

Lancashire County Council

External Scrutiny Committee

Tuesday, 16th October, 2018 at 10.30 am in Committee Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Agenda

Part I (Open to Press and Public)

No.	Item
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1.	Apologies
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2.	Disclosure of Pecuniary and Non-Pecuniary Interests
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Members are asked to consider any Pecuniary and Non-Pecuniary Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda.

3.	Minutes of the Meeting held on 4 June 2018	(Pages 1 - 4)
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4.	Prevent	(Pages 5 - 6)
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5.	Task and Finish Group Request - Strengthening Flood Prevention and Preparedness in Lancashire	(Pages 7 - 10)
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6.	Chair's update
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Verbal update

7.	External Scrutiny Committee Work Programme 2018/19	(Pages 11 - 16)
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8.	Urgent Business
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An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the Chief Executive should be given advance warning of any Member's intention to raise a matter under this heading.

9. Date of Next Meeting

The next meeting of the External Scrutiny Committee will be held on Tuesday 22 January 2019 at 10.30am at County Hall, Preston.

County Hall
Preston

L Sales
Director of Corporate Services

Lancashire County Council

External Scrutiny Committee

Minutes of the Meeting held on Monday, 4th June, 2018 at 10.30 am in Committee Room 'B' (The Diamond Jubilee Room) - County Hall, Preston

Present:

County Councillor Edward Nash psc (Chair)

County Councillors

D Stansfield	G Oliver
A Ali	M Salter
C Crompton	J Shedwick
D Foxcroft	P Steen
T Martin	C Towneley
Mrs L Oades	

County Councillors Matthew Salter and Peter Steen replaced County Councillors Anne Cheetham and Jayne Rear respectively.

County Councillor Erica Lewis attended the meeting under Standing Order D13(1).

1. Apologies

There were no apologies.

2. Constitution: Membership; Chair and Deputy Chair; and Terms of Reference of the External Scrutiny Committee

The report presented set out the constitution, membership, Chair and Deputy Chair and Terms of Reference of the External Scrutiny Committee for the municipal year 2018/19.

Resolved: That;

- i. The appointment of County Councillors Edward Nash psc and David Stansfield as Chair and Deputy Chair of the Committee for the remainder of the municipal year 2018/19 be noted;
- ii. The Membership of the Committee following the County Council's Annual Meeting on 24 May 2018 be noted; and
- iii. The Terms of Reference of the Committee be noted.

3. Disclosure of Pecuniary and Non-Pecuniary Interests

None were disclosed.

4. Minutes of the Meetings held on 6 March 2018 and 10 October 2017

Resolved: That the minutes from the meetings held on 6 March 2018 and 10 October 2017 be confirmed as an accurate record and signed by the Chair.

5. Flood Risk Management Partnership working

The Chair welcomed Rachel Crompton, LCC Flood Risk Manager; Tony Griffiths, United Utilities plc; and Tim Armour, United Utilities plc; to the meeting. A copy of the presentation delivered at the meeting is set out in the minutes.

The report gave a particular focus to the partnership working with United Utilities plc, the water company providing services to the majority of Lancashire's residents. During consideration of the item, it was noted that local water companies were not statutory consultees in regard to planning applications. Members felt that water companies should be at the forefront in regard to planning applications. United Utilities were the only Risk Management Authority who were not a statutory consultee but did work closely with local planning authorities and the lead local flood authority to identify what their requirements were. United Utilities recognised the need to work much earlier with property developers. The committee was informed that LCC would assess the flood risk assessments that accompanied planning applications.

It was expected that all Flood Risk Management Authorities maintain their asset base to reduce flood risk and make sufficient provision for this to be achieved.

It was noted that United Utilities were proposing, subject to approval from Ofwat, to more than treble their current levels of spend on flooding. United Utilities was also one of the water companies leading the way in the adoption of Sustainable Drainage Systems (SuDS).

It was noted that United Utilities offered domestic support for people affected by floods. They also publicised information, advice and guidance on their website and mobile app to assist residents.

The committee was informed that when investigating a reported flood, the council applied a triage process. If the flooding had been caused by a river the council relied on the Environment Agency to respond. If it was in relation to sewers then the council relied on United Utilities to respond. If there was too much water in an area that was not designed to take it, the council would work with the community and where a flood action group would be beneficial in bridging the communication gap.

