned and supplied to supermarkets and other caterers - and this is perfectly acceptable under Islamic 'law. The Muslims for the sake of animal welfare should use this compromise.
- If the council of mosques or Muslims are concerned then they must make alternative arrangements
- In very many European Countries they refuse to serve halal meat to anyone who is not muslim and halal in the food chain is very tightly controlled.
- I have forwarded this to over 3000 followers on Facebook for them to use as they see fit.

Please forward this to every councillor in Lancashire County Council on my behalf.

Response 22

I wish to show my support for CC Driver as I strongly uphold the view that we have the right to know, and choose, what we eat according to animal welfare laws which we fought very hard for years to get.

I keep Shetland Sheep as pets and It would be a revelation to people who think they are just dumb animals if they could see them interact with me and their fellow flock members.They are with out a doubt SENTIENT beings and deserve as peaceful a death as possible with full non recoverable stun-it is deceiving people when it is said halal ritual slaughter DOES (sometimes) involve stunning because it is NOT full captive bolt etc stunning- this recoverable stun can be far worse as they can and do regain consciousness.

I would wish to see a total ban on all ritual slaughter-it is barbaric and has NO PLACE in the 21c.

Ritual slaughter belongs in the history books -and it is wrong that an ideology takes precedent over animals rights and cruelty.It makes me feel ill and definately affects my well being and as there is no labelling etc I cannot bear the thought of eating this meat unwittingly so do not buy ANY now.Other countries HAVE banned ritual slaughter-there are some things that must not be given as rights if they are morally wrong just to appease an outdated ideology.

Muslims CAN and do eat what we eat-it says in Koran 'eat what is put before you.....'they can say bismala if they care to like we say 'for what we are about to receive etc...my muslim friends do not eat halal certified meat or products and say it is actually AGAINST the teaching in Koran --and just a huge money making business that gets used for money laundering and jihad and funds extremist groups-and all non muslims are paying the tax unwittingly that goes only to muslim causes to furtherance of islamification-there is much more to this halal certification than we are told ----It is the extremist elements in this ideology are demanding rights for sinister purposes-this is from muslim friends who are as concerned about the whole thing as we are.They are vegetarian.

It really is an OUTRAGE to a country who hold animal welfare as a top priority.

I believe there is a consultation questionnaire ?-Please could I have a copy?

Thank you-I simply was going to ask for this but got carried away-I,and many hundreds of thousands like me feel SO strongly on this and feel OUR rights -the majority, and OUR customs and culture and ideology,are being totally ignored..and we do not know what we are eating -have no choice.

Response 23

Firstly for meat to be halal the animal must be fully awake as it is being slaughtered plus a "prayer" is said by

slaughterman.

If the animal is

stunned in any way before slaughter the meat is not halal.

Muslims have a saying "the more an animal suffers before death - the sweeter the meat." I have travelled extensively in the middle east and the torture and cruel

treatment these animals suffer is horrific. Believe me it also occurs in muslim places of slaughter in the Uk.

Denmark is the only European nation to completely ban halal slaughter.

Uk vets and Rspca have long condemned this practice but nothing is done as the establishment do not want to upset the muslims. Disgraceful.

Australia exports live animals to the middle east and Indonesia. Last year a party of vets went to Indonesia and covertly filmed at a slaughter house. They reported animals having metal poles thrust into their eyes- legs tied and men pulling animal in opposite directions until it's legs snapped- kicked and punched before slitting it's throat. The creature then hoisted up on a rack to slowly bleed to death. This is a barbaric way to treat animals. In order that brainwashed muslims can supposedly keep to the word of their so called god.

As a result australia banned export of live animals. The real problem in this nation and western nations in general is that halal meat is creeping into supermarkets- fast food shops- and we are unaware we are being given it. Some schools in uk only serve halal meat sometimes when muslims in the school are less than 20%. One final FACT- due to certification that meat is halal a payment is made to muslim bodies for such certification - in case you are unaware part of that money is diverted to islamic terror groups to fund their war against the west. Australian counter terror police discovered this and it is world wide.

So finally- the answer is only serve meat which is slaughtered in a british slaughter house and not halal. If these people want it the answer is simple- go live in a muslim country.

Off course the way things are going it might be uk next. French schools only served one type of meat and its not halal!

Reading your report document it comments on practice of the animals not being able to see another animal being slaughtered and a sharp knife being used and sharpened for each animal- all rubbish. Recently in Bradford a muslim slaughter house lost its licence- filthy premises- animals all crowded in so that they all saw what was happening and the knife used was so blunt it was used to hack at the animals throat. If you have any feelings for animals - ban this meat in your schools and workplace

Response 24

Why, when there is no earthly reason, is un-stunned meat being given in our schools. I always understood a prayer was all that was needed to make it conform to Halal requirements.

Response 25

I think it is totally wrong British children are forced to eat non stunned Halal meat unknowingly.

Response 26

I am ashamed and disgusted that halal slaughtered meat is being dished out to our children in Lancashire and probably everywhere else in England.

Halal slaughter is not the British way, is barbaric and abhorrent.

We all know now that certain abattoirs overproduce and sell halal slaughtered meat as haram. That too is unacceptable.

Please work to get this vile practice stopped.

Response 27

I support your campaign to ban all non-stunned halal meat to schools. The law states that non-stunned halal meat is not allowed to be served to people unknowingly. Furthermore, the law states that non-stunned halal meat should not be given to non-Muslim children and adults. I want the law upheld.

The law should protect the welfare of all animals (including chickens) and protect children and adults from being served non-stunned halal meat. It is well-known that animals that are slaughtered without being stunned first can suffer a prolonged and cruel death that is contrary to the protection of animal rights and welfare in the UK.

Response 28

I wish to repeat my grave concerns, for the possibility of a return to the practice of none stunning of animals being slaughtered.

It is the law in this country that animals should be treated in a proper manner when being killed for food. People from other countries have different customs, I have to accept that, as much as I might not agree with them.

I feel it is totally unacceptable, that these people think they have a right to continue a practice, that is not compatible with the laws of this country or with the majority of people in this country.

I don't think the fight to continue your good work will be easy, but I wish you all the best in your efforts to do what is right and for the animals.

Response 29

I would stun the animals before slaughtering. We have a minority population in the U.K which has a religious stance for Halal meat.

We should care for the animals when they grow up, we have the highest standards of care in farming. I strongly disagree that we have un-stunned animals before slaughter. We should care for them when we slaughter the animal.

We manage in the UK for the small percentage in the population.

We should show some respect when they get slaughtered.

The throat is cut, blood loss takes perhaps 1 minute, have you looked on you tube, its appalling.

I think we should do a tv program in reference to animals being slaughtered by Halal.

I strongly disagree without animals being un-stunned.

I will get some votes and get it discussed in Parliament.

Response 30

I wish to add my concern and to say that I am disgusted with how animals are killed for the food chain in order to create Halal meat. The welfare of the animals should always come first and their death should be brought about in the most caring and humane way possible. Killing terrified animals in front of each other and allowing them to bleed to death slowly is Inhumane. The thought of this practice taking place in order to feed our children is abhorrent to me and not a part of our cultural heritage as animal lovers.

Response 31

All animals should be stunned prior to slaughter

Response 32

Our schools should not be serving non stunned Halal meat at all. This cruel and barbaric way of slaughtering should be outlawed.

Non muslims have a right not to be fed this meat it is morally reprehensible that you are only providing Halal.

Shame on you.

Response 33

It is wrong that British children are forced to eat non-stun Halal meat unknowingly.

Response 34

It took decades of campaigning to get legislation to have animals slaughtered humanely. As the duly elected representatives, the electorate assumes you act ethically on their behalf and by supplying meat from barbarically slaughtered cattle to children who are not aware of how these animals are treated you have breached that trust. I, in some ways I feel sorry for you, you are being threatened with a lawsuit if you stop supplying non-stun meat and quite possibly a lawsuit if you continue to supply it illegally.

I understand a statement to the effect there was no demand for stunned meat. The only reason is that the supply of non-stun meat was a deal done in the secret. In secret as I suspect you know there would be an outcry if it was made public. I would challenge you to put the question on your website and judge from the result how strongly the public feels about this underhand decision.

Response 35

Killing of animals for human consumption without first stunning animals is barbaric! Also, it is against the law in the United Kingdom. Parliament has forbidden the use of Halal meat in restaurants within the Houses of Parliament.

Ideological reasons by some ethnic groups should not be allowed to supplant the law of the land, and if such ideologues are not content to accept the law, they are free to leave. There are more than fifty countries in the World who share and practise their ideological beliefs.

Response 36

Muslims can have stunned Halal they have a totally acceptable choice, there is no need for unnecessary suffering in the name of any religion.

I think it's wrong that British children are forced to eat non stun Halal meat unknowingly. please stop serving halal school dinners this is totally unacceptable in a Christian country!

Response 37

I am just emailing to raise my concerns that Halal meat is still being used in our local schools. I am not at all happy that my daughter is being given this meat on a daily basis and ask if there is any possibility of the Lancashire County Council getting halal meat banned for once and all. If muslim's aren't happy with this then I suggest that they send their children in with packed lunches. It outrages me that we have to go by their law and beliefs in this country.

I could say a lot more but think I will leave it there for now.

Please Lancashire County Council don't back down for them!

Response 38

I write to urge you to continue with the fight to ban halal meat in Lancashire schools.

I cannot believe that any right thinking person would want to eat anything that has died a fearful and painful death because of some mediaeval ideology masquerading as a religion!

Animals are sentient beings, they have a brain and nervous system and feel fear and pain the same as we do.

Where does the RSPCA stand on this issue, they surely have guidelines as to the slaughter of animals?

I've seen an animal killed the halal way, and it's not something I ever want to see again. The beast took around 6 minutes to die, making the most pitiful noise I've ever heard and writhing on the ground! Barbaric is an understatement.

Personally, I don't understand why this practice is allowed anywhere in the UK.

We, as a nation of animal lovers, really must stand together on this matter.

Why oh why are we always trying to appease the minorities? I'm sure other European countries don't.

If muslims don't like the idea of non halal meat, then surely a vegetarian option could be considered or why not suggest a packed lunch?

Response 39

First of all " thank you" for trying to ban non stunned halal meat in schools! I was so Pleased to hear this news-and saddened that it's now back on the menu!!

Torturing animals to death in the name of a mediaeval religion is barbaric and must cease!

Animals are sentient beings with a brain and a nervous system-which means they feel Fear and pain just like we do-just because they can't speak -we must speak up for them!!

Saying there's no demand for non halal meat is simply not true!!!

Please continue to speak up for animals and the majority of citizens who do not agree with halal slaughter!

Response 40

I am writing to express my great concern about non stun halal slaughter of animals and that meat being given to school children.

There is absolutely NO reason to do this when animals can be stunned prior to slaughter for those who are carnivores. I have seen graphic videos of what happens in slaughterhouses that are non stun. It is disgusting how animals in this country are being allowed to be killed in this inhumane way - the maltreatment and fear that animals witness when other animals before them are having their throats slashed is truly sickening and gratuitous.

We should be thinking of the welfare of these animals as a priority not a minority's cultural needs. This is England.

Response 41

I have been reliably informed that you have capitulated to the Muslim minority to allow Halal meat, and by inference all our non Muslim children weather they like it or not will be forced to eat this Barbaric slaughtered meat. You are all weak and have given in to these bully boys, women don't come in to the equation as they have no voice within the Muslim house. You should have stood firm and said no, and if these Muslims do no like to abide the laws of our stunning and slaughtering, they should leave our country. I have very strong views on this

Response 42

Whilst I understand things may be difficult it should be a choice.

No one should be exposed to anything that could be offensive or cruel.

In this case the non stun of animals should be totally banned from this country altogether, it's a vile practice and means we've gone backwards with the way we deal with things.

No one I repeat no one should have to have halal forced upon them without knowing.

You are I'm sure within your rights to ban this.

Response 43

Question 1 of the consultation is misleading. It says you are considering whether to serve stunned or unstunned halal meat and then asks if I object to serving stunned halal meat. If I say I object, I'm potentially saying I approve of unstunned halal meat. It's a badly worded question that will sway the vote outcome toward unstunned halal meat, but I think you knew this when the consulting questionnaire was being drafted.

And just for the record in a civilised society that have law protecting animals we shouldn't be serving any kind of meat that has been slaughtered were the animal has had its throat slit and bleed to death.

Response 44

People, schools should not be given halal meat. This is a Christian Country and we have a right to choose what we are served. Halal meat means animals slaughtered in a brutal way and I and my family do not want to eat this meat without being informed.

Response 45



Charity registration Number: 1015119

7th March 2018

To Lancashire County Council

Dear Sir, Madam

Re: Halal Meat Consultation 2018

We write on behalf of the Lancashire Council of Mosques ("LCM") in relation to the consultation where the County Council is considering its current policy for the supply of Halal meat to schools. The County Council has stated it is considering a proposal to provide only stunned Halal meat to schools.

This is LCM's response to the consultation which we ask to be considered in addition to a number of responses from members of our community which have been submitted separately

Halal

LCM is opposed to any change in the Council's current policy for supplying Halal meat to schools. We do not believe that meat derived from animals which are stunned before slaughter complies with the requirements of slaughter so as to be in conformity with the principles of Halal.

This is an issue of religious belief and adherence to the requirements of our faith and is not something which can be modified or negotiated. We believe this view is shared by many in the communities we represent.

We are aware that it has been suggested that this position is out of keeping with the vast majority of Muslims. We do not accept this. We recognise that what is required for Halal is a matter of some debate amongst Muslims and peoples views do differ. Many Muslims are of the view that stunned meat is not meat produced in accordance with Halal requirements.

The task group established in 2013 which carried out the previous review of the policy expressly recognised the value of the work that LCM carry out and acknowledged that LCM is a representative body which speaks for the vast majority of Muslims in Lancashire; and that the County Council has always sought the views of LCM in developing its policy on Halal. Given our views and those of the community we represent, that stunned meat is not compatible with the requirements of our religious observance and given the authority with which we speak on behalf of our community,

1

as has been recognised by the County Council, we believe this should carry significant weight with the Council.

Children's welfare

In our view and our experience it is likely that a significant percentage of the Muslim community of Lancashire who currently use the school meals service believe that eating stunned meat would not be compatible with their religious beliefs and requirements. If the change of policy is implemented this will lead to many children no longer taking up school lunches, which may have serious adverse consequences for those children.

Humane slaughter

The consultation document does not explain why the Council considers the change of policy to be a good idea and in what respects it would be beneficial. However we assume, given the debates which have taken place previously, that the proposed change may be motivated by a belief that stunned meat is more "humane".

This is a view that is by no means universally accepted and in fact the scientific evidence on this matter is divided. It cannot be said definitively or authoritatively that animals which are stunned before slaughter are subject to more humane or less painful treatment. The scientific evidence does not support such a definitive conclusion.

In fact the practice of Halal is rooted in respect for animals and regard to their welfare.

Community Relations

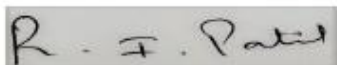
We also want to raise our concerns that there is a real risk that the continued pressure to change this policy will have a significant adverse impact on community relations. Some of the language used in the previous debate caused real offence to our community. This is already a time of heightened tension and fearfulness for members of our community. This proposal creates a risk of Muslims being characterised as supporting cruel or abhorrent methods of slaughter.

It also creates an impression in the community that our religious beliefs are not given serious regard or respect by those elected to represent us.

LCM has very serious concerns about the implications for community cohesion if the policy is implemented.

In view of these representations we would urge the Council not to change the current policy or to press this matter any further.

Yours Sincerely



(Imam) Rafiq Ismail Patel
LCM, Chairman

Bangor Street Community Centre, Norwich Street, Blackburn, Lancashire, BB1 6NZ
Tel: [01254 692289](tel:01254692289) Web: lancashiremosques.com E-mail: admin@lancashiremosques.com

Response 46

4-3-2018

07 MAR 2018

Dear Mr Geoff Divil

Regarding Halal meat for schools I hope you and all you people stay strong in the outcome of this. No animal or chicken etc. should be made to suffer this horrendous practice slitting of throats without being stunned first just for the sake of Religion. These people never take no for an answer. be it Islamic schools, Mosques etc. I have been a vegetarian for over 40 yrs with no prob, so there is lots of other things to eat. I am not racist at all, having Hindu friend etc. Please say No these people dont have to stay here!

Yours sincerely

Response 47

Response to Lancashire County Council's halal meat consultation 2018

national
secular
society

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About the National Secular Society

The National Secular Society is a party-politically neutral organisation that works for the separation of religion and state, and for equal respect for everyone's human rights so that no one is either advantaged or disadvantaged on account of their beliefs. We regard secularism and freedom of expression as essential features of a fair and open society.

How strongly do you agree or disagree with the proposal to provide only stunned halal meat to schools?

Strongly agree

Why do you say this?

Stunned halal meat is the only ethical option and it is accepted by the majority of Muslims.

The scientific consensus is clear that it is more humane to stun an animal prior to slaughter than not doing so. That is why animal welfare legislation requires all animals to be stunned before slaughter in order to minimise suffering, with exemptions given only to animals slaughtered by halal or kosher methods.

The government's own advisory body, the Farm Animal Welfare Council (FAWC), has recommended that the slaughter of animals without pre-stunning should be banned, with no exemptions. The FAWC have concluded that animals slaughtered without pre-stunning are likely to experience "very significant pain and distress" before they become unconscious.

Likewise, the EU's Scientific Panel on Animal Health and Welfare (AHAW) have stated that: "Due to the serious animal welfare concerns associated with slaughter without stunning, pre-cut stunning should always be performed."

The Federation of Veterinarians of Europe (FVE) have stated: "FVE is of the opinion that the practice of slaughtering animals without prior stunning is unacceptable under any circumstances".

RSPCA, Compassion In World Farming and the British Veterinary Association all support an end to non-stun slaughter to improve animal welfare at the time of death.

Denmark, Estonia, Finland, Iceland, Latvia, Liechtenstein, Lithuania, New Zealand, Norway, Sweden and Switzerland have all banned non-stun slaughter.

It is clear that the majority of Muslims in the UK accept pre-stunning prior to slaughter. Figures from the Food Standards Agency say that in 2012 of those animals slaughtered in the UK according to halal rules, 84% of cattle or calves, 81% of sheep and goats, and 88% of poultry were stunned before slaughter.

It is not true that all Muslims agree that unstunned meat is more “authentically” halal than stunned meat, or that unstunned meat is more widely accepted. Some halal suppliers consider stunned meat to be more in-line with Islamic values than unstunned meat because it causes less suffering. For example, halal supplier Najma [states on its website](#): “We follow the Islamic values of treating all animals with kindness and compassion. To ensure the welfare of the animals, we do use recoverable stunning prior to slaughter. This is in accordance to the specific rules set out by the Islamic faith and under supervision of our European Halal certifying bodies.”

It should also be noted that the non-stunned halal sector is harming retailers of stunned halal. The Halal Monitoring Committee (HMC) is putting halal suppliers under pressure by pushing the message that only non-stunned meat is “genuinely Halal”, implying that suppliers who sell stunned meat or do not bear the HMC logo are contravening Islamic law. Because halal suppliers fear losing the trust of their customers, they may feel forced to switch to unstunned halal meat and pay thousands of pounds for HMC certification.

A BBC News Look North segment reported on the issue of unstunned halal in Halifax in 2011. One halal trader interviewed, Ahmed Pervaz of Medina Poultry who has 20 years’ experience in the industry, stated that HMC are “really hammering the halal industry” and that “they’re nothing but a scam.” He said that “people believe them because they appear to be Islamically dressed, Islamically knowledgeable, but when it comes to halal, they have no authority.”

Councils have a duty to provide healthy and nutritious schools meals. They also have a duty to ensure the food they provide is sourced ethically in a manner that does not harm people, animals or the environment. They do not have a duty to cater for every religious dietary preference of every pupil’s family, and especially if those preferences mean contravening the advice of veterinary and farming associations, and causing harm to local businesses.

What impact would this proposal have on you?

This proposal has nation-wide implications. If the council reverses its decision to stop supplying unstunned meat in schools, it will give greater power to religious interest groups to assert their agenda on councils in other areas. It will also set a direction of travel for society as a whole with regards to animal welfare policy.

If LCC decide to supply unstunned meat to schools, it will amount to state support for slaughter methods that are regarded worldwide as unnecessarily cruel. It will send the message that the UK prioritises the demands of orthodox religious minorities over the basic welfare needs of animals. While increasing numbers of countries are deciding to ban non-stun slaughter, the UK will be moving in the opposite direction to the current trend in developed economies.

What, if anything, do you think could be done differently in providing halal meat to schools?

While it is important for councils to consider dietary requirements of school children, no council should be pressured into supplying meat slaughtered in a method that contravenes animal welfare out of religious concerns.

The National Secular Society has been researching the provision of halal meat to schools by UK councils. The majority of councils that the NSS has surveyed do not supply unstunned halal meat to schools. Several specifically state that they will not supply unstunned halal on animal welfare grounds; a few examples are given below:

"ACC sources its meat products via nationally procured frameworks. Our suppliers take animal welfare very seriously. All farmed animals which are slaughtered for their products are done so humanely, in accordance with EU and UK law. This includes provision to ensure that animals are rendered insensible to pain, distress or suffering, prior to killing and includes the stunning of animals prior to slaughter. Traditional Halal slaughter, which forbids the stunning of animals, is a practice which is not accepted by our suppliers on animal welfare grounds." (Aberdeen County Council)

"All animal product is stunned before slaughter in line with our food life and better animal welfare accreditations." (Greenwich Borough Council)

"The current providers providing school meals within the London Borough of Hammersmith & Fulham central contract supply Halal meat which meets the HFA standards and is pre stunned. As a local authority, we have specified that the halal meat provision is to meet the HFA standards and all British animal welfare standards." (Hammersmith & Fulham Council)

"The current providers providing school meals within the RBKC central contract supply Halal meat which meets the HFA standards and is pre stunned. As a local Authority we have specified that the halal meat provision is to meet the HFA standards and all British animal welfare standards." (Kensington & Chelsea Borough Council)

"Schools that work in partnership with Leicestershire Traded Services (LTS) Catering are provided with halal products that have been stunned before slaughter." (Leicestershire County Council)

"The Nottinghamshire County Council School Meals service does not include halal/kosher meat in its meals - pupils opt to have a vegetarian option" (Nottinghamshire County Council)

A vegetarian option should always be available in school meals. This would be acceptable to those Muslims who refuse to eat stunned meat.

It should also be stressed to families that those who wish their child to eat unstunned meat would still be permitted to provide the meat in a packed lunch.

Section 4

Equality

Analysis Toolkit

**The supply of Halal Meat to Schools
For Decision Making Items**

September 2018

What is the Purpose of the Equality Decision-Making Analysis?

The Analysis is designed to be used where a decision is being made at Cabinet Member or Overview and Scrutiny level or if a decision is being made primarily for budget reasons. The Analysis should be referred to on the decision making template (e.g. E6 form).

When fully followed this process will assist in ensuring that the decision-makers meet the requirement of section 149 of the Equality Act 2010 to have due regard to the need: to eliminate discrimination, harassment, victimisation or other unlawful conduct under the Act; to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard means analysing, at each step of formulating, deciding upon and implementing policy, what the effect of that policy is or may be upon groups who share these protected characteristics defined by the Equality Act. The protected characteristics are: age, disability, gender reassignment, race, sex, religion or belief, sexual orientation or pregnancy and maternity – and in some circumstances marriage and civil partnership status.

It is important to bear in mind that "due regard" means the level of scrutiny and evaluation that is reasonable and proportionate in the particular context. That means that different proposals, and different stages of policy development, may require more or less intense analysis. Discretion and common sense are required in the use of this tool.

It is also important to remember that what the law requires is that the duty is fulfilled in substance – not that a particular form is completed in a particular way. It is important to use common sense and to pay attention to the context in using and adapting these tools.

This process should be completed with reference to the most recent, updated version of the Equality Analysis Step by Step Guidance (to be distributed) or EHRC guidance at

<http://www.equalityhumanrights.com/private-and-public-sector-guidance/public-sector-providers/public-sector-equality-duty>

This toolkit is designed to ensure that the section 149 analysis is properly carried out, and that there is a clear record to this effect. The Analysis should be completed in a timely, thorough way and should inform the whole of the decision-making process. It must be considered by the person making the final decision and must be made available with other documents relating to the decision.

The documents should also be retained following any decision as they may be requested as part of enquiries from the Equality and Human Rights Commission or Freedom of Information requests.

Support and training on the Equality Duty and its implications is available from the County Equality and Cohesion Team by contacting

AskEquality@lancashire.gov.uk

Specific advice on completing the Equality Analysis is available from your Service contact in the Equality and Cohesion Team or from Jeanette Binns

Jeanette.binns@lancashire.gov.uk

Name/Nature of the Decision

The County Council's Policy on the supply of Halal meat to schools to be amended to provide stunned halal meat only.

What in summary is the proposal being considered?

Where the County Council supplies school meals, we have to ensure that the food provided is nutritious, and of high quality; to promote good nutritional health in all pupils; protect those who are nutritionally vulnerable and to promote good eating behaviour. We also should make reasonable adjustments for pupils with particular requirements, for example to reflect medical, dietary and **cultural needs** and that school food menus are designed for the majority of the school population.

The policy on "Supply of Halal Meat to Schools" currently states that we will provide both stunned and un-stunned Halal meat and the school will take the decision, based on local demand, on which option to purchase if it chooses to purchase any halal meat.

It is proposed that this policy is amended to remove the un-stunned halal meat option and that the County Council will only provide halal meat which has been stunned.

It should also be clarified that in schools with a mixed faith population the menu production is segregated between halal meat dishes for Muslim pupils, where required, and British Red Tractor Farm Assured meat dishes for all other pupils. A vegetarian option is also made available daily and any pupils with special dietary requirements for allergens or intolerances are provided with an applicably controlled menu, ensuring that all pupils are offered an appropriate choice.

All Halal dishes are denoted by colour coded serving dishes and utensils and in the case of secondary schools, with appropriate signage too.

Regardless of the outcome of this proposal these arrangements would continue to ensure all pupils are clear about what they are eating.

This Equality Analysis seeks to reflect information gathered since this issue first came to the fore in 2013, including the Task and Finish Group's considerations in 2013 and the recent public consultation. It seeks to set out the considerations in a fair, objective and rigorous manner.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

Whilst the policy is applied across the County it is of most significance to schools in Burnley, Preston, Pendle, Chorley, South Ribble, Ribble Valley and some schools in the Blackburn with Darwen Borough council area which provide halal meat as part of their menu options for pupils. Twenty seven schools currently provide halal meat as part of their school lunch menus (as chosen by the school and Governing Body) and all have chosen the un-stunned option. Although 12,000 pupils are on roll at these schools, not all will eat halal meat and it is impossible to be certain how many of these pupils take the halal meat menu option.

At this time none of the County Council's Older Peoples services use halal meat as a menu option but potentially this could change in establishments in some parts of the county in the future.

Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:

- Age
- Disability including Deaf people

- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Age – this policy will impact on school age pupils who are consumers of school meals provided through the County Council's Traded School Meals Service and most particularly on those in the twenty seven schools which currently provide halal meat options. Although 12,000 pupils are on roll at these schools, not all will eat halal meat and it is impossible to be certain how many of these pupils take the halal meat menu option.

Religion or Belief – Religion: for pupils who are Muslim, any change in policy to provide only stunned halal meat options would result in reduced choice of menu options such as having vegetarian or other non-meat meals if they find stunned halal meat to be unacceptable. It may result in a boycott of school meals, as occurred in 2013 when a previous decision to provide only stunned halal meat was applied. This resulted in Lancashire Council of Mosques (LCM) asking pupils/parents to boycott their school meals. It is unlikely that LCM's response would be different if this situation arose again. Affected pupils might then need to bring packed lunches or leave school at lunchtime to go home or elsewhere for lunch. This could impact adversely upon family finances and the nutritional content of the pupils'

lunch, as a school lunch is required to meet a range of food and nutritional standards. In the areas where schools take the un-stunned halal meat option Blackburn with Darwen has a 27% population who identify as Muslim, 17% in Pendle and over 10% of residents in Preston and Burnley according to the 2011 Census.

There is also concern that Jewish parents/pupils may also feel adversely affected if the un-stunned halal meat option was removed as similar requirements for meat to be "un-stunned" apply to kosher meat products. This may prompt a concern that the school meals service may no longer meet their own cultural dietary requirements. The most significant percentage of Jewish residents is in Fylde, although currently no schools in this area are included on the list of those affected by this Review.

Other Religions – it has become clear during the review of consultation responses, that a number of respondents believed that halal meat would be provided to all children including those of Christian, Hindu, Buddhist and other faiths. This was not part of the proposal and would not have happened. It is important to be clear that in those schools where it would be available, halal meat would be an available option, but that for pupils not requiring halal meat British Red Tractor Farm Assured meat dishes would be available and clearly identifiable. There would be no "forcing" of halal meat on any non-Muslim pupils and food provision would take account of other religions/beliefs and meet legal requirements.

No Religion – the County Council received representations from secular/humanist groups during summer 2017 when this issue received publicity. These representations argued that food should not be provided at all to meet religious requirements. These views were also reflected amongst public consultation respondents. However, the National Secular Society's written response strongly agreed with the proposal to supply only stunned halal meat.

Belief – those with a strong belief in animal rights/animal welfare (which may be seen as a strongly held philosophical belief) may be affected by this review. A number of organisations including the RSPCA, Humane Slaughter Association, Farm Animal Welfare Council

and others as well as individuals, are opposed to the provision of un-stunned halal meat and these groups and individuals are present in Lancashire. These views were also represented amongst consultation respondents. However, for many school pupils with these views, alternative meal options are available - e.g. vegetarian options.

Ethnicity – the 2011 Census recorded that 7.7% of Lancashire's population (or 90,652 people) are from a Black and Ethnic Minority background, and 6.1% of the Lancashire population identify as Asian/Asian British. Whilst people of all ethnicities may be affected by the outcome of this review, it is likely to have a disproportionate impact on those who are Asian/Asian British.

Gender – it was estimated that during the "boycott" of school meals in 2013, take up of school meals fell by over 7% across the county. Should such a situation be repeated, it is possible that the impact on revenue generated from school meals in affected schools, could impact on how many catering staff are required. Women make up the vast majority of employees in these roles.

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

Age – this policy will impact on school age pupils who are consumers of school meals provided through the County Council's Traded School Meals Service and most particularly on those in the twenty seven schools which currently provide Halal meat options. Although 12,000 pupils are on roll at these schools, not all will eat halal meat and it is impossible to be certain how many of these pupils take the halal meat menu option.

Religion or Belief – Religion: for pupils who are Muslim, any change in policy to provide only stunned Halal meat options would result in

reduced choice of menu options such as having vegetarian or other non-meat meals if they find stunned halal meat to be unacceptable. It may result in a boycott of school meals, as occurred in 2013 when a previous decision to provide only stunned Halal meat was applied. This resulted in Lancashire Council of Mosques (LCM) asking pupils/parents to boycott their school meals. It is unlikely that LCM's response would be different if this situation arose again. Affected pupils might then need to bring packed lunches or leave school at lunchtime to go home or elsewhere for lunch. This could impact adversely upon family finances and the nutritional content of the pupils' lunch, as a school lunch is required to meet a range of food and nutritional standards. In the areas where schools take the un-stunned Halal meat option Blackburn with Darwen has a 27% population who identify as Muslim, 17% in Pendle and over 10% of residents in Preston and Burnley according to the 2011 Census.

There is also concern that Jewish parents/pupils may also feel adversely affected if the un-stunned Halal meat option was removed as similar requirements for meat to be "un-stunned" apply to kosher meat products. This may prompt a concern that the school meals service may no longer meet their own cultural dietary requirements. The most significant percentage of Jewish residents is in Fylde, although currently no schools in this area are included on the list of those affected by this Review.

Other Religions – it has become clear during the review of consultation responses, that a number of respondents believed that halal meat would be provided to all children including those of Christian, Hindu, Buddhist and other faiths. This was not part of the proposal and would not have happened. It is important to be clear that in those schools where it would be available, halal meat would be an available option, but that for pupils not requiring halal meat British Red Tractor Farm Assured meat dishes would be available and clearly identifiable. There would be no "forcing" of halal meat on any non-Muslim pupils and food provision would take account of other religions/beliefs and meet legal requirements.

No Religion – the County Council did receive representations from secular/humanist groups during summer 2017 when this issue first

received publicity. These representations argued that food should not be provided at all to meet religious requirements. These views were also reflected amongst public consultation respondents. However, the National Secular Society's written response strongly agreed with the proposal to supply only stunned halal meat.

Belief – those with a strong belief in animal rights/animal welfare (which may be seen as a strongly held philosophical belief) may be affected by this review. A number of organisations including the RSPCA, Humane Slaughter Association, Farm Animal Welfare Council and others as well as individuals, are opposed to the provision of un-stunned Halal meat and these groups and individuals are present in Lancashire. These views were also represented amongst consultation respondents. However, for many school pupils with these views, alternative meal options are available - e.g. vegetarian options.

Ethnicity – the 2011 Census recorded that 7.7% of Lancashire's population (or 90,652 people) are from a Black and Ethnic Minority background, and 6.1% of the Lancashire population identify as Asian/Asian British. Whilst people of all ethnicities may be affected by the outcome of this review, it is likely to have a disproportionate impact on those who are Asian/Asian British.

Gender – it was estimated that during the "boycott" of school meals in 2013, take up of school meals fell by over 7% across the county. Should such a situation be repeated, it is possible that the impact on revenue generated from school meals in affected schools, could impact on how many catering staff are required. Women make up the vast majority of employees in these roles.

Question 2 – Engagement/Consultation

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

A public consultation was carried out between 7 February and 7 March 2018, seeking views on the proposal to only provide stunned halal meat to schools and asking what the impact of this would be on respondents. The consultation was placed on the "Have Your Say" area of the County Council's website. A range of stakeholders were given prior notice of the consultation's location and timescale. These included:

- The Governing Bodies and Headteachers of affected schools;
- Lancashire Council of Mosques;
- Lancaster and Lakes Jewish Community
- Burnley Synagogue & Jewish Community Burnley, Lancashire
- Lancashire Secular Humanists
- Lancashire Police Chief Inspector Ian Mills Head of Equality and Community Engagement
- Police & Crime Commissioner
- Lancashire Safeguarding Children & Adults Board Chair
- Lancashire Association of Local Councils
- County and District Councillors and Chief Executives

A Press Release was also issued which featured on local radio and social media news outlets (e.g. Radio Lancashire and Blog Preston) whilst an item about the consultation also appeared on the Staff News area of the County Council's intranet.

8,545 responses were received to the consultation, 7,840 on-line responses and 705 paper copies. In terms of demographics of respondents:

53% of respondents said that they were responding as Lancashire residents, this is a lower proportion than usually found in County Council consultations. It is however possible that some people who fitted into other categories such as parents or carers of school pupils, school staff, members of VCFS groups, etc were also residents of Lancashire. It was also clear that some respondents came from other parts of the country and that this consultation attracted a lot of attention from groups/individuals representing a wide range of

viewpoints. 33% of respondents identified as being the parent/carer of a Lancashire school pupil.

Ethnicity – 43% of respondents were White which is much lower than for many consultations and far lower than the Census profile for the White ethnic group. 18% of respondents "prefer not to say" and 34% of respondents were Asian or Asian British. In terms of both the county's population and the usual profile of consultation respondents, there is a significantly higher proportion of respondents who are Asian or Asian British. 2% of respondents identified as being of Mixed Ethnicity or Other Ethnicity respectively and 1% of respondents were Black or Black British.

Religion or Belief – 24% of respondents identified as being Christian, 17% as having "no religion", 45% of respondents identified as being Muslim, 12% "prefer not to say" and 1% of respondents selected the "any other religion" option. 21 respondents were Buddhist, 15 respondents were Jewish, 13 were Sikh and 8 were Hindu respectively. The proportion of respondents who were Christian is lower than in the Lancashire population whilst the proportion of respondents who were Muslim is much higher than their representation in the county's population. These trends also apply to usual County Council service consultations.

Gender - Responses from males were higher than usual at 49% with 44% of respondents being female and the others "prefer not to say". This response rate is more representative of the male population of the county in gender terms than is usually the case. In most County Council consultations women form the majority of respondents.

Age – 56% of respondents were aged 35-64, although this is a wide age range it is noticeably higher than the usual response rate for this group in County Council consultations. This may reflect numbers of respondents amongst parents/carers of school pupils. There are 9% of respondents in the 65-74 age group and 1% aged over 75. 3% of respondents are aged under 16 and 2% are aged 16-19, which shows some engagement of young people on this issue. 20% of respondents

are aged 20-34 which is higher than the usual response rate for this age group.

Respondents were asked if they had children in their household, the percentage of those who answered that there were children in their household was much higher than those who responded as "the parent or carer of a Lancashire school pupil" (64% had children in the 5-16 age range in their household although this includes some who have children in various age groups as 60% of respondents had children aged under 20 in their household) whilst 33% of respondents responded as a parent/carer of a Lancashire school pupil). 24% of respondents had no children under 20 in their household. This profile indicates that many people may have participated in the consultation because of views they hold on this issue rather than because the proposal will have a direct/personal impact on them or their family.

65% of respondents strongly disagreed with the proposal to provide stunned halal meat in those schools which offered a halal meat option, and 38 people tended to disagree. 90% of Muslim respondents strongly disagreed with the proposal. Where respondents gave a reason why they disagreed with the proposal, 70% of these respondents did so because they supported un-stunned halal meat being supplied to schools and 30% said they disagreed with the proposal because they don't think any halal meat should be supplied to schools in Lancashire.

33% of respondents strongly agreed with the proposal and 1% tended to agree whilst 1% neither agreed or disagreed. Of those respondents who agree with the proposal 77% agreed for animal welfare reasons.

Some of the themes emerging from consultation responses were:

- A misconception amongst some respondents that currently, or in the future, halal meat would be served to all pupils in those schools affected or even in all schools. When asked in the consultation whether they agreed or disagreed with the proposal 9% of respondents said that "Halal meat should not be used in schools – especially without prior knowledge", 3% said "It is unlawful to feed un-stunned halal meat to non Muslims" and 3%

said "Members of other religions can't eat halal meat". It is not and will not be the case that halal meat is supplied in schools without being clearly identified and separated. Non halal meat products in schools are from British Red Tractor Farm Assured sources whilst the halal meat products are also from clearly accredited sources. Currently halal meat is only provided in 27 schools which have chosen to include this amongst their menu options and it is clearly identifiable with colour coded serving dishes and utensils and signage in secondary schools;

- A number of respondents wanted to be reassured that pupils had a choice of food and that halal or kosher food was served only to those of the Muslim or Jewish faith. This is the arrangement currently in place;
- Many respondents cited issues of animal welfare as the reason for their response and their support of the proposal to only provide stunned halal meat, Many viewed this as "kinder" to animals and a more humane method of slaughter. However, there were opponents of the proposal whose view was that the un-stunned method was more humane. A further group opposed the proposal because it proposed providing stunned halal meat and they believed any halal meat did not meet animal welfare requirements. All views gave scientific evidence in support of their respective positions;
- Other respondents support the continued provision of un-stunned halal meat for those who wish to have it and the importance of having that choice. 22.6% of Muslim parent respondents, 12.2% of other parents responding and 21.2% of other respondents said that the proposal would remove their choices, Many indicated that if un-stunned halal meat was not available pupils may no longer eat school meals (32% of Muslim parents said this), would be limited solely to vegetarian options/stop eating meat at school (37.2% of Muslim parents said this) or might take packed lunches or eat at home instead. A number of these respondents had children in Lancashire schools and saw a potential direct impact on them. For many of these respondents, stunned meat was not acceptable as in their view stunned "halal" meat would not be halal (39% of all respondents said this). Many also felt

that the current arrangement of providing un-stunned halal meat had worked well and they had confidence in the meals that were being provided as meeting their/their childrens' religious requirements. There was also concern that for those who opted to take packed lunches to school, they would then "miss out" on a hot meal which would be a particular issue in winter (25.8% of Muslim parents mentioned an adverse impact on their children's health/diet), and on the opportunity to eat meat and socialise with their friends (4% of Muslim parents said that their children would feel left out and discriminated against). A number of respondents opposed to the proposal said their children "loved" meat meals at schools whilst others said their children would be unable to participate in school meals events - one mentioned their daughter potentially missing Christmas and Easter lunches or Fantastic Fridays - which their children enjoyed. The importance of opportunities to socialise with friends of all backgrounds over lunchtime was mentioned by a number of respondents.

- Choice was also emphasised, however, by those who supported the proposal to supply stunned halal meat only. Some consultation responses indicated that pupils may already have switched to vegetarian or packed lunch options because they thought incorrectly that all meat was halal (20.6% of Other Parents responding said their children "would no longer eat meat at school" and 27.1% of Other Respondents) and "We Would Not Eat Halal Meat/Disagree with it/against our beliefs", 12.3% of Other Parents and 10.4% of Other Respondents). Others indicated that they would stop having school meals if the proposal to provide stunned halal meat in schools was approved because they interpreted incorrectly that this would be provided to all pupils.
- Nutrition was also a concern for many parents of children who currently ate un-stunned halal meat, in consultation responses a number felt their child's nutrition would be adversely impacted by not having access to an appropriate meat option in their school lunch. Conversely, a number of consultees stated that vegetarian options were just as nutritious as meat.

- There were differing theological views on whether un-stunned halal meat was required as part of their religious observance by Muslims. Most Muslim respondents and some others who referenced this were clear that stunned meat would not be considered "halal" and would not be acceptable. Other respondents stated that they believed it would be acceptable, although only 4 respondents who identified as Muslim gave that view.
- Alongside issues about choice, respondents on both sides also cited discrimination because of race or religion as a possible effect of the proposal. 4% of Muslim Parent respondents identified that it would make Muslim children feel left out/discriminated against with 2.9% of Other Parents and 1.8% of Other Respondents indicating this. Another comment that "it would make me seek legal advice and make me look at bringing charges/suing the Council attracted" was indicated by 0.4% Muslim parents, 0.6% Other Parents and 0.5% of Other Respondents respectively.
- There were also a number of consultation responses which raised concerns about the impact on community cohesion and integration which the outcome of this decision, whatever it may be, could have. Concerns about increased tensions between different communities within schools or more widely, have been reflected in a number of consultation responses.
- The impact of the outcome of the proposal on take up of school meals was mentioned in some responses. Some consultees who supported the proposal and some who did not suggested they may withdraw their children from having school meals or provide a packed lunch instead – others said they had already done so. There were also a few comments on whether fewer children having school lunch might affect the prices charged. A small number of respondents did specifically state that they would boycott schools meals – e.g. "I would boycott the meals and urge all Muslim parents to do the same. I would also protest for my rights" was one such comment.
- Some parents whose children currently have school meals because un-stunned halal meat is available said that if the

proposal was agreed they would need to provide packed lunches but that this would be very difficult as they had – for example - three children who would be affected. 31.7% of Muslim Parents said it would be inconvenient or more expensive for them as their children would stop having school dinners, and 29.8% of Other Parents also said this, only 8,4% of Other Respondents said this. One of these consultees also said they had health issues which would increase the difficulty of making packed lunches for their three children daily.

- There were a number of consultees who commented that providing halal meat in any form would mean the County Council paying "zakat". This is not the case as the County Council's procurement is controlled only by UK and EU legal requirements.
- In representations made to the County Council during autumn 2017 and in some consultation responses, a specific issue was highlighted in relation to provision of stunned chicken/poultry. About 50 consultation respondents commented that, in their view, stunning methods carried a greater risk of killing a small bird/animal such as a chicken prior to slaughter which was seen both as a less humane method of slaughter and meaning it would not be halal. These views came from both Muslims and non-Muslims and both those who agreed and disagreed with the proposal. One comment from non-Muslims read "ensure the meat is stunned, except chicken as I understand there are issues stunning chicken...All halal meat should be clearly labelled as such I would hate any child or person in hospital or in a council run institution anywhere to serve me or mine meat ...which has had prayers said over it that I do not believe in". Another said "I am a white English woman married to an Asian man who is not a practising Muslim but his family are. I have explained to his family why I will not eat halal beef or halal lamb and they respect my decision. If I am catering for any of my family I purchase halal chicken and there is not an issue. Maybe the council should consider just purchasing halal chicken and not risk purchasing halal beef or lamb". Muslim respondents comments included: "It is wrong to stun and torture an animal in this inhumane way. It also kills the chicken before it can be

humanely slaughtered according to halal and kosher requirements. Stunned chicken is unhygienic..", "Because chickens go through more pain when they are stunned as they die a slow death", "Stunning is against my faith and it is proven unhealthy, research shows that 1) animals, especially chickens die prior to slaughter due to stunning" And "Halal meat is only truly halal if the animal is alive at the time of slaughter. Stunning small animals (poultry) often kills them so this means this process is unreliable for halal meat".

Alongside the consultation responses, 47 other responses were received – 10 letters and 37 emails. 44 of these were from members of the public with all but one supporting the proposal. The others received were from Lancashire Council of Mosques and the Board of Deputies of British Jews who both opposed the proposal and the National Secular Society which supported the proposal.

The following information/reports/views have also been considered:

- Lancashire Education Act 1984 - The Asian Religions, Their Dietary Restrictions: March 1984;
- Report of the Halal Meat Supplies Task Group: December 2013;

We have also conducted a desk top exercise to research the current national and local intelligence relating to the supply of Halal meat, particularly to schools. The main bodies we referred to are:

- Food Standards Agency;
- Halal Monitoring Committee;
- Halal Food Authority;
- Humane Slaughter Association;
- The Farm and Animal Welfare Council;
- Muslim Council of Britain;
- Lancashire Council of Mosques.

We have also considered the demographics of the areas most affected by this policy and consulted with representatives from key service areas within the County Council including School Meals/Catering

Service, Legal, Procurement, Adult and Older Peoples Services and Equality and Cohesion.

Question 3 – Analysing Impact

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?

- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

Were a decision is to be taken to cease providing un-stunned halal meat, it is possible that the County Council will be accused of discrimination on either religion or belief or race grounds. The previous boycott of school meals when such a policy was last in place and the evidence that twenty seven schools all decided to use un-stunned halal meat rather than the stunned version available, indicates that the demand from the pupils affected is for un-stunned halal meat. Failure to provide this could lead to claims that the Council is discriminating against these pupils by not meeting their religious requirements for un-stunned halal meat. This view was reflected in a small percentage of consultation responses in terms of potential legal action and more widely in terms of the view that the County Council would not be meeting religious needs of Muslim pupils/parents. Although there are local authorities who provide stunned halal meat only and this appears to be acceptable to their communities (e.g. Leicestershire County Council, Nottinghamshire County Council), the volume and content of consultation responses from parents whose children currently eat un-stunned halal meat in Lancashire schools, suggest that this would not be the case in Lancashire.

Potentially Jewish pupils/parents may also be concerned that their dietary requirements are also adversely affected by any change in policy.

As the school meals service currently provides a meat-free menu for some Roman Catholic schools on Fridays to meet their religious requirements, there is the potential for claims to be made of both religion or belief and race discrimination if the service no longer made what is seen as specific provision to meet the dietary requirements of Muslim pupils/parents.

A number of respondents also said that the County Council was acting unlawfully and discriminating against Christian pupils, pupils of other religions (Sikh, Hindu and Buddhist were cited) and those with no religion by serving halal meat generally to the school population. That perception is wrong as the County Council clearly separates and identifies halal food options from others available and these arrangements are therefore non-discriminatory and meet legal requirements.

Any change in policy – particularly if a school meals boycott did result – could impact on the health and wellbeing of some pupils. School meals provide a nutritious meal which must conform to national standards on food and nutrition. It is possible that alternatives such as packed lunches, eating at home or obtaining lunch from other sources (e.g. fast food outlets or sandwich shops) may not meet the same standards. Some consultation respondents whose children currently ate un-stunned halal meat in their school lunches expressed a concern that the proposal may result in health issues for their children in the future.

It should be stated, however, that other respondents, many of whom supported the proposal, said that vegetarian lunches were nutritious and, in their view, would be much healthier for all children.

A number of respondents stated that if un-stunned halal meat was no longer available they would have to provide a packed lunch or their child would eat at home. Responses highlighted the impact this would have as Muslim parent respondents clearly valued that their child currently received a hot, healthy, nutritious meal at school and were concerned that there could be ongoing issues for pupils if this were no longer the case. Other Muslim parents mentioned that they had children at schools where halal meat was not available and that sometimes if the vegetarian option was something the child did not like – e.g. Quorn – they came home very hungry from school on those days. Others felt that the alternatives would be jacket potatoes or pizza and that this would be "carb packed" as one put it.

There were suggestions amongst some Muslim parent consultees that their children might opt for the vegetarian option if un-stunned halal

meat was not available, but a number of parents added that their children "loved meat" and felt that their opportunity to have choice about what they could have from the menu was being significantly reduced. It was clear that most respondents whose children currently take the un-stunned halal meat option would not find stunned halal meat an acceptable alternative and would feel that they were not being treated fairly or equally.

In 2012/13, the County Council conducted a, limited, year group study in Burnley and Pendle which indicated that 67% of pupils did not eat breakfast before school – given the demographics of Burnley and Pendle that is likely to include some pupils who could be affected by any change in policy. For these pupils, a school lunch might be the first and most nutritious meal of the day so there could be a particularly adverse impact if a change in policy meant they no longer ate school meals.

Free school meals for pupils in reception class, Years 1 and 2 have been available since 2014 and there has also been increased promotion and take up of free school meals by those low income families who are eligible. This appears to have led to improvements in attainment for some of the most disadvantaged pupils and general improvements in behaviour.

As a number of the schools which use un-stunned Halal meat are in more socio-economically deprived areas, it could be expected that if pupils withdrew from school meals as a result of this policy, it could impact on their future attainment and on their family budgets if alternative lunches had to be funded.

However, we cannot claim that a potential change in the County Council's current policy, would see academic attainment reduce as a direct result. There are other providers, other than the County Council, of halal meat available to schools, to help them meet their cultural food requirements.

There is a possibility that if Muslim pupils were to take in packed lunches or to boycott school meals, this may reduce the opportunities for pupils to spend time together and may instead raise tensions

between different groups of pupils. Some respondents to the consultation mentioned the importance of pupils eating together and were concerned that, if this no longer happened, it may foster a feeling of "them and us" and undermine pupils' feelings of being part of the school or local community. Furthermore, were it to be identified or assumed that any reduction in take up of school meals had resulted in a rise in school meals prices at affected schools, tensions may be particularly heightened. This was mentioned in a number of the consultation responses within the open question options.

Any media publicity which results from a change in policy may also increase tensions through media or social media comment. This is of particular concern as there have been increased tensions following recent terrorist attacks in the UK and elsewhere and evidence of rises in Islamophobic hate crime both nationally and locally. The consultation has produced some quite polarised opinions and it is important to dispel those which are inaccurate – e.g. that pupils generally do not have a choice of which meat they eat. It is also clear from the tone and content of some of the consultation responses that tensions have been heightened already. Other comments did highlight individuals' concerns about the potential impact on community cohesion and relations between pupils within schools and cohesion in the wider community.

Question 4 –Combined/Cumulative Effect

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect

of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

Consideration of this policy has identified that if a change to provide stunned Halal meat only were made, there could be the following impacts/effects within the County Council:

- Financial – in any lost revenue from reduced take-up of school meals;
- Legal – it is possible that the Council would face a risk of challenge to a decision to procure only halal meat that has been stunned prior to slaughter. Such a challenge could be based upon an allegation that:
 - (1) The Council has breached the Public Contracts Regulations 2015 and/or
 - (2) The Council has failed to comply with the Equality Act 2010
- Procurement - the County Council is obliged to procure in accordance with the Public Contract Regulations 2015 (the "Regulations") which prohibit any form of tender process which effectively restricts or distorts competition. Accreditation (or any aspect of the accreditation including for example a restriction on stunning prior to slaughter) of meat as Halal is classed under the Regulations as a "technical specification".

Regulation 42 (10) states that:

"Technical specifications shall afford equal access of economic operators to the procurement procedure and shall not have the effect of creating unjustified obstacles to the opening up of public procurement to competition."

A requirement that animals should be stunned prior to slaughter could also be categorised as a "characteristic" of a technical specification addressed under Regulation 42 (6) which provides that:

"In the case of any public contract, the required characteristics may also refer to –

- (a) The specific process or method of production or provision of the requested works, supplies or services, or

(b) A specific process for another stage of its life cycle. Even where such factors do not form part of the characteristics' material substance provided that they are linked to the subject- matter of the contract and proportionate to its value and its objectives".

To stipulate one sole accreditation body, or a specific slaughter process, for Halal meat in Lancashire may breach Regulation 42 (10) if it could be proved that it creates an unjustified obstacle to potential bidders. However, Regulation 42 (6) suggests that there is some flexibility allowing authorities to specify processes as part of a technical specification provided that the process relates to what is being procured and does not for example lead to a disproportionate increase in costs.

It does not seem immediately apparent that limiting the range of possible bidders to those who stun animals prior to slaughter would either unfairly restrict competition or introduce an extraneous requirement that would be unreasonable of itself;

- Emergency Planning – in its resilience plans and rest centre arrangements the Service endeavours to meet the needs, where practicable, of individuals or groups who may require special care and attention or to consider cultural and religious requirements.
- Academic – lower attainment levels linked to lack of or no nutritional meal at school
- Economic – impact on the market to suppliers of Halal meat and also suppliers of other foodstuffs; reduction in school staff; increased cost to families in terms of having to provide an alternative lunchtime meal
- Older Peoples Services – potential that an aging population will demand Halal provision and will select residential care or other options which will cater for their requirements
- Social – potential rise in community tensions; religious or other groups may react to the change negatively. The County Council's reputation may be damaged in being seen to remove "choice" from communities – particularly when the Council has had policies in

place to meet the dietary requirements of different religions since 1984.

In March 2018 the Government published its Integrated Communities Strategy Green Paper which includes sections focussed on schools and young people alongside wider suggestions on how to further integration between different communities, particularly in relation to ethnicity/race, religion or belief and socio economic backgrounds. This includes references to pupils of different backgrounds spending more time socialising together at school as potentially benefitting integration.

Question 5 – Identifying Initial Results of Your Analysis

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

The proposal has changed since its initial considerations in summer 2017. In the light of representations received and comments from the public consultation and from Elected Members, there is a growing view that un-stunned poultry/chicken be permitted in recognition of the particular difficulties caused by stunning poultry/chickens

Question 6 - Mitigation

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated.

Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

Should the County Council cease to provide un-stunned halal meat, it will clearly promote this to relevant schools and establishments and continue to ensure that a vegetarian option is available as an alternative to meet the dietary requirements of Muslim and other pupils.

Cabinet member deliberations together with respondents to the consultation have eluded to the continuation in supply of un-stunned poultry/chickens due to the risks of death associated in stunning poultry/chickens thus making it "haram". The amendment to continue to supply un-stunned poultry products, if agreed, would provide some measure of mitigation and should allow a halal meat option to be available for Muslim pupils at those schools which require it.

Should the current policy remain in place, there are in-built arrangements to address the needs of all pupils. Schools can purchase stunned or un-stunned halal meat, Red Tractor Farm Assured meat and poultry options which are available along with vegetarian options. In all schools menus reflect the needs of other religions or dietary requirements where schools request this. All non-halal meat is Red Tractor Farm Assured meat.

Question 7 – Balancing the Proposal/Countervailing Factors

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest

evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

This proposal would result in the County Council only providing stunned halal meat products to schools – which would largely affect the provision of beef products for school meals. Cabinet member deliberations together with respondents to the consultation have eluded to the continuation in supply of un-stunned poultry/chickens due to the risks of death associated in stunning poultry/chickens thus making it "haram". The amendment to continue to supply un-stunned poultry products, if agreed, would provide some measure of mitigation and should allow a halal meat option to be available for Muslim pupils at those schools which require it.

As at present there is no demand from schools for stunned halal meat products, it is possible that some schools requiring halal meat would make alternative arrangements.

Question 8 – Final Proposal

In summary, what is your final proposal and which groups may be affected and how?

The County Council will only supply stunned halal meat products in schools – which would largely affect the provision of beef products for school meals. Cabinet member deliberations together with respondents to the consultation have eluded to the continuation in supply of un-stunned poultry/chickens due to the risks of death associated in stunning poultry/chickens thus making it "haram". The amendment to continue to supply un-stunned poultry products, if agreed, would provide some measure of mitigation and should allow a halal meat option to be available for Muslim pupils at those schools which require it.

This decision would mainly affect Muslim pupils and their families or school staff who eat school meals at those schools where un-stunned halal meat is currently available.

Question 9 – Review and Monitoring Arrangements

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

Any changes in the take up of school meals by pupils arising from this policy outcome will be monitored on an ongoing basis by the School Meals Service as will any changes in the numbers of schools using this Traded Service.

Equality Analysis Prepared By: Dave Carr (Head of Service Policy, Information and Commissioning: Start Well)

Equality Analysis Endorsed by Line Manager and/or Service Head: Ajay Sethi (Head of Service Learning and Skills (Start Well))

Decision Signed Off By

Cabinet Member or Director

Please remember to ensure the Equality Decision Making Analysis is submitted with the decision-making report and a copy is retained with other papers relating to the decision.

For further information please contact:

Jeanette Binns

Equality and Cohesion Manager

Jeanette.binns@lancashire.gov.uk

Telephone 01772 533516

Thank you

Meeting of the Full Council
Meeting to be held on Thursday, 18 October 2018

Report submitted by: Director of Finance

Part A

Electoral Division affected:
None;

Changes to Financial Regulations
(Appendix 'A' refers)

Contact for further information:

Joanne Ainsworth, Tel: (01772) 532358, Finance Manager - Capital & LEP and Special Projects,
joanne.ainsworth@lancashire.gov.uk

Executive Summary

Financial Regulations currently require all amendments to the Capital Programme to be approved by Cabinet, and this includes frequent minor operational changes which can be met within the total approved budget for a service programme and where the scope of works has not fundamentally changed.

Amendment of the Financial Regulations to allow delegation to officers to approve amendments of this type will remove the necessity for Cabinet to approve these changes in future. This will enable improved efficiency in the management and monitoring of the Capital Programme and be overseen by the Capital Board.

Recommendation

Full Council is recommended to:

- (i) Approve changes to the Financial Regulations relating to Capital Expenditure as set out at Appendix 'A'.
- (ii) Authorise the Director of Corporate Services to make consequential amendments to the Constitution arising from these changes.

Background and Advice

The Capital Programme, once agreed by Full Council, is managed and controlled by an officer led Capital Board. However the Financial Regulations currently require relatively routine adjustments to the capital programme that can be met within the

approved budget for a service programme to be agreed by Cabinet, most often in respect of the highways and transport programmes.

The majority of the changes within these Cabinet reports are not fundamental programme changes but relate to operational adjustments concerning expenditure amendments to smaller schemes and in-programme budget adjustments, for example when outside factors mean that an individual scheme has to be rescheduled and another scheme started in its place, or when initial work on a scheme reveals that a lower than expected level of expenditure is necessary and other schemes can be brought forward. There have also been instances where new schemes are added to the programme through these reports, without affecting the overall budget allocation for a programme.

In order to enhance the efficiency of decision making and ensure that decisions are made at the most appropriate level within the organisation, it is proposed that the changes to the Financial Regulations around capital expenditure as set out in Appendix 'A' are approved. In summary these are to delegate to officers:

- decisions relating to straightforward operational changes, that do not change either the overall volume or scope of a particular service programme of works but relate to changes to individual project budgets.
- approval of new small schemes where funding is from an outside organisation, for example via a section 106 agreement.

If agreed, these decisions will be taken and recorded under the existing Heads of Service "Scheme of Delegation" arrangements. The Capital Board will continue to monitor and oversee these decisions.

Any requirement for significant new schemes, additional funding, or politically sensitive matters will continue to require Cabinet approval, ensuring that the transparency within the capital programme is maintained.

Cabinet and Cabinet Member oversight will continue, as will performance updates through the regular money matters reporting. Additional arrangements will be put in place to ensure that all county councillors are regularly updated to any changes that affect their own electoral division.

Implications:

There are no financial implications for this report, it relates to procedural changes to enable more streamlined management and reporting of the capital programme.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Tel
None		

Reason for inclusion in Part II, if appropriate

N/A

Appendix A

Extracts from Financial Regulations Capital Expenditure - proposed amendments October 2018

- 2.5. Programmes of capital expenditure estimates shall be prepared jointly by the Chief Finance Officer and the appropriate Heads of Service/Directors for submission to the Cabinet and subsequently to the Full Council, for such periods and at such times as shall be determined by the Full Council.
- 2.6. Programmes of capital expenditure estimates shall be consolidated into a comprehensive report by the Chief Finance Officer in consultation with individual Cabinet Members for submission to the Cabinet.
- 2.7. Approval by the Full Council of the programme of capital expenditure estimates (The Capital Programme) shall constitute the authority for incurring expenditure. Additions to the authorised Capital Programme may be made by cabinet at any time provided that the source of finance is clear at the point of approval and that the revenue consequences including that of any increased borrowing can be contained within existing budgetary provision. Amendments to the capital programme will be dealt with under the Scheme of Delegation to officers where the changes are within the total approved budget for a service programme and the scope of works within it are not fundamentally changed. Amendments requiring additional funding or a fundamental change of scope of a programme will require Cabinet approval. The Cabinet shall have the power to suspend all authority to commit or to incur any capital expenditure which is not legally or contractually committed pending confirmation by the Full Council.
- 2.8. The estimated expenditure committed by officers under the above authority must not exceed the amount approved for the scheme in the Capital Programme by more than 20% of the programme budget or £100,000 (whichever is the lower). If estimated expenditure does exceed the approved Capital Programme figure by more than the above limits then approval to the excess must be sought from Cabinet and Full Council as necessary before any commitment is entered into.
- 2.9. The estimated expenditure referred to in para 2.7 shall be the amount of the accepted tender (adjusted if necessary for any non-contract items), or, if there is no tender, the latest estimate of cost. This figure shall constitute the approved amount for monitoring purposes.
- 2.10. Cost increases which arise in the course of a programme are to be treated as follows:
 - (a) if additional payments arising from cost increases are required to allow a project to continue without delay or if the cost increases arise from fluctuations in the price of loose furniture and equipment, no prior approval is required but any action taken under this Regulation should be reported by an officer decision under the scheme of delegation as long as the programme budget is not breached.
 - (b) if total increased costs, including any previous increases are less than

20% of the programme budget or £100,000 (whichever is the lower) approval to the increase may be given by the Chief Finance Officer on the recommendation of the appropriate Chief Officer and Capital Board, but any action taken under this Regulation.

(c) approval to any other cost increases in a programme budget must be sought from Cabinet before any expenditure arising from such cost increases is committed. Where there are no additional costs to the council in relation to an additional scheme, approval can be undertaken by officers under the Scheme of Delegation.

- 2.11. For each capital project with an out-turn cost greater than £1,000,000 a post-completion statement is to be presented to the relevant Cabinet Member. The statement must show the original capital programme cost estimate, the amount of the accepted tender, any subsequent approvals to increased costs and the actual out-turn expenditure. The statement is to be produced as soon as possible, and at the latest within two years after practical completion of the project.
- 2.12. Where a capital scheme takes the form of a general approval to spend over a programme and the detailed projects within the programme are identified, officers can allocate funding between the projects as long as the overall funding envelope is not exceeded and the scope is not changed. Where a change to scope or overall costs is required this should be approval by Cabinet as necessary. Where approval to a programme is a general allocation, with scheme details to be worked up then approval by Cabinet to the detailed programme of capital expenditure is necessary prior to expenditure being incurred. This regulation does not apply to schemes for structural maintenance.

Meeting of the Full Council
Meeting to be held on Thursday, 18 October 2018

Report submitted by: Executive Director of Growth, Environment, Transport and Community Services

Part A

Electoral Division affected:
None;

Report by the Local Government and Social Care Ombudsman on the Blue Badge Service - 20 August 2018

(Appendix 'A' refers)

Contacts for further information:

Angela Esslinger, Tel: (01772) 533950, Complaints & Appeals Manager,
angela.esslinger@lancashire.gov.uk

Sarah Jenkins, Tel: (01772) 537401, Head of Customer Access Service,
sarah.jenkins@lancashire.gov.uk

Executive Summary

Following a finding of fault causing injustice after an investigation by the Local Government and Social Care Ombudsman, Full Council is required to consider what action should be taken.

This report sets out the actions that have already been taken in response to the Ombudsman's recommendations and Full Council is asked to endorse the further actions that have been put in place in response.

Recommendation

That Full Council:

- (i) Notes the recommendations set out in the Local Government and Social Care Ombudsman's report at Appendix 'A'.
- (ii) Notes the actions already taken and endorses the further steps proposed in response to the report's recommendations as set out below.

Background

On 20 August 2018 the Local Government and Social Care Ombudsman published a public report which found fault causing injustice by Lancashire County Council. A copy of the report is attached at Appendix 'A'.

The report at paragraph 30 onwards includes recommendations as to how the County Council could best remedy the injustice caused. The actions already taken in response and further actions proposed are set out below.

1. Apologise to the complainant for the failure to offer his son a face to face assessment and pay him £250 for the time and trouble it has put him to;

A letter of apology was sent to the complainant by the relevant Cabinet Member on 3 September. This fully acknowledged the distress caused and accepted the findings of the Local Government and Social Care Ombudsman report. A payment has been made.

2. Review the way it deals with applications for blue badges to ensure:

a. It does not discount people with variable conditions;

The Blue Badge Team is responsible for the determination of an applicant's eligibility using the information provided on the application form. The information is entered into a matrix which is used to establish if the applicant meets the eligibility criteria for a Blue Badge in line with Department for Transport guidelines.

The matrix has now been amended to ensure all applicants who have a variable condition are immediately identified through this process. The matrix now highlights a variable condition and instructs the assessor to implement a face to face Independent Mobility Assessment. In these cases we will instruct Able2, the company which carries out the Independent Mobility Assessments on our behalf, to arrange a face to face assessment. This type of assessment will give the applicant the opportunity to discuss the frequency and severity of their condition and how this affects their ability to walk. It will also give the assessor the opportunity to observe the customer to ensure the decision they make is based on both written and visual observation.

b. It takes account of people with hidden or non-physical conditions which affect walking ability.

The Department for Transport guidelines are currently unclear and can cause confusion for local authorities when determining eligibility for an applicant who suffers with a hidden or non-physical disability. We were recently invited to contribute to the Draft consultation regarding changes to the eligibility criteria and have positively supported the proposed changes.

Within the proposal the Department for Transport also identified the need for clearer guidelines for authorities to enable applicants with these types of disabilities to have a clear route to a Blue Badge. The Department for Transport is currently developing new guidance which is expected to be released in 2019. In advance of this, new practice has been implemented within the Blue Badge Team which ensures that applicants who suffer non-physical conditions or hidden disabilities which affect their ability to walk will automatically be referred for a face to face Independent Mobility Assessment.

Following on from the Ombudsman report we will offer a face to face Independent Mobility Assessment in all cases where a desk based assessment result is disputed by the applicant. In addition Able2 has implemented a review process whereby any applicant who has undergone an assessment by the Mobility Assessors, and the decision is to decline, will have their application reviewed by a senior occupational therapist before the results are sent back to Lancashire County Council.

Advice

It is the requirement of the Local Government Act 1974 as amended that, where there is a finding of fault causing injustice, the report is laid before the Council and, within three months of receipt of the report, the Council notifies the Local Government and Social Care Ombudsman of the action that it has taken.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

If the Council fails to comply with the legislation, the Local Government and Social Care Ombudsman has power to require the Council to publish a statement detailing why they have not complied with the recommendations in the report.

Financial

The cost of administrating Blue Badge payments is expected to increase due to a higher number of assessments going forward for a face to face assessment but the exact figures are not currently able to be determined. Should the actions not be put in place there may be further claims payable by the County Council if the Local Government and Social Care Ombudsman decides that their recommendations have not been followed.

List of Background Papers

Paper	Date	Contact/Directorate/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A

**Report by the Local Government
and Social Care Ombudsman**

**Investigation into a complaint against
Lancashire County Council
(reference number: 17 014 970)**

20 August 2018

The Ombudsman's role

For 40 years the Ombudsman has independently and impartially investigated complaints. We effectively resolve disputes about councils and other bodies in our jurisdiction by recommending redress which is proportionate, appropriate and reasonable based on all the facts of the complaint. Our service is free of charge.

Each case which comes to the Ombudsman is different and we take the individual needs and circumstances of the person complaining to us into account when we make recommendations to remedy injustice caused by fault.

We have no legal power to force councils to follow our recommendations, but they almost always do. Some of the things we might ask a council to do are:

- > apologise
- > pay a financial remedy
- > improve its procedures so similar problems don't happen again.

Section 30 of the 1974 Local Government Act says that a report should not normally name or identify any person. The people involved in this complaint are referred to by a letter or job role.

Key to names used

Mr X	The complainant
The Company	Able 2 Occupational Therapy Services

Report summary

Adult care services

Mr X complains about the Council's decision not to give his son a blue badge.

Finding

Fault found causing injustice and recommendations made.

Recommendations

The Council must consider the report and confirm within three months the action it has taken or proposes to take. The Council should consider the report at its full Council, Cabinet, or other appropriately delegated committee of elected members, and we will require evidence of this. (*Local Government Act 1974, section 31(2), as amended*)

In addition to the requirements set out above, the Council has agreed to take these actions based on our recommendations:

- apologise to Mr X for the failure to offer his son a face to face assessment and pay him £250 for the time and trouble it has put him to;
- review the way it deals with applications for blue badges to ensure:
 - it does not discount people with variable conditions;
 - it takes account of people with hidden or non-physical conditions which affect walking ability.

Introduction

1. The complainant, whom we shall refer to as Mr X, complains about the Council's decision not to give his son a blue badge.

Legal and administrative background

2. We investigate complaints about 'maladministration' and 'service failure'. In this report, we have used the word 'fault' to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. We refer to this as 'injustice'. If there has been fault which has caused an injustice, we may suggest a remedy. (*Local Government Act 1974, sections 26(1) and 26A(1), as amended*)
3. We investigate complaints about councils and certain other bodies. Where an individual, organisation or private company is providing services on behalf of a council, we can investigate complaints about the actions of these providers. (*Local Government Act 1974, section 25(7), as amended*)

How we considered this complaint

4. We have produced this report following the examination of relevant files and documents and discussions with the complainant.
5. We gave the complainant and the Council a confidential draft of this report and invited their comments. The comments received were taken into account before the report was finalised

Investigation

What happened

6. Mr X's son has Down's syndrome, and a medical condition which causes dizziness and loss of balance. He had a blue badge which expired in September 2017. He had been eligible for the blue badge "*without further assessment*" as he received the higher rate of the mobility component of the Disability Living Allowance (DLA).
7. Mr X's son now receives a Personal Independence Payment (PIP), rather than DLA. He no longer qualifies for a blue badge "*without further assessment*" as he does not have 8 points or more under the moving around activity of the mobility component of PIP to do so. Mr X applied to renew his son's blue badge in October last year. The Council turned him down based on the information provided on the application form.
8. Mr X complained to us in December. He said the Council had turned his son's application down on a technical issue to do with the points system for PIP. He said his son's problems were mental as well as physical. He said non-disabled parking bays were too restrictive as his son needs space to get in and out of the car. He said he needed to be able to drop his son off close to where he is going as he needs to support him all the time.
9. We told Mr X he needed to complain to the Council before we could investigate his complaint.
10. Mr X complained to the Council in January 2018. When the Council replied to Mr X's complaint it referred to the Department for Transport's *Guidance*. It said entitlement to a blue badge depended on the applicant's difficulty in walking. It

said mental/cognitive disabilities did not qualify someone for a blue badge but they could still be eligible if not able to walk or had very considerable difficulty in walking. It said it could not take into account the need for more space to fully open the car doors. However, it said it would offer his son an Independent Mobility Assessment by an Occupational Therapist, initially *“in the form of a paper assessment and in the event that a decision cannot be made a face to face assessment may be required”*. It invited Mr X to contact the Blue Badge Team to arrange an assessment and obtain an application form.

11. On the application form Mr X said his son could walk short distances but could not come down stairs on his feet. He said he used a wheelchair on longer trips and needed full support/supervision to keep him safe. He said his son could walk 100 metres in 30 minutes (including rests and walking for 10 minutes). He added that this could vary from 7 minutes to an hour, depending on his son’s condition. He said his son was short of breath when:
 - hurrying or going up a slight hill;
 - walking with people of the same age; and
 - walking at his own pace on level ground. He said he could be too breathless to leave home or after dressing.

He put the walking difficulties down to a severe mental impairment which means he gets anxious and refuses to walk.

12. The Council uses a Company to do its independent mobility assessments. The Company did a paper assessment on 6 February on a paper screen assessment form for another local authority’s disabled parking scheme. The Company says the terms of that scheme are the same as those for the blue badge scheme.
13. The form does not say how far the son can walk. It says he uses no walking equipment indoors or outdoors but also says he sometimes uses a wheelchair outdoors. It says he can negotiate steps indoors and outdoors with physical assistance and using a handrail. It says he experiences moderate pain when walking. It says he needs to stop when walking but does not identify the *“recovery time”*. It says he does not experience breathlessness but suggests he may need to stop walking due to breathlessness. The Company says it could not use all the information provided on the application form because it says *“varies”* and Mr X did not provide information in the requested format.
14. The assessment says the son was not eligible for a blue badge because:
 - *“Whilst we do appreciate that [Mr X’s son] has difficulties mobilising; however he is independently mobile. Unfortunately cognitive difficulties do not form part of the Department for Transport criteria for Blue Badges and cannot be considered. There is insufficient evidence to support that [his] mobility is significantly impeded to meet the current eligibility criteria for provision of a Blue Badge.”*
15. The Council wrote to Mr X on 9 February. It said the October 2017 application and the follow up independent mobility assessment had both been considered under the *“eligible subject to further assessment”* scheme. It said the information provided on his son’s applications showed he did not meet the eligibility criteria for a blue badge. It repeated what the assessment had said about the son’s eligibility (see paragraph 14 above). It said the decision was final and no further application could be made for three months, unless there was a significant change in the son’s mobility.
16. Mr X complained to us.

17. The Company accepts there are some anomalies between the application and assessment forms which it says it is addressing. However, it says it could not use all the information provided by Mr X's father as he did not fill the form in properly but said his son's condition "varies". The Council says the decision on the son's application was clear so there was no need for the Company to see him face to face. The Council says the Company makes 64% of its decisions on blue badge applications without a face to face assessment.
18. When advised we were considering issuing a public report on this complaint, the Council asked the Company to do a face to face mobility assessment. This resulted in the Company deciding Mr X's son is eligible for a blue badge. The Council says the Company has confirmed it is following the Guidance regarding both physical and non-physical disabilities. The Council has asked the company to do face to face assessments for all applicants with non-physical disabilities, pending receipt of advice from the Department for Transport. The Council says it will also refer applicants for a face to face assessment if they question a negative decision following a desk based assessment.

What should have happened

19. The Department for Transport's *Blue Badge Scheme Local Authority Guidance (England)* is not statutory guidance. Nevertheless, the Council says it is following that Guidance. The Guidance says:
 - "... whilst desk-based assessments have a role as a filtering mechanism to identify applicants who are clearly eligible or clearly ineligible for a badge, they cannot be successfully used as the sole means of determining all applicants' eligibility for a badge."
 - "It is good practice for local authorities to provide scope for an applicant to be referred for an independent mobility assessment if they are unable to make a clear and robust decision on eligibility using cross-checking or desk-assessment."
20. The *Guidance* says when considering whether someone has very considerable difficulty in walking several factors may be relevant: excessive pain; breathlessness; distance walked; speed; use of walking aids; outdoor walking ability; and whether walking presents a danger to the applicant's life or would be likely to lead to a serious deterioration in their health.
21. The *Guidance* also says:
 - "Whilst medical conditions such as asthma, Crohn's disease/incontinent conditions, autism, Myalgic Encephalomyelitis (M.E.) and other mental/cognitive/intellectual disabilities are not in themselves a qualification for a badge, people with these conditions may be eligible for a badge if they are unable to walk or have very considerable difficulty in walking. Eligibility is not determined by the presence or absence of any particular diagnosis or condition. Provided that an applicant has a permanent and substantial disability, a local authority's eligibility decision should be based on whether the applicant's difficulty in walking meets the criterion in the regulations."
22. Appendix G of the *Guidance* identifies the "core principles" for independent mobility assessments. They include "observing" the applicant walking.
23. The Department for Transport has carried out a consultation exercise with a view to making changes to clarify its Guidance. The forward to the consultation exercise, which has now ended, said "*The current rules embrace all conditions, physical or otherwise, but it has become clear to us that the regulations and guidance are not clearly understood by local authorities. People with hidden*

disabilities may be finding it difficult to access badges, even though their condition causes them very significant difficulties undertaking a journey.”

Conclusions

24. The Council did two desk based assessments of the son’s application but did not offer him a face to face independent mobility assessment. In relying solely on desk based assessments for 64% of the cases referred to the Company for an independent mobility assessment, the Council was not complying with the *Guidance*. The expectation within the *Guidance* is that independent mobility assessments will be done face to face so walking ability can be observed. It is good practice to offer someone a face to face assessment if they question the outcome of a desk based assessment. That did not happen with Mr X’s son. That was fault by the Council. The Council has now confirmed that people who question the outcome of a desk based assessment will be offered a face to face assessment.
25. The Company’s desk based assessment of the son’s application was flawed. The assessment did not include all the relevant information (e.g. distance walked, speed and recovery time) and some of it was contradictory (e.g. use of equipment outdoors and breathlessness). That was also fault for which the Council is accountable.
26. The *Guidance* does not include advice on assessing variable conditions. However, that does not mean they can be ignored. The right way to assess a variable condition is via a face to face mobility assessment, at which questions can be asked about their frequency and the severity of any impact on walking ability. The Council has confirmed that it is now working to improve the way it deals with people who have variable conditions. It has confirmed that the Company will invite people with variable conditions to a face to face assessment.
27. The Council is right to say that a mental health condition does not qualify someone for a blue badge. But it is at fault for saying walking difficulties arising from cognitive impairments cannot be taken into account. The relevant consideration is walking ability. The Department for Transport has consulted on changes to the *Guidance* which, when implemented, will make it clearer that walking difficulties can arise from hidden disabilities as well as physical disabilities. However, that is simply to clarify what is already the case. The Council has confirmed that it is now referring all applicants with non-physical disabilities for a face to face assessment.

Decision

28. The Council was at fault because it:
 - did not offer Mr X’s son a face to face mobility assessment;
 - said he was not eligible for a blue badge because he has cognitive rather than physical disabilities; and
 - did not properly consider the variable nature of his condition.
29. The Council’s faults caused injustice to Mr X’s son because he has been denied the opportunity of having his application for a blue badge considered properly. It has caused injustice to Mr X because of the time and trouble he has been put to in pursuing the complaint. It needs to take the action identified in paragraph 30 below.

Recommended action

30. The Council must consider the report and confirm within three months the action it has taken or proposes to take. The Council should consider the report at its full Council, Cabinet, or other appropriately delegated committee of elected members, and we will require evidence of this. (*Local Government Act 1974, section 31(2), as amended*)
31. When a council commissions another organisation to provide services on its behalf it remains responsible for those services and for the actions of the organisation providing them. So, although we found fault with the actions of the Company, we have made recommendations to the Council.
32. Based on our recommendations, the Council has agreed to:
 - apologise to Mr X for the failure to offer his son a face to face assessment and pay him £250 for the time and trouble it has put him to;
 - review the way it deals with applications for blue badges to ensure:
 - it does not discount people with variable conditions;
 - it takes account of people with hidden or non-physical conditions which affect walking ability.

Meeting of the Full Council
Meeting to be held on Thursday, 18 October 2018

Report submitted by: Head of Legal and Democratic Services

Part A

Electoral Division affected:
None;

Rural Services Network - Appointment of County Council Representative

Contact for further information:
Dave Gorman, Tel: (01772) 534261, Senior Democratic Services Officer,
dave.gorman@lancashire.gov.uk

Executive Summary

Full Council is asked to approve the appointment of a county council representative to serve on the Rural Services Network for the 2018/19 municipal year.

Recommendation

Full Council is asked to approve the appointment of County Councillor Cosima Towneley to serve on the Rural Services Network until the Annual Meeting of Full Council in May 2019.

Background and Advice

The Rural Services Network is a Special Interest Group of the Local Government Association and was formed as a successor body to the Local Government Association's Rural Commission. It acts as the national champion for rural services, ensuring that people in rural areas have a strong voice, and works for a fair deal for rural communities to maintain their social and economic viability for the benefit of the nation as a whole.

The County Council has been invited to nominate a member to serve on the Rural Services Network and it is considered that membership would benefit Lancashire and its rural communities. It is proposed that County Councillor Cosima Towneley be appointed to serve as the County Council's representative on the Rural Services Network until the Annual Meeting of Full Council in May 2019.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

There are no risks associated with the proposals set out in this report.

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

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A

Meeting of the Full Council
Meeting to be held on Thursday, 18 October 2018

Report submitted by: Head of Legal and Democratic Services

Part A

Electoral Division affected:
None;

Lancashire County Council Timetable of Meetings 2019/20
(Appendix 'A' refers)

Contact for further information:
Cath Rawcliffe, Tel: (01772) 533380, Democratic Services Officer
cath.rawcliffe@lancashire.gov.uk

Executive Summary

This report sets out a draft timetable of Full Council, Cabinet and Committee meetings for the period 1 June 2019 to 31 May 2020.

Recommendation

Full Council is asked to approve the timetable of Full Council, Cabinet and Committee meetings for the period 1 June 2019 to 31 May 2020 inclusive as set out at Appendix 'A'.

Background and Advice

Attached at Appendix 'A' is a draft timetable of Full Council, Cabinet and Committee meetings for the period 1 June 2019 to 31 May 2020 inclusive.

The timetable has been prepared taking into account:

- The county council's existing governance and decision making arrangements
- School holiday closures
- Conferences, e.g. annual political party, national local government events (where dates are confirmed)
- Major religious holidays
- District Council budget meeting dates (where dates are confirmed)
- District Council elections to be held on 7 May 2020

Once agreed the timetable of meetings will be circulated widely around the County Council and to all 12 Lancashire District Councils for information.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

No significant risks have been identified.

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

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A

Lancashire County Council Timetable of Meetings 2019/20

		JUN '19	JUL '19	AUG '19	SEP '19	OCT '19	NOV '19	DEC '19	JAN '20	FEB '20	MAR '20	APR '20	MAY '20
Audit, Risk and Governance Committee (w)	2.00 pm Monday		29			28			27				18
Cabinet (w)	2.00 pm Thursday	13	11	8	5	3	7	5	16	6	12	9	14
Cabinet Committee on Performance Improvement	2.00 pm Thursday	6			12	*15		*11		*19		30	
Children's Services Scrutiny Committee (w)	2.00pm on Wednesday		3			9	*28		15	26		23*	
Corporate Parenting Board	6pm on various days		24*		12		26		30		25		12
Corporate Complaints Committee #	10.00 am Monday		22				18			3		27	
Development Control Committee (w)	10.30 am Wednesday	19	24		11	16	27		22		4	22	
Education Scrutiny Committee (w)	10.30 am Tuesday	18				29					3		
Employment Committee	2.00 pm Monday	10	8		*3	7	11	9	13	10	9	6	11
External Scrutiny Committee (w)	10.30 am Tuesday		16			15			21			21	
Full Council (w)	1.30 pm Thursday		18			17		12		13 (B) 27			21(AGM)
Health Scrutiny Committee (w)	10.30 am Tuesday		2		24		5	10		4	31		*13
Internal Scrutiny Committee (w)	10.00am Friday		12		27		15		17		13		15
Lancashire Health and Wellbeing Board	2.00pm Tuesday		23		10		19		28		17		19
Pension Fund Committee	10.00 am Friday	21			20		29				6		
Regulatory Committee (w)	10.30 am Wednesday	26			18		20		29		11		
Student Support Appeals Committee #	10.00 am Monday	3	1		2	*8	4	2	20		16	20	

^ = Provisional meeting

B = Budget

= Meeting not open to press and public

* = Change of day

AGM = Annual General Meeting

(w) = Meeting is webcast

Meeting of the Full Council
Meeting to be held on Thursday, 18 October 2018

Report submitted by: Head of Legal and Democratic Services

Part B

Electoral Division affected:
None;

Report of the Cabinet (Part B)

Contact for further information:
Ryan Hyde, Tel: (01772) 536212, Business Support Officer,
ryan.hyde@lancashire.gov.uk

Executive Summary

The report of the Cabinet from its meetings on 12 July 2018, 9 August 2018, and 13 September 2018.

Recommendation

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

Background and Advice

The agenda and minutes of the meetings below may be viewed at
<http://council.lancashire.gov.uk/mgCommitteeDetails.aspx?ID=122>.

Meeting 12 July 2018

Policy position on the future provision of Halal Meat

Resolved: That:

- i. The review, as set out at Appendix 'A' and associated annexes together with background papers demonstrating the history of this policy area, be noted.
- ii. The findings from the public consultation (Appendix 'B') and the updated Equality Analysis (Appendix 'C') be noted.
- iii. The supply of un-stunned halal meat, with the exception of poultry, to schools be ceased.
- iv. A further discussion be held with the Lancashire Council of Mosques to see how the implications of the decision at (iii) above can be mitigated should the

Lancashire Council of Mosques proceed with its threat to boycott school meals.

Annual Reports of the County Council's Champions 2017/18

Resolved: That the annual reports of the county council's five Champions for 2017/18 be noted.

Procurement Report - Request Approval to Commence Procurement Exercises

Resolved: That the commencement of procurement exercises for the following areas be approved:

- i. Provision of Rosebud Investment Fund Management; and
- ii. Traffic Management.

Changes to the County Council's Minimum Revenue Provision Policies

Resolved: That Full Council be recommended to approve the revised Minimum Revenue Provision policy statements for both 2017/18 and 2018/19, utilising the annuity method to calculate the Minimum Revenue Provision of both supported and self-financed capital expenditure, as set out in the report now presented.

Appointments to Outside Bodies

Resolved: That:

- i. Subject to the changes confirmed at the meeting, the representation and appointments listed in Appendix 'A' for outside bodies be approved for 2018/19 and until the next county council elections in May 2021 with subsequent appointments being determined every four years following a county council election.
- ii. The Political Group secretaries be requested to co-ordinate the nomination of members to fill any in-year changes and vacancies, and in consultation with Democratic Services and the Deputy Leader of the county council, notify the Director of Corporate Services who will approve the changes and appointments under the Scheme of Delegation to Heads of Service.

Preston Riversway and Broadgate Flood Risk Management Scheme

Resolved: That:

- i. The submission of a bid to the Ministry of Housing, Communities and Local Government for £5.77m of European Regional Development Funding to enable progress with design and delivery of the flood risk management scheme shown in Appendix 'A' and described in the report now presented, be approved.
- ii. The Director of Corporate Services be authorised to establish a legal agreement between the county council and the Environment Agency to ensure that all risks arising for the county council from the administration of the grant be minimised and managed responsibly.

- iii. The Director of Corporate Services be authorised to establish a legal agreement between the county council and the Ministry of Housing, Communities and Local Government to ensure that the administration of the grant will meet all European Union, national government and county council requirements for audit and accountability.

Lancashire County Council (Barlow Street, Bobbin Street, Dale Street, Grimshaw Street, Lower Antley Street, Wheat Street, Accrington, Hyndburn) (Prohibition of Waiting) Order

Resolved: That the making of a Traffic Regulation Order, as set out in Appendices 'B' and 'C' to the report now presented, be approved.

Padiham Public Realm Improvements

Resolved: That:

- i. Approval be given to the county council entering into a section 278 agreement under which the council will accept staged payments totalling £2,072,873 from Burnley Borough Council together with any other additional financial resources for the project that may be agreed.
- ii. Payments received be added to the Highways block of the 2018/19, 2019/20, 2020/21 and 2021/22 capital programme in advance of any application for payment from the appointed contractor.

Proposed Amendments to the Highways and Transport Capital Programmes

Resolved: That the proposed amendments to the Highways and Transport Capital Programmes be approved.

University of Central Lancashire Masterplan and Associated Highways Modifications

Resolved: That approval be given to the addition to the capital programme of an advance payment of £10.4m proposed at present from the University of Central Lancashire to be paid once the section 278 agreement is completed with the following estimated profile: £0.75m (2018/19), £7.5m (2019/20), and £2.15m (2020/21).

Publication of the Draft Revised Minerals and Waste Local Plan for Public Consultation

Resolved: That:

- i. The publication of the draft revised Joint Lancashire Minerals and Waste Local Plan, as set out at Appendix 'A', be approved for consultation purposes during the summer.
- ii. The revised Joint Lancashire Minerals and Waste Local Plan Local Development Scheme 2014-20, as presented at Appendix 'B', which sets out the timetable for plan production, be adopted.

- iii. The outcomes of the scoping consultation, and the proposed changes to the Local Plan review, set out in the Scoping Consultation Outcomes Report presented at Appendix 'C', be noted.

Awarding of Small Grants to Third Sector Groups which are Registered with the Children and Family Wellbeing Service, including Grants to Individual Young People

Resolved: That:

- i. The recommendations of the District Youth Councils on the applications for grants from third sector groups which are registered with the Children and Family Wellbeing Service, as set out in the report, be approved.
- ii. The full application submitted by King's Church Youth Group be supported and that the Group be awarded a total grant of £980 including the grant approved at (i) above, subject to the approval of the District Youth Council.

Recommendation of the Edwards Stocks Massey Bequest Fund Joint Advisory Committee

Resolved: That:

- i. The allocation of funds as recommended by the Joint Advisory Committee at its meeting on 15 June 2018, as set out at Appendix 'A' now presented, be approved.
- ii. In respect of the Higher Education Student Scholarship Awards, the interview panel of the Joint Advisory Committee be authorised to award the scholarships at its meeting on 21 December 2018.

Revision of Foster Care Allowances

Resolved: That the increase in the current scale of Foster Care Allowances for 2018/19, as set out in the report and at Appendix 'A' now presented, be approved.

Primary Authority Status

Resolved: That:

- i. The formation of an Environmental Health Primary Authority working relationship with Preston City Council, as set out in the report, be approved.
- ii. The Lancashire School and Residential Care Catering Service be requested to establish future safe systems of work within Lancashire's catering establishments, and that the current and future systems be scrutinised and ratified by Preston City Council.

Capital Strategy for Schools – Condition Led Capital Investment Programme, part 2018/19

Resolved: That the proposed list of maintenance schemes in Lancashire schools, as set out at Appendix 'A' now presented, totalling £969,980, be agreed as a further phase of high priority school repairs.

Police Community Support Officers - Budget Proposals

Resolved: That the county council's part funding of Police Community Support Officers be withdrawn.

Implementation of the Care Act 2014 - Approval of Revised Adult Social Care Policies and Procedures

Resolved: That the implementation of the new 'Managing Provider Failure' policy, as set out at Appendix 'A' now presented, be approved.

Regulation of Investigatory Powers Act: Annual Report to Cabinet

Resolved: That the updated corporate policies, as presented at Appendices 'A', 'B' and 'C', be approved.

Appendix 'A' of Item 19 - Capital Strategy for Schools – Condition Led Capital Investment Programme, part 2018/19

Resolved: That the additional information in relation to item 19 on the agenda – Capital Strategy for Schools – Condition Led Capital Investment Programme, part 2018/19 be noted.

Meeting 9 August 2018

Update on Preston Youth Zone Operator

Resolved: That:

- i. The council withdraw from the delivery of a Preston Youth Zone on the Preston Bus Station site and extend the public realm treatment associated with the Bus Station redevelopment across the whole western apron.
- ii. The additional public realm works estimated at £1.25m be funded from the £5.925m currently allocated to the Preston Youth Zone.
- iii. The £3.431m capital funding remaining following reductions of £1.244m abortive costs and £1.25m additional Public Realm costs be repurposed.
- iv. The £150,000 revenue allocation previously committed to the operation of the Preston Youth Zone be released.
- v. Officers explore with stakeholders alternative options that might work in the current environment.

Request Approval to Commence Procurement Exercises

Resolved: That the commencement of procurement exercises for the following areas be approved:

- i. The collection, transportation and treatment of wood waste.
- ii. The provision of Extra Care Services, Greenbrook House and Brookside.

Provision of Mobile Phones to Councillors

Resolved: That the proposals set out in the report for the future provision of mobile phones to councillors be approved.

Discretionary Concessionary Travel - Results of Public Consultation

Resolved: That:

- i. An increase to the charge made to disabled NoWcard holders for travel before 9.30a.m. Monday to Friday from 50p to £1 be approved.
- ii. Officers be authorised to amend the Joint Concessionary Travel Scheme and liaise with bus operators to ensure that they make the necessary arrangements for collection of the fare.

Transport Information Centres - Results of Public Consultation

Resolved: That:

- i. Officers be authorised to investigate the expressions of interest received from interested parties who may wish to take over the management of some or all of the transport information centres.
- ii. The service be maintained whilst the expressions of interest are investigated.

Lancashire Cycling and Walking Strategy

Resolved: That:

- i. The Lancashire Cycling and Walking Strategy document, as presented, be approved for publication subject to Blackburn with Darwen and Blackpool Councils also approving the document for publication.
- ii. Responsibility to approve any further changes to the strategy be delegated to the Executive Director for Growth, Environment, Transport and Community Services in consultation with the Cabinet Member for Highways and Transport.
- iii. Draft Local Cycling and Walking Infrastructure Plans for the five Highway and Transport Masterplan areas of Central Lancashire, Lancaster, West Lancashire, Fylde Coast and East Lancashire, be submitted to Cabinet in due course, for the purposes of wider consultation.

A6 Corridor Works, Broughton, Additional Measures

Resolved: That the following additional measures along the existing A6 Garstang Road, Broughton, be approved:

- i. A road narrowing with priority to eastbound traffic and associated relocation of a bus stop, Whittingham Lane, Broughton, as set out in the report.
- ii. An additional length of footway and a cycle track with right of way on foot, Garstang Road, Broughton, as set out in the report.

Proposed Amendments to the Highways and Transport Capital Programmes

Resolved: That the proposed amendments to the Highways and Transport Capital Programmes be approved.

Winter Service Plan & Proposal to Lower Treatment Intervention Level

Resolved: That:

- i. The recommendations of the Internal Scrutiny Committee's Task and Finish Group on the proposed lowering of the treatment intervention level as set out in the report be noted
- ii. The proposed amendment to the Winter Service Plan, as set out in the report, be approved

Lancashire County Council (Liverpool Road South, Lordsgate Drive, Unnamed Road Opposite Lordsgate Drive, Burscough, West Lancashire Borough)(Prohibition of waiting) Order 201*

Resolved: That the proposals as advertised and as shown on the plans in the report be approved.

**S278 Olive School, Adelaide Street, Preston
Addition of Proposed Changes to Highway Layout at Adelaide Street and Miller Street, Preston, Associated with the Olive School Development, (Section 278 funded) to the Highways Block of the 2018/19 Capital Programme**

Resolved: That the addition of £38,560 to the Highways block of the 2018/19 Capital Programme be approved, as set out in the report.

Capital Redevelopment of the Harris Museum, Art Gallery and Library

Resolved: That:

- i. Capital expenditure of £1m be allocated as a contribution to the Redevelopment of the Harris.
- ii. The submission of a bid for approximately £4.5 million to the Heritage Lottery Fund be approved as part of a redevelopment project estimated to cost £10.5 million.

Works to Operational Premises

Resolved: That the recommendations set out in the report be approved.

Waste Transport Services

Resolved: That the recommendations set out in the report be approved.

Pennine Reach: Making and advertising of the Lancashire County Council (Church Gateway - Junction Improvement at Market Street and Blackburn Road, Church, Accrington) Compulsory Purchase Order 2018

Resolved: That the recommendations set out in the report be approved.

Proposed M55 to St Annes Link Road

Resolved: That the recommendations set out in the report be approved.

Cuerden Strategic Site - Lancashire Central

Resolved: That the recommendations set out in the report be approved.

Community Asset Transfer - Bamber Bridge Library and Brunshaw Young People's Centre

Resolved: That recommendations (ii), (iii), (iv) and (v) as set out in the report be approved, but that recommendation (i) be not approved.

Meeting 13 September 2018

Lancashire Safeguarding Boards – Annual Report 2017/18

Resolved: That the draft report be noted.

Money Matters 2018/19 Position – Quarter 1

Resolved: That

- i. The current forecast overspend of £2.680m on the revenue budget in 2018/19 be noted.
- ii. The reduced funding gap of £135.300m covering the period 2019/20 to 2022/23 as set out in the revised financial outlook forecast for the council, be noted.
- iii. The budget adjustments for 2019/20, and following years' increases, included in the revised MTFS, be approved.
- iv. The contents of the county council's reserves position be noted, and the transfers between reserves contained within the report be approved.
- v. The re-profiled Capital Delivery Programme of £114.817m for 2018/19 be approved.
- vi. The current forecast under-delivery of £3.435m on the capital programme in 2018/19 be noted.

Procurement Report – Request Approval to Commence Procurement Exercises

Resolved: That the commencement of procurement exercises for the following areas be approved:

- i. Provision of a food distribution network.
- ii. Provision of Extra Care Services at Primrose Gardens.
- iii. Provision of Legionella Risk Assessment Services.
- iv. Provision of Banking Services.

Change to Debt Management Policy

Resolved: That the removal of the current £1,500 limit on debt that can be passed to the appointed debt collection agency for collection be approved.

Appointment of Trustee – Marsden Heights Educational Foundation

Resolved: That County Councillor Albert Atkinson be appointed to serve as the council's trustee on the Marsden Heights Educational Foundation.

Tree Safety Management Guidance – Risk Based Inspections

Resolved: That the Tree Safety Management Guidance, as set out in the report, be approved.

Signing Policy (Tourist and Leisure Destinations)

Resolved: That the policy set out in the report for evaluating applications for tourism signing, and the provision and ongoing maintenance of any such signing, be approved.

Proposed Amendments to the Highways and Transport Capital Programmes

Resolved: That the proposed amendments to the Highways and Transport Capital Programmes be approved.

Road Traffic Regulation Act (Lancashire County Council) (Preston City Centre) (Revocation and Bus Lanes) Order 201*

Resolved: That the proposals in connection with Fishergate Hill and Church Street as set out in the report be approved.

Road Traffic Regulation Act 1984

Moss Hey Lane, Mere Brow, West Lancashire Borough, Prohibition of Driving Order

Resolved: That the Prohibition of Driving Order of the southern arm of Moss Hey Lane at its junction with the A565 Southport New Road be approved.

Section 106 Highway Works, Church Road, Tarleton

Resolved: That the addition of £22,000 to the externally funded block of the 2018/19 Capital Programme be approved.

Procurement of Services to deliver the Lancashire Careers Hub

Resolved: That:

- i. The proposal to waive the procurement rules to allow the county council to enter into a contract with Inspira Cumbria Ltd (Inspira) for the delivery of the careers hub service be approved.
- ii. The Director of Finance and Director of Economic Development and Planning be authorised to finalise the contractual arrangements and funding principles, on behalf of the Lancashire Enterprise Partnership and the county council.

Awarding of Small Grants to Third Sector Groups which are Registered with the Children and Family Wellbeing Service, including Grants to Individual Young People

Resolved: That the recommendations of the District Youth Councils on the applications for grants from third sector groups which are registered with the Children and Family Wellbeing Service, as set out in the report, be approved.

Pennine Plan: Improving Health, Care and Well Being in Pennine Lancashire

Resolved: That

- i. The Pennine Plan, as set out in the report, be approved as the blueprint for health and care transformation in Pennine Lancashire.
- ii. Assurance be sought from the Pennine Partnership that in its delivery of the Pennine Plan it will also take account and ensure delivery of the emerging priorities of the Lancashire and South Cumbria Integrated Care System.

The future of Lower Ridge, Burnley – Older Person's Residential Care Home

Resolved: That

- i. The background and rationale for considering the possible closure of Lower Ridge as set out in the report be noted.
- ii. The results of the consultation process conducted between 23 April and 15 July 2018 be noted.
- iii. The closure of Lower Ridge Older Person's Residential Care Home, Burnley, be approved.
- iv. The Director of Adult Services be authorised to:
 - i) Ensure a schedule is drawn up for the home closure, that balances the need for each individual and their family to have appropriate time to make decisions against the overall need for the closure process, to be managed within a timescale that minimises uncertainty for residents, families and staff affected.
 - ii) Hold any appropriate vacancies within county council operated care homes in East Lancashire, until current Lower Ridge residents and their families have had an opportunity to decide to which home they would prefer to move.
 - iii) Ensure appropriate delegation of responsibility for officers to exercise oversight, discretion and flexibility in agreeing fee levels for Lower Ridge residents who wish to move into independent sector homes.
- v. The county council's proposal to collaborate with local government and NHS partners to develop Extra Care services for older people in Burnley be endorsed in response both to the strategic needs of the area and the views of local people and stakeholders expressed through this consultation.

Housing with Care and Support Strategy 2018-2025

Resolved: That:

- i. The draft Housing with Care and Support Strategy 2018 – 2025, as set out in the report, be endorsed.

- ii. The undertaking of consultation with key partners on the draft strategy be approved.
- iii. The Executive Director of Adult Services and Health & Wellbeing, in consultation with the Cabinet Member for Adult Services and the Cabinet Member for Health and Wellbeing, be authorised to make any necessary amendments to the Strategy at the conclusion of the consultation.

Chorley Council Extra Care Scheme – Care and Support Model

Resolved: That the preferred model for the new Chorley Extra Care Scheme (Primrose Gardens) as set out within the report, including a core weekly charge of £17.50, be approved.

Appointment of Building Schools for the Future Consultant

Resolved: That the recommendation set out in the report be approved.

Works to Operational Premises

Resolved: That the recommendations set out in the report be approved.

Community Asset Transfers – former Thornton Young People's Centre

Resolved: That the recommendation set out in the report be approved.

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

Paper	Date	Contact/Tel
None		
Reason for inclusion in Part II, if appropriate		
N/A		

Meeting of the Full Council
Meeting to be held on Thursday, 18 October 2018

Report submitted by: Head of Legal and Democratic Services

Part B

Electoral Division affected:
None;

Report of an Urgent Key Decision

Contact for further information:

Dave Gorman, Tel: (01772) 534261, Senior Democratic Services Officer,
dave.gorman@lancashire.gov.uk

Executive Summary

It is a requirement of Standing Order C22 that any urgent Key Decisions taken under the provisions of Standing Order C21, must be reported to Full Council for information. This report presents details of an urgent Key Decision taken since the last meeting of Full Council.

Recommendation

That the report of an urgent Key Decision, as now presented, be noted.

Background and Advice

It is a requirement of Standing Order C22 that any urgent Key Decision taken under the provisions of Standing Order C21, must be reported to Full Council for information. The following urgent Key Decision has been taken since the last meeting of Full Council.

The following urgent decision was taken by the Leader of the County Council, on behalf of Cabinet, on 16 July 2018:

Disposal of Land at Bluebell Way, Preston

The report recommended acceptance of terms for the sale of land at Bluebell Way, Preston.

This decision was implemented immediately for the purposes of Standing Order C29 as any delay could have adversely affected the execution of the county council's responsibilities. The reasons for this were set out in the report.

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

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

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A

Meeting of the Full Council
Meeting to be held on Thursday, 18 October 2018

Report submitted by: Head of Legal and Democratic Services

Part B

Electoral Division affected:
None;

The Audit, Risk and Governance Committee
(Annex 1 refers)

Contact for further information:
Dave Gorman, Tel: (01772) 534261, Senior Democratic Services Officer,
dave.gorman@lancashire.gov.uk

Executive Summary

The report of the Audit, Risk and Governance Committee from its meetings held on 30 July and 28 August 2018 is attached at Annex 1.

The agenda, reports and minutes of the meetings are available to view [here](#).

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

Recommendation

That the report of the Audit, Risk and Governance Committee, as now presented, be noted.

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

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A

Annex 1

Meeting of the Full Council - 18 October 2018

Report of the Audit, Risk and Governance Committee meeting held on 30 July 2018

Chair: County Councillor Alan Schofield

Part I (Open to Press and Public)

Approval of the County Council and County Pension Fund Letters of Representation 2017/18

The Committee considered a report setting out, for approval, the County Council and Lancashire County Pension Fund Letters of Representation for 2017/18.

Resolved: - That:

- (i) The management representation letters set out at Appendices 'A' and 'B', to the report now presented, and as updated and tabled, be noted;
- (ii) It be agreed that, as updated and tabled, they be signed by the Chief Financial Officer and the Chair of the Audit, Risk and Governance Committee prior to being made available to the external auditor.

External Audit - Lancashire County Council Audit Findings Report 2017/18

The Committee considered a report setting out the findings of the external auditor in relation to the audit of the 2017/18 statement of accounts of Lancashire County Council, and the proposed opinion on the accounts and value for money conclusion.

Resolved: - That the adjustments to the financial statements and the other issues raised by the auditor as set out in the report, now presented, be noted.

External Audit - Lancashire County Pension Fund Audit Findings Report 2017/18

The Committee considered a report setting out the findings of the external auditor in relation to the audit of the annual accounts of the Lancashire County Pension Fund, and the proposed opinion on the accounts.

Resolved: - That the report, now presented, be noted.

Internal Audit Progress Report

The Committee considered a report setting out further information to support the Internal Audit Annual Report considered by the Committee at its meeting on 30 April 2018

Resolved: - That the report, now presented, be noted.

Annual Governance Statement 2017/18

The Committee considered a report setting out a revised draft Annual Governance Statement for publication with the Statement of Accounts for 2017/18.

Resolved: - That the Annual Governance Statement as set out at Appendix 'A' to the report, now presented, be approved for publication with the 2017/18 Statement of Accounts.

Approval of the Council's Statement of Accounts 2017/18

The Committee considered a report setting out, for approval, the County Council's Statement of Accounts for 2017/18.

Resolved: - That:

- (i) The Statement of Accounts for 2017/18 as set out in the report, now presented, together with the changes tabled at the meeting, subject to external audit, be noted;
- (ii) Approval of the Statement of Account for 2017/18 be deferred to a further meeting of the Committee to be held as soon as practically possible after the completion of the outstanding audit work.

Review of Treasury Management Activity 2017/18

The Committee considered a report setting out a review of the County Council's treasury management activities in 2017/18.

Resolved: - That the treasury management activities for 2017/18, as set out in the report, now presented, be noted.

Grant Thornton Fee Letter for Lancashire County Council and Lancashire County Pension Fund 2018/19

The Committee considered a report setting out details of the planned fees for the audit work to be undertaken by Grant Thornton in respect of the County Council and the Lancashire County Pension Fund for 2018/19

Resolved: - That the fees for 2018/19 as set out at Appendix 'A' to the report, now presented, be approved.

Corporate Risk and Opportunity Register Q1

The Committee considered a report setting out an updated (Quarter 1) Risk and Opportunity Register.

Resolved: - That the report, now presented, be noted.

Chairman's Annual Report 2017/18

The Committee considered a report setting out the Chairman's Annual Report for 2017/18.

Resolved: - That:

- (i) The report, now presented, be noted;
- (ii) The draft knowledge and skills framework set out at Annex 2 to the Chairman's Annual Report, now presented, be agreed;
- (iii) A report on delays and overspends on major projects, with specific reference to the Central Lancashire strategic site, be presented to the Committee at its next meeting on 29 October 2018.

Committee Work Plan 2018/19

The Committee considered a report setting out details of a work plan for the Committee for 2018/19.

Resolved: - That the report, now presented, be approved.

Update on the Review of Neighbourhood Wellbeing Initiative Grants

The Committee considered a verbal update from the Director of Corporate Services, on the review of neighbourhood wellbeing initiative grants.

Resolved: - That the update, now presented, be noted.

CC A Schofield
Chair

Report of the Audit, Risk and Governance Committee meeting held on 28 August 2018

Chair: County Councillor Alan Schofield

Part I (Open to Press and Public)

External Audit - Audit Findings Report and Opinion for 2017/18 (Revised)

The Committee considered a report setting out a revised audit findings report and opinion for 2017/18, detailing the revised and final position following the original report which was considered and noted by the Committee at its meeting on 30 July 2018.

Resolved: - That the report, now presented, be noted.

Statement of Accounts 2017/18

The Committee considered a report setting out, for approval, the County Council's final statement of accounts for 2017/18.

Resolved: - That:

- (i) The management representation letter set out at Appendix 'A' to the report, now presented, be signed by the Chief Financial Officer and the Chair of the Audit, Risk and Governance Committee prior to it being made available to the external auditor;
- (ii) Approval be given to the 2017/18 Statement of Accounts, as set out at Appendix 'B' to the report, now presented, for Lancashire County Council and the Lancashire County Pension Fund.

CC A Schofield
Chair

Meeting of the Full Council
Meeting to be held on Thursday, 18 October 2018

Report submitted by: Head of Legal and Democratic Services

Part B

Electoral Division affected:
None;

The Employment Committee
(Annex 1 refers)

Contact for further information:
Dave Gorman, Tel: (01772) 534261, Senior Democratic Services Officer,
dave.gorman@lancashire.gov.uk

Executive Summary

The report of the Employment Committee from its meetings held on 11 September 2018 is attached at Annex 1.

The agenda, report and minutes of the meeting are available to view [here](#).

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

Recommendation

That the report of the Employment Committee, as now presented, be noted.

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

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A

Annex 1

Meeting of the Full Council - 18 October 2018

Report of the Employment Committee meeting held on 11 September 2018 (first meeting)

Chair: County Councillor Geoff Driver

Part II (Not Open to Press and Public)

Shortlisting and Recruitment and Assessment Process for the Post of Executive Director of Education and Children's Services

(Exempt information as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972. It was considered that in all the circumstances of the case the public interest in maintaining the exemption outweighed the public interest in disclosing the information).

The Committee considered a report setting out the proposals for the shortlisting and recruitment and assessment process for the post of Executive Director of Education and Children's Services.

Resolved: -

- (i) That the shortlist identified by the Committee be invited for interview for the position of Executive Director of Education and Children's Services on 23 October 2018.
- (ii) That the recruitment and assessment process include interview questions and a presentation topic.
- (iii) That the draft presentation topic be approved and, subject to further comments on the draft interview questions following the meeting, the final questions be agreed by correspondence prior to the interview date.
- (iv) That, subject to the committee wishing to make an appointment, the Head of Service for Human Resources be authorised to discuss and agree terms and conditions with the successful candidate in consultation with the Chair of the Employment Committee.

