

Lancashire County Council

Cabinet

Minutes of the Meeting held on Thursday, 4th November, 2021 at 2.00 pm in Committee Room 'C' - The Duke of Lancaster Room, County Hall, Preston

Present:

County Councillor Phillippa Williamson Leader of the Council
(in the Chair)

Cabinet Members

County Councillor Alan Vincent
County Councillor Peter Buckley
County Councillor Charles Edwards
County Councillor Graham Gooch
County Councillor Michael Green
County Councillor Jayne Rear
County Councillor Aidy Riggott
County Councillor Cosima Towneley
County Councillor Shaun Turner

County Councillors Azhar Ali OBE and Lorraine Beavers were also in attendance under the provisions of Standing Order No. C14(2).

1. Apologies for Absence

No apologies were received.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None

3. Minutes of the Meeting held on 7 October 2021

Resolved: That the minutes of the meeting held on 7 October 2021 be confirmed as a correct record and signed by the Chair.

4. Questions for Cabinet

A total of two questions by county councillors were asked at the meeting. The questions and responses are attached to the minutes.

5. Local Member Grants

Cabinet considered a report proposing to re-introduce the Local Member Grant Scheme from 1 January 2022.

Resolved: That;

- i. Full Council be asked to approve that:
 - a. The Local Member Grant Scheme be re-introduced from 1 January 2022.
 - b. Each member be allocated a full year budget of £2,000 for grant within their division, with a pro rata amount of £500 for the period January to March 2022.
 - c. Appropriate officer support be put in place to ensure the effective administration of the Local Member Grants.
- ii. Subject to Full Council approval above, that:
 - a. In accordance with section 236 of the Local Government and Public Involvement in Health Act 2007, all county councillors be authorised to take formal decisions on behalf of the county council, in relation to the awarding of Local Member Grants within their own divisions with effect from 1 January 2022.
 - b. The rules and conditions of the grant scheme, as set out in the report, be noted.

6. Money Matters 2021/22 Position - Quarter 2

Cabinet considered a report that provided an update on the county council's 2021/22 revenue and capital financial position, as at the end of September 2021 and an updated medium-term financial strategy covering the period 2022/23 to 2024/25.

It was noted that the current medium-term financial strategy indicated an aggregated funding gap of £58.583m by 2024/25, a £5.395m decrease from the previously reported position at Quarter 1 of this financial year. The forecast funding gap for 2022/23 was now £30.470m which was an improved position of £4.356m from Period 1 resulting from further analysis on demand resulting in a reduction in the level of funding built into the previous medium-term financial strategy position.

Resolved: That;

- i. The current forecast underspend of £16.441m on the revenue budget in 2021/22, be noted;
- ii. The revised funding gap of £58.563m covering the period 2022/23 to 2024/25 as set out in the revised financial outlook forecast for the council, be noted;
- iii. The budget adjustments for 2021/22, and following years' changes, included in the revised medium-term financial strategy, be approved;
- iv. The contents of the county council's reserves position, be noted; and
- v. The revised 2021/22 capital delivery programme of £164.751m and the forecast outturn of £165.407m, be noted.

7. Household Support Fund (06 October 2021 to 31 March 2022)

Cabinet considered a report setting out the criteria and purpose of the Household Support Fund and it was noted that the fund was to provide support to upper tier local authorities in England, for expenditure lawfully incurred or to be incurred by them in accordance with the conditions of the Fund to provide support to households in the most need with food, energy and water bills.

Resolved: That;

- i. The principles of the funding options for the allocation of the Household Support Fund according to the criteria and process set out in the report, be approved;
- ii. The Director of Strategy and Performance be authorised, in consultation with the Leader of the County Council, to approve the final detail of the scheme, including any other alternative options for the allocation of the grant in line with the principles set out and emerging government guidance; and
- iii. The decision be implemented immediately for the purposes of Standing Order C29 as any delay could adversely affect the execution of the county council's responsibilities.

8. Procurement Report

Cabinet considered a report seeking approval to commence the following procurement exercises in accordance with the county council's procurement rules:

- i. Framework Agreement for the provision of cleaning materials; and
- ii. Acceptance and recycling of mixed inert waste from waste facilities located in Lancashire.

Resolved: That, the commencement of procurement exercises for the following be approved:

- i. Framework Agreement for the provision of cleaning materials; and
- ii. Acceptance and recycling of mixed inert waste from waste facilities located in Lancashire.

9. A601(M) Improvements - Revocation of Special Road Status

Cabinet considered a report that proposed the revocation of the special road status of the remaining 1.3 mile (2.1km) northern section of the A601(M) to allow a £9.245m refurbishment of the road to proceed.

Resolved: That, approval be given for the revocation of the special road designation of the remaining section of the A601(M) to the north of the Junction 35 roundabout and the Director of Corporate Services be authorised to carry out the necessary procedural steps and promote same for confirmation by the Secretary of State for Transport.

10. Parking Restrictions on D'urton Lane, Broughton

Cabinet considered a report proposing to introduce a Traffic Regulation Order to prohibit parking in the vicinity of the turning head at the truncated end of D'urton Lane, Broughton, as part of the planning conditions for James Towers Way (Broughton Bypass).

Resolved: That, the proposal for the introduction of a prohibition of waiting restriction at the truncated end of D'urton Lane, Broughton, as set out in the plan attached at Appendix 'A' of the report, be approved.

11. Extension of the Temporary Uplift to the Leaving Care Allowance

Cabinet considered a report on extending the Temporary Uplift to the Leaving Care Allowance. It was reported that between April 2020 and October 2021, Lancashire County Council provided a temporary uplift to the Leaving Care Allowance of £20.00 per week, in line with the temporary increase of Universal Credit, to reduce the impact of the pandemic on eligible and relevant care leavers. Although the temporary increase of Universal Credit had now ceased, ending the temporary uplift of the Leaving Care Allowance at the current time would leave the care leavers vulnerable.

Resolved: That;

- i. The continued temporary uplift of Leaving Care Allowance of £20.00 per week, for eligible and relevant care leavers living in (semi-) independent accommodation until 31 January 2022, and for former relevant care leavers for a period of 5 weeks, to cover the waiting period after having made their first ever Universal Credit claim before 31 January 2022, be approved; and
- ii. The decision be implemented immediately for the purpose of Standing Order C28(3) as any delay could adversely affect the execution of the county council's responsibilities.

12. Developing Provision for Children and Young People with Special Educational Needs and Disabilities - Proposal for the Expansion of Thornton Cleveleys Red Marsh School

Cabinet considered a report that provided the outcomes of the feasibility studies and consultation that had been completed in relation to a proposal to expand Thornton Cleveleys Red Marsh School.

Resolved: That;

- i. After considering the results of the formal consultation, following the publication of the statutory proposal and, subject to the detailed analysis of the consultation responses and the Equality Impact Assessment which was shared with Cabinet ahead of the meeting, approval be given to the creation of a separate 'satellite' provision to expand Thornton Cleveleys Red Marsh School, to increase the number of special school places from 94 to 124; and
- ii. The funding as set out at Appendix 'C' of the report, be approved.

13. The Future of Maintained Nursery Provision at Edisford Primary School, Clitheroe

Cabinet considered a report requesting the authority to start the formal statutory process, to consult on the proposal to cease the maintained nursery provision, by permanently reducing the age range at the school from 3 year olds – 11 year olds (Nursery 2 to Year 6) to 4 year olds – 11 year olds (Reception to Year 6), with effect from 1 April 2022.

Resolved: That, the publication of a Statutory Notice, to begin the consultation period on the future of the maintained nursery provision currently delivered at Edisford Primary School, Clitheroe, be approved.

14. Joint Lancashire Local Flood Risk Management Strategy 2021 – 2027

Cabinet considered a report seeking approval for the final draft of the joint Lancashire Local Flood Risk Management Strategy 2021 – 2027 as set out at Appendix 'A' of the report.

In presenting the report, it was noted that the joint Lancashire Local Flood Risk Management Strategy 2021 – 2027 had been compiled jointly between Lancashire County Council, Blackpool Council and Blackburn-with-Darwen Council.

Resolved: That, the joint Lancashire Local Flood Risk Management Strategy 2021 – 2027 to fulfil the county council's duty under Section 9 of the Flood and Water Management Act 2010, be approved.

15. Urgent Decisions taken by the Leader of the County Council and the relevant Cabinet Member(s)

Resolved: That the three urgent decisions taken by the Leader of the County Council and the relevant Cabinet Members, since the last meeting of Cabinet, be noted.

16. Urgent Business

There were no items of Urgent Business to be considered in Part I of the agenda.

17. Date of Next Meeting

It was noted that the next meeting of Cabinet would be held at 2pm on Thursday 2 December 2021 at County Hall, Preston.

18. Notice of Intention to Conduct Business in Private

Cabinet noted the Notice of Intention to Conduct Business in Private and that no representations had been received.

19. Exclusion of Press and Public

Resolved: That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item of business

on the grounds that there would be a likely disclosure of exempt information as defined in the appropriate paragraph of Part I of Schedule 12A to the Local Government Act 1972 as indicated against the heading to the item.

20. Land Disposal

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 interest in disclosing the information.

Cabinet considered a report on a land disposal.

Resolved: That, the recommendations as set out in the report, be approved.

21. Request for Waiver of Procurement Rules - Independent Advisor Pension Fund

Exempt information as defined in Paragraphs 1, 2 and 3 of Part I of Schedule 12A to the Local Government Act 1972. The report contains information relating to any individual; information which is likely to reveal the identity of an individual; and 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 interest in disclosing the information.

Cabinet considered a report on extending the contract of an Independent Advisor to the Pension Fund.

Resolved: That, the recommendations as set out in the report, be approved.

22. Ormskirk Eastern Gateway

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 interest in disclosing the information.

Cabinet considered a report on the Ormskirk Eastern Gateway.

Resolved: That, the recommendations as set out in the report, be approved.

23. Appendix D of Item 12 - