

Lancashire County Council

Scrutiny Committee

Minutes of the Meeting held on Friday, 17th April, 2015 at 10.30 am in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Present:

County Councillor Bill Winlow (Chair)

County Councillors

C Crompton	J Shedwick
Dawson	V Taylor
C Henig	C Wakeford
R Newman- Thompson	D Watts
Mrs L Oades	G Wilkins
A Schofield	

County Councillor Clare Pritchard was replaced by County Councillor Bernard Dawson, County Councillor Alyson Barnes was replaced by County Councillor Chris Henig, County Councillor Miles Parkinson was replaced by County Councillor Cynthia Dereli and County Councillor David O'Toole was replaced by County Councillor Alan Schofield for this meeting.

1. Apologies

None were received.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None were disclosed.

3. Minutes of the Meeting held on 13 March 2015

Resolved: That the minutes of the meeting held on 13 March be confirmed and signed by the Chair.

4. Environment Agency: Bathing Water Quality and Alt-Crossens Land Drainage

The Committee considered a report setting out responses from United Utilities and the Environment Agency in relation to bathing water quality on the Fylde coast and the proposals for the Alt-Crossens secondary pumping stations. These responses followed the Agency's attendance at the Committee meeting on 13 February 2015 to discuss these matters, together with a letter from the Chair of the Committee to the Agency setting out the Committee's concerns.

Members stated their wishes for United Utilities to commit further than specified in their response to the Committee by extending the real time spill warning system to all eight of the bathing waters on the Fylde Coast for the 2015 season, rather than the five specified in their response. Members noted that the Fairhaven treatment works could not cope in periods of heavy rain and therefore effluent had been contaminating the beaches in the area. It was suggested that the Committee should write to United Utilities and the Environment Agency expressing its concerns and requesting assurances that all eight of the bathing waters would be included in the implementation for the 2015 season.

The Committee also expressed concerns around the response from the Environment Agency to their recommendations for addressing the issues in the Alt-Crossens catchment area and, in particular, the proposals to switch off the secondary pumps.

Ian Welsby, Head of Flood Risk Management, attended and reported that an email had been received from the Lancashire Association of Local Councils (LALC), which articulated their anxieties regarding a lack of progress with the Alt-Crossens Flood Catchment issue. The LALC, within their email, explained that a proposed independent group would look at the establishment of a local water level management board which had been convened known as the Alt-Crossens Intermediate Drainage Group. The group had resolved that representatives and officers from West Lancashire Borough Council, Lancashire County Council, Sefton Borough Council, the NFU, the Environment Agency, utilities companies, and agricultural sector would be invited to attend meetings in order to exchange information and explore ways that the matter could be progressed.

Members enquired what level of influence the newly formed Alt-Crossens Intermediate Drainage Group had. Members were informed that it would be the Advisory Group and the Regional Flood and Coastal Committee (RFCC) which would deliver any recommendations, stating that the focus of the Drainage Group was upon information gathering.

Members who were aware of the Alt-Crossens Intermediate Drainage Group suggested that involvement from the County Council would provide a platform for potentially assisting the group's influence and the Committee was supportive of the County Council exploring options for involvement in the Group.

The Committee voiced concerns around the narrow remit of the Environment Agency, as defined by DEFRA, making particular reference to the Agency's priorities centred upon the protection of human life and residential areas. Members highlighted that the remit did not include human livelihood, and noted that the area was a rich source of food and of local, regional and national importance in terms of agriculture, in addition to being key to the local area in terms of employment and the local economy. It was felt that DEFRA should be asked to consider revising the remit of the Environment Agency and its priorities.

Members similarly suggested writing to United Utilities regarding their remit. It was expressed that their remit should reflect the importance of maintaining the pumping system as an integral part of the water management serving the Alt-Crossens

catchment area. Concerns were expressed regarding the role of United Utilities in relation to the management of surface water, as United Utilities collected a charge from residents to have surface water removed, but no longer admitted to any responsibility for this service.

The Committee suggested a proposal for a Notice of Motion to Full Council to be drafted requesting that the Chief Executive writes to DEFRA regarding the proposals to switch off the secondary pumps at Alt-Crossens, the narrow remit of the Environment Agency and the role of United Utilities in relation to the management of surface water.

Resolved: That;

- i. The Committee writes to United Utilities requesting a firm commitment towards the implementation of the real time spill warning system across all eight bathing waters on the Fylde Coast for the 2015 bathing season, in order to alleviate issues with bathing water quality and effluent contaminating its coastlines.
- ii. The County Council gives further consideration to being represented on the recently established Alt-Crossens Intermediate Drainage Group.
- iii. A Notice of Motion for Full Council be drafted requesting that the Chief Executive writes to DEFRA;
 - a. Outlining the County Council opposition to the proposals to switch off the secondary pumping stations at Alt-Crossens and to request that DEFRA revises the remit of the Environment Agency in respect of flood risk management priorities to include the protection of agricultural land where it contributes significantly to the economy of the area.
 - b. To express to DEFRA the Committee's concerns regarding the role of United Utilities in relation to the management of surface water.
- iv. In the meantime, the Committee writes to DEFRA outlining its concerns as set out at (iii) above.

5. Lancashire Enterprise Partnership - Assurance Framework Responses

Martin Kelly, Director of Economic Development, attended and responded to the comments of the Committee in relation to the Lancashire Enterprise Partnership's Assurance Framework which, it was specified, would be reviewed and refreshed on an annual basis.

Members were informed that some of their recommendations were met with full agreement from the LEP board. For example, whilst the detailed arrangements

were still subject to agreement, the proposal for all 15 local authorities to scrutinise the LEP collaboratively was welcomed. It was expressed that efforts had been made within the revised framework to demonstrate to Members that their recommendations had been subject to consideration.

Regarding the membership of the LEP Board, Members stated that the credentials of the people situated on the LEP Board could be explained further within the document. Members were informed that Government had provided a permissive framework under which to operate, and had specified that LEPs should be directed by skilled members of the business community who would make up the majority of LEP Board members. Members were reassured that appointments were made via assessment of needs and the corresponding skillsets required to undertake any particular role to drive the LEP's plans forward.

Members enquired whether information relating to the LEP Board's meetings were available to the public, either in an observer capacity at meetings or, for example, publishing reports on their website. Members were informed that reports without elements of confidentiality were uploaded to the internet. It was explained that their meetings were not held in public but requests by individuals with a genuine reason to attend in an observer capacity were often granted.

Members noted that the relationship between the LEP and the accountable body, the County Council, was complex. The Committee made reference to section 4.9 of the Assurance Framework and requested for this to be reworded as the word "comply" was deemed to be too dictatorial towards the accountable body. The Committee was reassured that this would be raised with the LEP.

Members reiterated their recommendation that the need for independent scrutiny over the allocation of funds decided by the LEP's Skills Board remained an issue. Reference was made to the membership of the Skills Board consisting of professionals from further education establishments, and that this could lead to a perception that decisions were being made to benefit specific institutions, rather than the wider sector, though members were advised that the majority of Board members are drawn from the FE college community. Reference was also made to the Memorandum of Understanding with the Skills Funding Agency (SFA) and the Skills Board's adherence to their Conflict of Interest Protocol, stating that this could only be judged by the SFA themselves. Members were informed that their concerns were understood, however, they were reassured that the members of the Skills Board were committed to driving forward the skills agenda across Lancashire and that the members represented their sector and not their establishments. Key investment decisions, the Committee was informed, are signed-off by the LEP Board, with strict adherence to Government set criteria, with their business cases also assessed by the LEP and Government officials and agencies.

It was suggested that the wording of Section 4.9 of the document, relating to conflict resolution, be raised with the LEP Company Secretary as it was felt that some of the wording used could be revised.

The Committee asked that quarterly update reports on the LEP be submitted and suggested that representatives of the LEP Board could be invited to future meetings. Also, Members requested a series of Bite Size Briefings which would help all Members to understand developments with the LEP's work and provide the opportunity for information to be disseminated.

The Chair thanked Martin Kelly for attending and expressed the Committee's appreciation for the engagement now being offered.

Resolved: That;

- i. The Committee note the LEP's response to its recommendations.
- ii. Consideration be given to further representation from non-education sector representatives on the LEP Skills Board.
- iii. Quarterly update reports be submitted to the Committee, and that representatives of the LEP Board be invited to attend Committee meetings, as appropriate.
- iv. Martin Kelly discuss the wording relating to conflict resolution in section 4.9 of the Assurance Framework with the Director of Governance, Finance and Public Services.

6. Work Plan and Task Group Update

An update was provided on the Committee's work plan and current task groups.

It was noted that the work plan had been revised to accommodate new items, such as Road Safety which came out of Budget Scrutiny Working Group, and the rescheduling of the report on Transforming Social Care from Newtons.

Resolved: That the current work plan and task group update be noted.

7. Urgent Business

No urgent business

8. Date of Next Meeting

It was noted that the next meeting of the Scrutiny Committee would be held on Friday, 15 May 2015 at 10:30am and would be a visit to the Multi-Agency Safeguarding Hub (MASH), Accrington.

Details of the visit were provided to the Committee, and a draft programme was circulated.

It was noted that a minibus was to be provided on the day, which would leave Bow Lane, Preston, at approximately 09.30 and would travel directly to MASH, Accrington. This would include a return journey for any Members who wished to use the service.

I Young
Director of Governance, Finance
and Public Services

County Hall
Preston