Report of the Employment Committee meeting held on 11 September 2018 (second meeting)

Chair: County Councillor Geoff Driver

Part I (Open to Press and Public)

Shared cost salary sacrifice scheme for additional voluntary contributions

The Committee considered a report setting out proposals for the introduction of a salary sacrifice 'Shared Cost' scheme for the additional voluntary contributions as part of the Local Government Pension Scheme arrangements.

Resolved: -

- (i) That the commencement of a salary sacrifice shared cost scheme for additional voluntary contributions as part of the Local Government Pension Scheme, as set out in the report, be approved.
- (ii) That the proposed amendments to the current Lancashire County Council Discretionary Statement of Policy, as set out at Appendix 'B', to allow for the implementation of the salary sacrifice shared cost scheme for additional voluntary contributions, be approved.
- (iii) That all existing additional voluntary contribution employees are entered into the new scheme and all new additional voluntary contributors are automatically opted-in, with the option for each employee to opt-out, be approved.

Part II (Not Open to Press and Public)

Shortlisting and Recruitment and Assessment Process for the Post of Chief Executive and Director of Resources

(Exempt information as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A to the Local Government Act 1972. It was considered that in all the circumstances of the case the public interest in maintaining the exemption outweighed the public interest in disclosing the information).

The Committee considered a report setting out the proposals in relation to the Council's Shortlisting and Recruitment and Assessment Process for the Post of Chief Executive and Director of Resources.

Resolved: -

- (i) That the recommended shortlist, as set out in the shortlist pack, be invited for interview for the position of Chief Executive and Director of Resources on 9 October 2018.
- (ii) That the recruitment and assessment process include interview questions and a presentation topic.
- (iii) That the draft presentation topic be approved and, subject to further comments on the draft interview questions following the meeting, the final questions be agreed by correspondence prior to the interview date.
- (iv) That, subject to the committee wishing to make an appointment, the Head of Service for Human Resources be authorised to discuss and agree terms and conditions with the successful candidate in consultation with the Chair of the Employment Committee.
- (v) That the absence of all members of the Committee from the Labour Group be noted.

Winter Maintenance - Extension of Collective Agreement

(Not for Publication – Exempt information as defined in Paragraphs 3 and 4 of Part 1 of Schedule 12A to the Local Government Act, 1972. It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interests in disclosing the information)

The Committee considered a report on the extension of the collective agreement with the council's recognised Trade Unions in relation to winter maintenance duties.

Resolved: - That the recommended extension of the previous collective agreement, as set out at Appendix 'A', be agreed.

Meeting of the Full Council
Meeting to be held on Thursday, 18 October 2018

Report submitted by: Head of Legal and Democratic Services

Part B

Electoral Division affected:
None;

The Pension Fund Committee
(Annexes 1 and 2 refer)

Contact for further information:
Mike Neville, Tel: (01772) 533431, Senior Democratic services Officer,
mike.neville@lancashire.gov.uk

Executive Summary

The report of the Pension Fund Committee from its meetings held on 5 July 2018 and 14 September 2018 are attached at Annexes 1 and 2.

The agenda, reports and minutes of the meetings are available to view [here](#).

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

Recommendation

That the report of the Pension Fund Committee, as now presented, be noted.

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

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A

Annex 1

Meeting of the Full Council - 18 October 2018

Report of the Pension Fund Committee meeting held on 5th July 2018

Chair: County Councillor Eddie Pope

Part I (Open to Press and Public)

LCPF Pension Administration Strategy Statement

The Head of Fund reported that in accordance with the decision of the Committee in March 2018 employers within the Fund had been consulted on the revised Pension Administration Strategy Statement (PASS) which extended the number of employer and fund performance standards to be measured and introduced charges to be levied on any scheme employer whose performance fell short of the employer performance standards.

The Committee was informed that comments received during the consultation had been addressed and a copy of the latest version of the draft was presented at Appendix 'A'. However, due to issues with the new operating model for the pension administration business introduced by the Local Pension Partnership the revised PASS would not be implemented until later in the year. It was reported that whilst the issues had resulted in a backlog of cases remedial action had been taken and priority cases cleared by the end of June and it was anticipated that the remaining cases would be cleared by the end of July.

Resolved: That the revised Pension Administration Strategy Statement, as set out at Appendix 'A' to the report presented, is approved for publication later this year.

LCPF Annual Report for the year ended 31 March 2018

The Committee considered a report on the draft Lancashire County Pension Fund Annual Report for the year ended 31st March 2018 (which included the Fund accounts for the same period) and made the following observations:

- The most significant element of investment management costs was fees based upon the value of the Fund and this was expected to increase year on year as the value of the Fund increased. With regard to performance fees the Head of Fund confirmed that the Fund did not pay the Local Pension Partnership any such fees.
- Transition costs had reduced by £1.7m from the previous year as the majority of costs associated with the transition of the Infrastructure, Private Equity and Credit portfolios had been incurred. The Head of Fund reported that further details would be included in a report to the Committee in September 2018.
- Any reference to a 4.0% return on assets throughout the Annual Report would be updated to reflect the fact that the return had improved to 4.6% since the document was produced.

- In the Infrastructure section of the accounts the reference to 'Trad energy' would be amended to 'Renewable energy'
- The figures for current and long term liabilities in the 'Net Asset Statement as at 31st March 2018' would be amended following advice from the Auditor that the reduced contribution rates for some employers were not a liability due to the returns on cash. The Head of Fund confirmed that an explanatory note on this point would be included in the final document and an update given to the Committee in September 2018.
- Clarification was requested regarding figures in a table in section 1.2 on Membership which showed that whilst 1 employer had left the Fund the total membership of the Fund had increased by over 5,000. It was reported that an explanation for the increase would be included in a further report to the Committee in September 2018.
- It was acknowledged that whilst the Lancashire County Pension Fund was well run and continued to perform well this was not specified in the Annual Report and it was suggested that the final version of the Annual Report should include a comparison of performance against other Funds.

The importance of Committee members having sufficient knowledge and skills to perform their duties and responsibilities effectively was also discussed and it was noted that the Training Record for 2017/18 (which covered internal/external training attended by members of the Committee) had been presented to the last meeting. It was suggested that the respective political groups be requested to nominate a pool of alternate members who could attend future internal training to increase their knowledge of the subject and attend meetings in the event that a member of the Committee was unavailable.

Resolved:

1. That the comments of the Committee regarding the Lancashire County Pension Fund Accounts, as set out above, are taken into consideration when finalising Accounts for referral to the Audit, Risk and Governance Committee on the 30th July 2018 for approval.
2. That, subject to any further minor amendments in relation to 1 above, the draft Lancashire County Pension Fund Annual Report for the year ended 31st March 2018, as set out at Appendix 'A' to the report presented, is approved.
3. That a final version of the Lancashire County Pension Fund Annual Report for the year ended 31st March 2018 be presented to the full county council on the 18th October 2018 for approval.
4. That an update on transition costs, current/long term liabilities and the membership figures referred to in the Annual Report be presented to the next meeting.

County Councillor E Pope
Chair

Annex 2

Meeting of the Full Council - 18 October 2018

Report of the Pension Fund Committee meeting held on 14 September 2018

Chair: County Councillor Eddie Pope

Part I (Open to Press and Public)

Lancashire County Pension Fund - External Audit Findings Report

Mr R McGahon, Senior Manager from Grant Thornton, presented a report on the findings of the external audit of the Pension Fund Accounts for 2017/18 and informed the meeting that the outstanding items highlighted in the Report had been finalised and the final unqualified audit opinion issued. It was noted that the Report had been considered and approved by the Audit, Risk and Governance Committee on the 30th July 2018.

Resolved: That the findings of the external audit of the Lancashire County Pension Fund Accounts for 2017/18, as set out in the report presented, are noted.

Lancashire County Pension Fund - Update on 2017/18 Annual Report

The Head of Fund presented a report regarding amendments which had been made to the draft Lancashire County Pension Fund Annual Report since its approval by the Committee on the 5th July 2018.

It was reported that the amendments related to current and long term liabilities and that explanatory text was added to the final version of the Annual Report in respect of membership figures. The queries around transition costs and membership figures raised by the Committee in July were also addressed. The Committee noted that the amendments referred to in the report had been made following consultation with the Fund's external auditor.

Resolved:

1. That the amendments to the Lancashire County Pension Fund 2017/18 Annual Report, as specified in the report presented, are noted.
2. That the responses to queries regarding the contents of the Lancashire County Pension Fund 2017/18 Annual Report, as raised at the meeting on the 5th July 2018 are noted.

Lancashire County Pension Fund - Budget monitoring for the period 1st April to 30th June 2018

The Head of Fund presented a report which set out the financial results for the Lancashire County Pension Fund for the period 1st April to 30th June 2018 and compared those results with the agreed budget for the same period.

Resolved: That the variances between the actual and budgeted results for the period 1st April to 30th June 2018 and the forecast financial results for the year ending 31st March 2019, as set out in the report presented, are noted.

Responsible Investment

The Head of Fund informed the meeting that she and the Chair had recently been elected to the Executive of the Local Authority Pension Fund Forum.

The Committee discussed publicising the Fund's current investments in renewable energy and the Chief Investment Officer and Managing Director Investments from the Local Pensions Partnership confirmed that he would provide details of specific activity to the Responsible Investment Working Group for consideration. During consideration of the report reference was made to the Transition Pathway Initiative which provided investors with information which they could use to assess the relative position of investee companies based on how they planned for and managed the risks associated with the transition to a lower carbon economy.

Resolved:

1. That the updates set out in the report are noted.
2. That the future use of the Transition Pathway Initiative by Local Pensions Partnership Investments in relation to the Fund is referred to the Responsible Investment Working Group for consideration with any recommendations to be reported to the Committee in November 2018.
3. That the Responsible Investment Working Group consider how the Fund can best promote investments in renewable energy with any recommendations to be reported to the Committee in November 2018.

Local Pensions Partnership Annual Report 2017/18

The Head of Fund presented a report on the Local Pensions Partnership Annual Report for 2017/18 which had been approved by the LPP Board on the 31st July 2018.

In considering the report the Committee acknowledged that the Local Pensions Partnership Group had made a loss of £2.110m in the year compared to a profit in 2017 of 3.443m and noted that the situation was expected to be rectified over the 5 year budget period.

Resolved: That the Local Pensions Partnership Annual Report for 2017/18, as set out at Appendix 'A' to the report presented, is noted.

Feedback from members of the Committee on pension related training, conferences and events

A report was presented on the attendance by members of the Committee at various internal/external pension related training events which had taken place since the last meeting. Both the Chair and County Councillor Schofield provided feedback regarding their experiences at the LGC Investment Seminar on the 6-7th September 2018.

The Chair also informed the meeting that Ms Devitt, the Independent Adviser to the Committee, would attend the pension workshop at 10.00am on the 26th September 2018 on the macro backdrop for investments and the subsequent workshop at 2.00pm on the 6th November 2018 would be attended by Mr J Livesey, the Actuary.

Resolved:

1. That the report and feedback given at the meeting is noted.
2. That the arrangements for the pension workshops on the 26th September 2018 and the 6th November 2018 are noted.

Part II (Not open to Press and Public)

Pension Administration Update

(Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of 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 Director of Strategic Programmes and Group Company Secretary from the Local Pensions Partnership updated the Committee on the performance of the Pension Administration Service for the period 1st April to 30th June 2018.

It was reported that following the introduction of a new operating model for the pension administration service on the 1st April 2018 there had been a backlog of cases which was anticipated to be cleared by the end of October 2018. The lessons which had been learned from the experience were discussed and the Director outlined the actions taken to address the service level failures. It was also confirmed that during August 2018 the issue of Annual Benefit statements to Active/Deferred members and the issue of a newsletter to Active members had been completed in accordance with the Service Level Agreement.

Whilst noting the remedial action which had been taken several members of the Committee expressed their disappointment at the low level of performance of the pension administration service and the subsequent impact on individuals. It was suggested that the Committee receive regular updates outside of the meeting in order to provide reassurance of the effectiveness of the service stabilisation measures and other activity outlined in the report.

Resolved:

1. That the concerns of the Committee regarding the level of performance of the pension administration service, as referred to in the report presented, be noted.
2. That members of the Committee be provided with regular updates ahead of the next scheduled meeting on 30th November 2018 in order to provide reassurance of the effectiveness of the service stabilisation measures and other activity outlined in the report in relation to the pension administration service.

Local Pensions Partnership Q1 2018/19 report

(Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of 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 Director of Strategic Programmes and Group Company Secretary from the Local Pensions Partnership presented a report on the investment and administration activity of the Partnership since the last meeting.

It was reported that the addition of a new client from the 1st June 2018 would increase the total assets under management by Local Pensions Partnership which had now established 6 out of the 8 pooling vehicles. The Committee noted that the Minister for Housing Communities and Local Government continued to support for the progress made in relation to pooling and the Chair suggested that the Chairman of the Local Pension Partnership be invited to attend a future meeting to discuss progress.

Resolved:

1. That the updates on investment and administration activity of the Local Pensions Partnership since the last meeting, as set out in the report, are noted.
2. That the Chairman of the Local Pensions Partnership Board be invited to attend a future meeting to discuss progress to date on pooling and future activity of the Partnership.

Lancashire County Pension Fund Performance Overview June 2018

(Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of 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).

A detailed report on the performance of the Lancashire County Pension Fund was presented which highlighted key areas to the Committee including the following:

- An update on the economic and market backdrop
- The total Fund return as at 30th June 2018
- Updates on the performance of the equity, credit, real estate, infrastructure and private equity
- Asset allocations
- The funding ratio at 30th June 2018 and
- Details of contributions net of benefits and investment income.

Resolved: That the report and updates on performance presented at the meeting are noted.

Investment Panel Report

(Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of 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 Head of Fund presented a report on matters considered by the Investment Panel since the last meeting which included an update on the investment and Market context in which the Lancashire County Pension Fund operated. It was reported that the Panel had discussed the rate of return on a proposed development and had recommended a particular base case investment rate return be applied to the project.

Resolved:

1. That the report of the investment panel is noted.
2. That a base case investment rate of return of 4.7% per annum (based on an assumed CPI rate of 2% per annum) be applied to the proposed development referred to in the report presented.

County Councillor E Pope
Chair

Meeting of the Full Council
Meeting to be held on Thursday, 18 October 2018

Report submitted by: Head of Legal and Democratic Services

Part B

Electoral Division affected:
None;

The Overview and Scrutiny Committees
(Annexes 1 - 4 refer)

Contact for further information:
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gary.halsall@lancashire.gov.uk

Executive Summary

The most recent cycle of meetings of the Overview and Scrutiny Committees took place in the period July to September 2018.

The reports of the committees are attached as Annexes 1 to 4 as follows:

- Annex 1 - Children's Services Scrutiny Committee
- Annex 2 - Education Scrutiny Committee
- Annex 3 - Health Scrutiny Committee
- Annex 4 - Internal Scrutiny Committee

The agenda, reports and minutes of the meetings are available to view [here](#).

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

Recommendation

That the report of the Overview and Scrutiny Committees, as now presented, be noted.

Annex 1

Meeting of the Full Council - 18 October 2018

Report of the Children's Services Scrutiny Committee meeting held on 4 July 2018

Chair: County Councillor Andrea Kay

The agenda and minutes of the meeting may be viewed on the county council's website at the following link:

[Children's Services Scrutiny Committee](#)

Contact - for Families with Disabled Children

The report provided a brief overview of Contact, a charity for families with disabled children which offered support, news and resources for parent carer forums.

Resolved: That;

- i. The report presented be noted.
- ii. A letter be sent from the Chair of the Committee to the Regional Manager at Contact with a copy to the Department for Education highlighting the concerns raised on the progress in Lancashire on the establishment of a Lancashire Parent Carer Forum,
- iii. An action plan be drafted on delivery and timescales by Contact, and
- iv. A further update on progress from Contact be provided to the Committee later in the autumn.

SEND Partnership Team - Engagement

The report provided an overview on the progress of the Lancashire SEND Partnership engagement with parent / carers.

Resolved: That;

- i. The report presented be noted;
- ii. Members attend engagement events in their areas and report back to the Committee.

CC A Kay
Chair

Annex 2

Meeting of the Full Council - 18 October 2018

Report of the Education Scrutiny Committee meeting held on 10 September 2018

Chair: County Councillor Christian Wakeford

The agenda and minutes of the meeting may be viewed on the county council's website via the following link:

[Education Scrutiny Committee](#)

The Journey of a School Causing Concern and the Impact on Services

The report presented provided an overview of the key services involved in the situation where there was a school causing concern.

Resolved: That;

- i. The report presented be noted;
- ii. The Committee agree the formation of a task group looking at school improvement for schools facing challenges;
- iii. Further consideration be given to potential targeted support from local councillors with officers for under-subscribed schools or where there were signs a school may be having difficulties; and
- iv. An annual report come to the Education Scrutiny Committee on school admissions and schools causing concern.

CC C Wakeford
Chair

Meeting of the Full Council - 18 October 2018

Report of the Health Scrutiny Committee meetings held on 3 July and 25 September 2018

Chair: County Councillor Peter Britcliffe

The agenda and minutes of the meeting may be viewed on the county council's website via the following link:

[Health Scrutiny Committee](#)

3 July 2018

Our Health Our Care Programme – Update on the future of acute services in central Lancashire

The purpose of the report was to provide the Committee with an early opportunity to consider the emerging model of care and agree the next steps and future consultation on the future of acute services in central Lancashire.

Resolved: That:

1. The update be noted;
2. Further updates be presented to the Health Scrutiny Committee at its scheduled meetings in September and November 2018;
3. The importance of all partners working together on prevention and early intervention form a part of developing the new models of care for acute services in central Lancashire; and
4. Public information and education be included in the new model of care for acute services in central Lancashire.

Lancashire Dementia Strategy – Dementia Friendly Lancashire 2018-2023

The Committee received an overview of the opportunities and challenges with implementing the council's Dementia Strategy.

Resolved: That;

1. The report be noted; and
2. The Cabinet Member for Health and Wellbeing be invited to a future scheduled meeting of the Health Scrutiny Committee to present on the development of a housing strategy and the ageing population.

25 September 2018

Our Health Our Care Programme - Update on the future of acute services in central Lancashire

The report provided a further update on the future of acute services in central Lancashire detailing a range of options and benefits, emerging concepts and next steps for the Our Health Our Care programme.

Resolved: That;

1. The report be noted; and
2. An update on the Our Health Our Care programme be presented at a future scheduled meeting of the Committee.

CC P Britcliffe
Chair

Meeting of the Full Council - 18 October 2018

Report of the Internal Scrutiny Committee meetings held on 20 July, 21 August (special meeting) and 21 September 2018

Chair: County Councillor David O'Toole

The agenda and minutes of the meeting may be viewed on the county council's website at the following link:

[Internal Scrutiny Committee](#)

20 July 2018

Winter Service Plan Update

The report provided an update to the Committee on the 2017/18 winter season as well as proposed updates to the Highways Winter Service Plan for the forthcoming season.

Resolved: That;

- i. The content of the report presented be noted.
- ii. The task and finish group relating to grit bin assessment and provision is currently in progress and will report back to the service be noted.
- iii. The treatment intervention level proposal be reviewed by the Grit Bin task and finish group.
- iv. Legal advice be sought on the gritter tracking system and twitter feed.

Progress Report on Potholes

The Committee was updated on progress with rectifying potholes, the impact of additional funding and new equipment. The update also covered response times, repeat visits, the HAMS (Highways Asset Management System) project and the 'Report It' website.

Resolved: The update report be noted.

Budget Scrutiny Review Panel

The report set out a proposal to establish a Budget Scrutiny Review Panel to further enhance the scrutiny of budget proposals under consideration by Cabinet.

Resolved: The Internal Scrutiny Committee approve the establishment of the Budget Scrutiny Review Panel.

Local Authority Funding and Income Generation Task Group – Initial Response

The Committee was advised that the report from the task group had been received and each recommendation had been reviewed and assigned to an appropriate senior officer at the council. A feasibility study would be carried out on each of the recommendations to identify the nature and scale of the opportunity to generate income, as well as the scale of any investment that might be needed and the timeframe required for implementation. The outcomes would be reported back to the task group. Where recommendations were not considered viable opportunities for income generation, details would be provided as to the reasons why this conclusion had been reached.

Resolved: The verbal update provided be noted.

21 August 2018 (Special meeting)

Call In Request – Update on Preston Youth Zone Operator

On 9 August 2018, Cabinet received and approved recommendations contained in the update report on Preston Youth Zone Operator. Following requests from nine County Councillors in accordance with the “Call In” procedures, the Chair of the Internal Scrutiny Committee had called a meeting to consider calling in the decision.

Resolved: The Cabinet decision on 9 August 2018 in relation to the update on the Preston Youth Zone Operator should not be called in.

21 September 2018

Lancashire Parking Services

The report provided an overview of Lancashire parking services provision of school and village enforcement, the centralisation of permit administration and the differences of on and off street enforcement.

Resolved: That;

- i. The report presented be noted.
- ii. Information on the pilot scheme and any new parking schemes be circulated to members when available.
- iii. The Lancashire parking services report and presentation be circulated to all county councillors.

Report of the Grit Bins and Non-Priority Routes Task and Finish Group

The final report of the Grit Bins and Non-Priority Task and Finish Group was presented.

Resolved: That;

- i. The recommendations of the task and finish group be supported.

- ii. An additional recommendation on engaging external contractors for treating secondary routes be added to the report.
- iii. Responses from the Cabinet Member for Highways and Transport be presented to the Internal Scrutiny Committee at an appropriate scheduled meeting.

Task and Finish Group Request – Education Scrutiny Committee

The report set out a request from the Education Scrutiny Committee for a task and finish group to be established on schools causing concern – support arrangements.

Resolved: That the request to establish a task and finish group on schools causing concern – support arrangements be approved.

CC D O'Toole
Chair

Meeting of the Full Council
Meeting to be held on Thursday, 18 October 2018

Report submitted by: Head of Legal and Democratic Services

Part B

Electoral Division affected:
None;

The Lancashire Health and Wellbeing Board
(Annex 1 refers)

Contact for further information:
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sam.gorton@lancashire.gov.uk

Executive Summary

The report of the Lancashire Health and Wellbeing Board from its meeting held on 18 September 2018 is attached at Annex 1.

The agenda, reports and minutes of the meeting are available to view [here](#).

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

Recommendation

That the report of the Lancashire Health and Wellbeing Board, as now presented, be noted.

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

Paper	Date	Contact/Tel
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None		
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Reason for inclusion in Part II, if appropriate

N/A

Annex 1

Meeting of the Full Council - 18 October 2018

Report of the Lancashire Health and Wellbeing Board meeting held on 18 September 2018

Chair: County Councillor Shaun Turner

The agenda and minutes of the meeting may be viewed on the county council's website site via the following link:

[Lancashire Health and Wellbeing Board](#)

Review of Central Lancashire Plan – Improving Health Care and Wellbeing in Central Lancashire

An update on the central Lancashire integrated care partnership and acute sustainability.

Resolved: That the Health and Wellbeing Board:

- i) Agreed that a report be brought to a future meeting in the New Year and that this be added to the forward plan.

Review of Pennine Plan – Improving Health Care and Wellbeing in Pennine Lancashire

Summary of how the proposals for improving health, care and wellbeing across Pennine Lancashire had been developed.

Resolved: That the Health and Wellbeing Board:

- i) Approved the Pennine Plan as the blueprint for health and care transformation in Pennine Lancashire.
- ii) Sought assurance from the Pennine Partnership that in its delivery of the Pennine Plan it would also take account and ensure delivery of the emerging priorities of the Lancashire and South Cumbria Integrated Care System.
- iii) Agreed any further requirements, aspirations or expectations that should be communicated on behalf of the Lancashire Health and Wellbeing Board in relation to the future development of the Pennine Partnership and the delivery of the Pennine Plan.

Lancashire Adult Learning – Opportunities for Collaboration and Partnership to Support Health and Wellbeing Strategies in Lancashire

Overview of what Lancashire Adult Learning was and what it provided in line with the three programmes of work in the Lancashire Health and Wellbeing Strategy, the seven health behaviours as identified in the Joint Strategic Needs Assessment and working in partnership with Lancashire County Council's Public Health Team and the NHS.

Resolved: That the Health and Wellbeing Board:

- i) Raised awareness of Lancashire Adult Learning and its curriculum offer within Lancashire County Council and Public Health in order to identify opportunities for collaboration and partnership.
- ii) Made recommendations to Clinical Commissioning Groups and locality managers to identify opportunities for Lancashire Adult Learning to support and contribute to health initiatives within districts and localities.
- iii) Supported Lancashire Adult Learning to ensure that the learning offer was directly linked to Lancashire's strategies to support adults.

Better Care Fund (BCF) and Active Ageing Alliance

Summary of the Integration and Better Care Fund Guidance 2017/19 which sets out the continuing role for the Better Care Fund and confirmed the ongoing conditions and requirements that varied little from those set out at the creation of the current Lancashire better care fund plan in September 2017. Also, an overview of the Active Ageing Alliance model.

Resolved: That the Health and Wellbeing Board:

- i) Noted the guidance and its implications for the Lancashire BCF and Health and Wellbeing Board.
- ii) Approved the revisions to the BCF/iBCF plan, for 2018/19, as set out in Appendix B.
- iii) Approved the maintenance of the BCF metrics for Non Elective Admissions, Residential and Nursing Home Admissions and reablement at the original 2017/19 plan levels.
- iv) Noted the expected performance for Delayed Transfers of Care for 2018/19.
- v) Noted the success of joint working across health and social care in significantly improving DToC performance and enabling the expectations to be met.
- vi) Requested that the Better Care Fund Steering Group review the Active Ageing Alliance model, consider its inclusion as part of the wider Better Care Fund spending proposals for 2019/2020 onwards, to be agreed at a future Health and Wellbeing Board meeting.
- vii) Requested that the readmission rate figures were included in the report for future meetings.

- viii) Agreed to include Residential Care on the forward plan as a future item.

Mental Health and Wellbeing – Time to Change Hub

Outlining the proposed approach for developing a Time to Change Hub in Lancashire.

Resolved: That the Health and Wellbeing Board:

- i) Endorsed an application and acknowledged the external funding stream associated with this, to become the Host for the Lancashire Time to Change Hub and support the Time to Change social movement to end the stigma and discrimination experienced by people with mental health problems
- ii) Agreed to oversee the local Hub Partnership and uphold the responsibilities of the Host as described
- iii) Nominated and endorsed the organisation proposed to fulfil the role of the Hub Co-ordinator
- iv) Delegated the responsibility for submitting the application to the Chair of Lancashire Health and Wellbeing Board, in consultation with the Director of Public Health and Wellbeing.

Lancashire Special Educational Needs and Disabilities (SEND) Partnership – Update on the Implementation of the Written Statement of Action

Summary of progress on the immediate priorities for action and the implementation of these actions since the last update received in July 2018.

Resolved: That the Health and Wellbeing Board:

- i) Noted the progress of delivery on the written statement of action.
- ii) Received an update on progress at the November Board meeting.
- iii) Noted that Adrian Leather, would link in with John Readman and Sian Rees with regards engagement and wider partners.

Lancashire Safeguarding Boards Annual Report 2017/18

Overview of the points of progress and highlights with the reports specifically for the Health and Wellbeing Board.

Resolved: That the Health and Wellbeing Board:

- i) Noted the contents of the report.
- ii) Commented on any key issues and consider the implications for the conduct of business.
- iii) Louise Taylor and John Readman to report back at a future meeting on the key issues from the report and what the Lancashire

Safeguarding Adults Board and Lancashire Safeguarding Children Board were doing with regards those issues.

Role of Lancashire Fire and Rescue Service on the Board

Summary of Lancashire Fire and Rescue Service progress to date, and to explore further opportunities for the Service to work in partnership going forward.

Resolved: That the Health and Wellbeing Board:

- i) Noted the preventative work which Lancashire Fire and Rescue Service currently undertake.
- ii) Explored [where appropriate] opportunities for Lancashire Fire and Rescue, to undertake preventative work, in partnership, aimed at improving health and wellbeing outcomes across Lancashire.

CC S Turner
Chair

Meeting of the Full Council
Meeting to be held on Thursday, 18 October 2018

Report submitted by: Head of Legal and Democratic Services

Part B

Electoral Division affected:
None;

Report of the Lancashire Combined Fire Authority
(Annex 1 refers)

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Executive Summary

Annex 1 sets out a summary report of the Lancashire Combined Fire Authority following its meeting on 17 September 2018. This is now presented to the Full Council for information.

Recommendation

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

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

Paper	Date	Contact/Tel
None		
Reason for inclusion in Part II, if appropriate		
N/A		

Annex 1

REPORT OF THE LANCASHIRE COMBINED FIRE AUTHORITY (CFA) 17 SEPTEMBER 2018

1. HER MAJESTY'S INSPECTORATE OF CONSTABULARY, FIRE AND RESCUE SERVICES (HMICFRS) PROGRESS TOWARDS INSPECTION - UPDATE BRIEFING 3

Members received an update following the recent inspection by Her Majesty's Inspectorate of Constabulary, Fire and Rescue Services (HMICFRS). The inspection took place during the week 9th – 13th July 2018 with the HMICFRS team speaking to staff, selected partner agencies, representative bodies, the Executive Board and the Chairman. This was facilitated during the Winter Hill deployment and was managed through staff flexibility. A strategic brief took place at the end of the inspection week and feedback was received on the very positive culture that was found within Lancashire Fire and Rescue Service (LFRS), the 'can do attitude' of staff and that the Service's values were committed to 'making Lancashire safer'. A second data request was received and returned to HMICFRS on 14 July 2018. A HMICFRS staff survey had been received which asked staff their opinion on working for LFRS. This had been circulated for staff for completion by 30 September 2018.

Information had recently been received from HMICFRS advising that fieldwork for services in tranche one had now been completed and HMICFRS was currently analysing the evidence and drafting service reports. These would be shared on a confidential basis with each Service in late October to check for factual accuracies before publication in early December. The findings of which would be discussed at the next Authority meeting.

2. COLLABORATION UPDATE

Members received a report which gave an overview of the collaboration since the last meeting in June 2018. Only one Fire Authority (Essex) had adopted a Police and Crime Commissioner (PCC) governance model but there had been a further 6 business cases going forward which were the subject of 3 Judicial Review applications. Hertfordshire had discontinued their change to a PCC governance model in favour of collaboration between the PCC and the Local Authority and potentially co-location of premises.

With regard to Lancashire, the sequence of events had been that on 25 July 2018 at Service Headquarters the Chairman, Vice-Chairman, the Leader of the Opposition and Clerk had met with the PCC and his consultant and had been well prepared to challenge the proposal. Shortly after commencing a presentation it became clear that the PCC no longer wanted to pursue taking over the Combined Fire Authority's governance responsibilities but hoped that closer collaboration could be used to achieve common goals for both services.

Having received a letter from the PCC dated 27 July there was growing concern that the proposal made was done so with more conditions than first apparent. The Authority responded on 30 July 2018 and subsequently to seek clarification on a) whether the Commissioner was withdrawing plans to continue with the Business Case; and b) what the new collaboration regime would look like. In one subsequent response the Commissioner stated that 'collaboration was not enough' which led to some further concern. The latest response was sent from the Authority on 30 August 2018 and a further response was awaited. Until a response was received LFRS would continue with its well established collaboration activities and would continue to look for further areas of development.

3. ANNUAL SERVICE REPORT

Members viewed the Annual Service Report which had been prepared as a video. Alongside the video was a supporting document which had also been produced and in order to encourage a wider audience and engagement this was accessible to all members of staff on the intranet and would be available to the public on the LFRS website. <https://www.lancsfirerescue.org.uk/wp-content/uploads/2018/09/Annual-Service-Report-2017-18.pdf>

4. COMMUNITY FIRE SAFETY REPORTS

As part of the report members received a presentation by Assistant Chief Fire Officer, David Russel on the Service's response to Winter Hill.

Following the presentation Members asked that the Authority's thanks be passed onto all those involved during the Winter Hill major incident, including our partner agencies. The Chief Fire Officer confirmed that the Service had organised a Winter Hill 'Thank-You' event for all the partner agencies involved on 25 September 2018 to recognise their contribution and the assistance they provided during the incident. The Fire Minister and others from central government had also been complimentary about the level of hard work involved in the incident. Members expressed that they had been encouraged by the hard work and resilience of the Service and would welcome the opportunity for the video to be circulated to a wider audience which would include organisations and schools. https://www.youtube.com/watch?v=qUoDFo_puXE&feature=youtu.be

5. RE-APPOINTMENT OF CLERK TO THE AUTHORITY

The Authority approved the re-appointment of Mr Mark Nolan as Clerk and Monitoring Officer to the Lancashire Combined Fire Authority for a period of twelve months, to the September meeting of the Authority in 2019.

FRANK DE MOLFETTA
Chairman

LFRS
Fulwood

Notices of Motion submitted under Standing Order B36

1. By County Councillor Nikki Hennessy

That this Council:

- (i) Will support and sign the Cooperative Party Charter Against Modern Slavery which sets out the following commitments:
 - Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.
 - Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
 - Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
 - Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
 - Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
 - Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
 - Review its contractual spending regularly to identify any potential issues with modern slavery.
 - Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
 - Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
 - Report publicly on the implementation of this policy annually.
- (ii) Will promote awareness of Modern Day Slavery amongst our residents and work with officers to support survivors.

2. By County Councillor Kim Snape

Lancashire County Council notes the consultation due to be launched by Our Health Our Care regarding the future of Accident & Emergency services in the Chorley, South Ribble and Preston areas. The Council strongly opposes any proposal for a single site Accident & Emergency at either Preston or Chorley & South Ribble Hospital. The Council believes such a proposal would have a detrimental impact on the quality of local health care for the local population and that Chorley & South Ribble Hospital along with Preston Hospital both need a 24 hour Accident & Emergency department.

3. By County Councillor Nikki Hennessy

Council welcomes the recent commitment by the Scottish Government and the Private Members Bill by Monica Lennon MSP to tackle period poverty through the free provision of sanitary products in educational establishments and notes that Scotland is one of the first countries in the world to tackle 'period poverty' through a pilot scheme in Aberdeen.

Council recognises however that whilst many women and girls will benefit from this, others in vulnerable situations, may not.

Lancashire County Council therefore instructs the Director of Public Health to consult with women and girls, to develop and implement an action plan to introduce free sanitary products, including menstrual cups, in schools in Lancashire and to scope out extending access to others.

4. By County Councillor Gina Dowding

Council notes:

The Joint Lancashire Minerals and Waste Local Plan is currently under review.

Council believes:

That in light of the controversial processes currently underway within the County for exploration and appraisal, and ultimately production of unconventional hydrocarbons, it is imperative that the Minerals and Waste Local Plan includes criteria for the production of hydrocarbons within the plan.

Council resolves:

As part of the review:

- To instruct officers to include a section in the Minerals and Waste Local Plan on criteria related to the production of hydrocarbons.
- To include a criterion for production of hydrocarbons which takes into account the growing need for action on reducing carbon emissions.

This is in line with ongoing UK government commitments in the 2008 Climate Change Act and as signatories to the COP21 Paris Agreement. National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) support a move to a low carbon future and NPPG provides examples of where hydrocarbon extraction proposals can integrate mitigation measures.

5. By County Councillor Gina Dowding

Council notes that two years have passed since the EU Referendum and little concrete progress has been made in negotiating the terms of the United Kingdom's withdrawal from the EU.

Lancashire County Council:

- Recognises the significant support it has received through EU funding over many years.
- Notes the reports from 1 August highlighting the serious concerns local authorities have over delivery of public services post-Brexit.
- Notes the reported difficulties experienced by Lancashire NHS Trusts in recruiting adequate numbers of professionally qualified staff as well as difficulties experienced by the care sector in maintaining a sufficient workforce of care staff.
- Recognises the mounting popular concern at the prospect of leaving the EU with either a bad deal or no deal at all.
- Understands that the EU Withdrawal Bill threatens the rights of citizens as well as environmental protections, which could have a negative impact on the quality of life of Lancashire's residents.
- Shares the anxiety of EU citizens living in the County who feel unwelcome in the place they have made home, and uncertain about their future.
- Notes that many councils have adopted a motion supporting the calls for a People's Vote on the final Brexit Deal.
- Notes that The People's Vote campaign has worked hard to successfully develop cross-party support at the highest level, with signatories from MPs of the Conservative Party, the Green Party, the Labour Party and the Liberal Democrat Party.
- Notes that many local authority areas have already produced Brexit Impact studies.

Accordingly, Lancashire County Council resolves to:

- Conduct and publish without delay a Brexit Impact study for Lancashire.
- Write to Lancashire's MPs to ask them to support a People's Vote in the interests of the residents, businesses and the public sector in the County.