Members enquired about the efficiency of unblocking of culverts. It was reported that responsibility for cleaning the culverts depended on who owned the land where the culverts were. The Council's powers were limited by the Land Drainage Act and the responsibility was with the landowners for maintaining and repairing culverts. The council would need considerable evidence that there was a serious problem and flood was a real risk before it could intervene.

Members enquired how reliant United Utilities were on European funding and whether Brexit would affect existing projects. It was reported that there were some projects in place such as Natural Course (<http://naturalcourse.co.uk/>). A partnership project between Environment Agency, The Canal and Rivers Trust, Natural England and United Utilities building capacity to protect and improve the North West's water environment. This was a ten year project for which funding had already been agreed for this project.

On developing opportunities for natural flood risk management, members noted that the council as lead local flood authority would need to be more engaged with organisations for which the council had good but remote relationships with. It was suggested that natural flood risk management be added to the Committee's work programme for 2018/19.

Resolved: That;

- i. The report be noted;
- ii. The External Scrutiny Committee writes to the Secretary of State for the Ministry of Housing, Communities and Local Government to reconsider making water companies a statutory consultee on all planning applications; and
- iii. Natural flood risk management be added to the External Scrutiny Committee's work programme for 2018/19.

6. External Scrutiny Committee Work Programme 2018/19

The report presented set out the External Scrutiny Committee Work Programme for the municipal year 2018/19.

Resolved: That;

- i. The External Scrutiny Work Programme 2018/19 be noted;
- ii. County Councillor Azhar Ali be appointed as a rapporteur on the issue of unlocking brownfield sites across Lancashire; and
- iii. County Councillor Carl Crompton be appointed as a rapporteur on the impact of Brexit and advanced manufacturing.

7. Urgent Business

There were no items of Urgent Business.

8. Date of Next Meeting and Future Meetings

The next meeting of the External Scrutiny Committee would take place on Tuesday 17 July 2018 at 10.30am in Cabinet Room B (The Diamond Jubilee Room) at the County Hall, Preston.

Future meetings of the Committee for 2018/19 municipal year were as follows:

- 16 October 2018
- 22 January 2019

- 16 April 2019

All meetings would commence at 10:30am

L Sales
Director of Corporate Services

County Hall
Preston

External Scrutiny Committee

Meeting to be held on Tuesday, 16 October 2018

Electoral Division affected: (All Divisions);
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Prevent

Contact for further information:

Pam Smith, Tel: 01772 530591, E&C Manager, CT and Prevent

pam.smith@lancashire.gov.uk

Executive Summary

To receive an update on Prevent delivery across Lancashire including the Channel process.

Recommendation

The External Scrutiny Committee is asked to note the partnership arrangements to deliver the Prevent agenda across Lancashire.

Background and Advice

In June 2018 the Government launched their revised and strengthened CONTEST Strategy which continues to include the 4 P's: Prevent, Pursue, Protect and Prepare. The updated strategy reflects the findings of a fundamental review of all aspects of counter terrorism, building on progress since the 2011 strategy and the need to evolve to counter new and emerging threats, the changes in worldwide situations and lessons learnt following the Manchester and London attacks in the past year.

The aim of Prevent is to stop people becoming terrorists or supporting terrorism – safeguarding individuals and communities.

The Prevent objectives are:

- Tackle the causes of radicalisation and respond to the ideological challenge of terrorism.
- Safeguard and support those most at risk of radicalisation through early intervention, identifying them and offering support.
- Enable those who have already engaged in terrorism to disengage and rehabilitate.

The Counter Terrorism and Security Act 2015 placed a duty on local authorities and other specified authorities to have "due regard to the need to prevent people from being drawn into terrorism". Known as the Prevent Duty. In Lancashire we have a robust governance structure to ensure that the requirements of the duty are met.

If it is thought an individual is vulnerable to becoming drawn to extremism, concerns are referred in to the pan Lancashire Channel panel which is co-ordinated by Blackburn with Darwen (BwD) unitary council. The chair is the BwD safeguarding lead and the vice-chairs are the Lancashire County Council and Blackpool unitary council's safeguarding leads. The panel also includes representatives from the police, social services, education, child safeguarding and other keyworkers. The panel evaluates whether the individual identified needs support by considering their vulnerability. This is done using an assessment framework.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

Counter Terrorism

Meeting the requirements of the Prevent Duty will prevent the risk of an individual becoming a terrorist or supporting terrorism.

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

Paper	Date	Contact/Tel
Contest Strategy 2018	June 2018	Pam Smith Tel:530591
Counter Terrorism and Security Act 2015, Prevent Duty	July 2015	Pam Smith Tel:530591

Reason for inclusion in Part II, if appropriate

N/A

External Scrutiny Committee

Meeting to be held on Tuesday, 16 October 2018

Electoral Division affected:
(All Divisions);

Task and Finish Group Request - Strengthening Flood Prevention and Preparedness in Lancashire

(Appendix A refers)

Contact for further information:

Gary Halsall, Tel: (01772) 536989, Senior Democratic Services Officer (Overview and Scrutiny), gary.halsall@lancashire.gov.uk

Executive Summary

This report sets out a request from County Councillor Erica Lewis for a task and finish group to be established on Strengthening Flood Prevention and Preparedness in Lancashire. The request is set out at Appendix A.

Recommendation

The External Scrutiny Committee is asked to:

1. Consider and agree the request to establish a task and finish group on Strengthening Flood Prevention and Preparedness in Lancashire; and
2. If agreed, submit the task and finish group request to the Internal Scrutiny Committee for approval at its next scheduled meeting on 16 November 2018.

Background and Advice

A request has been received from County Councillor Erica Lewis to establish a task and finish group on Strengthening Flood Prevention and Preparedness in Lancashire. The request is set out at Appendix 'A'.

The External Scrutiny Committee is asked to consider and agree the request. Should the Committee agree the request, a further report would need to be submitted to the Internal Scrutiny Committee for approval in accordance with the terms of reference for the Overview and Scrutiny Committees. The Internal Scrutiny Committee's next scheduled meeting will be held on 16 November 2018.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

This report has no significant risk implications.

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

Paper	Date	Contact/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A

Task and Finish Group Request Form

Date: 3 Oct 18	Requested by: County Councillor Erica Lewis
Chair: CC Ed Nash psc	
Title: Strengthening Flood Prevention and Preparedness in Lancashire	

Purpose of the task and finish group	<p>The purpose of this task and finish group is to bring together the expertise of all flood risk management authorities, local flood and emergency response groups, and residents to better understand how the County Council as Lead Local Flood Authority and all other flood risk management authorities can better support residents to:</p> <ul style="list-style-type: none"> - be prepared for flooding; - respond to flooding; - recover from flooding; and - understand what we can do together to reduce flood risk. <p>Across Lancashire there are approximately 40 community based flood action groups. Some have been active for years and are well progressed in their understanding of local flooding mechanisms and the work that is needed to reduce flood risk and prepare the community so it is ready to respond and recover should a flood event happen. Other groups are much newer, but learning fast. There is as yet, no mechanism for these groups to share what they have learnt, or to represent their collective insights to Lancashire County Council and County Councillors.</p> <p>Initial inquiries with the Deputy Leader of the Council, the Cabinet Member for Highways and Transport, flood risk management authorities and flood groups are keen for this task group to be formed. There has been some initial consultation on the scope of this review, but further work would be welcome before the terms of reference are finalised.</p> <p style="text-align: right;">Continued...</p>
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<p>Initial outcomes identified</p>	<p>Identify specific recommendations and actions that could enable residents and communities to:</p> <ul style="list-style-type: none"> - be prepared for flooding - respond to flooding - recover from flooding <p>and</p> <ul style="list-style-type: none"> - identify where councillor involvement and county council leadership could contribute to policy changes that would reduce flood risk.
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External Scrutiny Committee

Meeting to be held on Tuesday, 16 October 2018

Electoral Division affected: None;

External Scrutiny Committee Work Programme 2018/19

(Appendix 'A' refers)

Contact for further information:

Gary Halsall, Tel: (01772) 536989, Senior Democratic Services Officer (Overview and Scrutiny), gary.halsall@lancashire.gov.uk

Executive Summary

The work programme for the External Scrutiny Committee is presented at appendix 'A'.

Recommendation

The External Scrutiny Committee is asked to note and comment on the report.

Background and Advice

A statement of the work and potential topics to be undertaken and considered by the External Scrutiny Committee for the remainder of the 2018/19 municipal year is set out at appendix 'A'. The work programme is presented to each meeting for information.

The work programme is a work in progress document. The topics included were identified at the work planning workshop held on 8 May 2018.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

This report has no significant risk implications.

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

Paper	Date	Contact/Tel
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N/A		
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Reason for inclusion in Part II, if appropriate		
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N/A		
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External Scrutiny Committee Work Programme 2018/19

The External Scrutiny Committee Work Programme details the planned activity to be undertaken over the forthcoming municipal year through scheduled or extraordinary Committee meetings, task group, events and through use of the 'rapporteur' model.

The items on the work programme are determined by the Committee following the work programming session at the start of the municipal year in line with the Overview and Scrutiny Committees terms of reference detailed in the County Council's Constitution. This includes provision for the rights of County Councillors to ask for any matter to be considered by the Committee or to call-in decisions.

Coordination of the work programme activity is undertaken by the Chair and Deputy Chair of all of the Scrutiny Committees to avoid potential duplication.

In addition to the terms of reference outlined in the [Constitution](#) (Part 2 Article 5) for all Overview and Scrutiny Committees, the External Scrutiny Committee will:

1. Review and scrutinise issues, services or activities carried out by external organisations including public bodies, the voluntary and private sectors, partnerships and traded services which affect Lancashire or its inhabitants, and to make recommendations to the Full Council, Cabinet, Cabinet Members, Cabinet Committees or external organisations as appropriate.
2. Review and scrutinise the operation of the Crime and Disorder Reduction Partnership in Lancashire in accordance with the Police and Justice Act 2006 and make reports and recommendations to the responsible bodies as appropriate
3. In connection with 2. above, to require an officer or employee of any of the responsible bodies to attend before the Committee to answer questions
4. Co-opt additional members in accordance with the Police and Justice Act 2006 if required, and to determine whether those co-opted members should be voting or non-voting
5. Review and scrutinise the exercise by risk management authorities of flood risk management functions or coastal erosion risk management functions which may affect the local authority's area

The Work Programme will be submitted to and agreed by the Scrutiny Committees at each meeting and will be published with each agenda.

The dates are indicative of when the External Scrutiny Committee will review the item, however they may need to be rescheduled and new items added as required.

Topic	Scrutiny Purpose (objectives, evidence, initial outcomes)	Initial Scrutiny Method	Lead Officers/organisations	Proposed Date(s)	Recommendations	Progress
Flood Risk Management	Partnership working	Committee	United Utilities	June		
Community Safety Partnerships	Lancashire Community Safety Agreement - Either; 1. Prevent ; 2. Serious Harm Reduction Strategy; 3. Pan-Lancashire Domestic Abuse Strategy; or 4. Towards Zero Lancashire: Road Safety Strategy for Lancashire.	Committee	LCC	October		
Community Safety Partnerships	Strategic Assessment – overview report	Committee	Debbie Thompson and Clare Platt, LCC	January 2019		
Transport for the North (TfN)	Strategic Transport Plan	Committee	TfN and Network Rail?	January 2019		
Lancashire Enterprise Partnership (LEP)	tbc	Committee	Martin Kelly	Spring 2019		

Appendix 'A'

Topic	Scrutiny Purpose (objectives, evidence, initial outcomes)	Initial Scrutiny Method	Lead Officers/organisations	Proposed Date(s)	Recommendations	Progress
Energy	Renewable and alternative energies – a vision for Lancashire. How are they coming together? How the Council might engage and support with different projects and companies, and how the council might focus and coordinate its own activities to best engage, lead and support them.	Scrutiny Inquiry Day/Committee	British Gas, Electricity North West, Lancashire Energy HQ, Natural Energy Wyre, Halite Energy, Ecotricity	Winter/spring 2019		
Advanced Manufacturing	Impact of Brexit	Rapporteur (CC C Crompton)	North West Aerospace Alliance, BAE, UCLAN Engineering Innovation Centre (EIC)	-		
Homes England	Unlocking brownfield sites across Lancashire	Rapporteur (CC A Ali)	Homes England	-		
Governance of Police and Fire and Rescue Services in Lancashire	Formulate recommendations on the local business plan and respond to public consultation	Committee	Police and Crime Commissioner, Chief Constable, Chief Fire Officer, Fire Brigades Union, Chair of Lancashire Fire Authority	July/Sept (extraordinary meeting tbc)	N/A	Complete – no longer proceeding with changes to fire governance at this time

Additional suggestions:

- Flood Risk Management - partnership working and the Environment Agency (2019)
- Scrutiny Inquiry Day on Natural Flood Risk Management
- Non-crime

Bite size briefings:

- Universal Credit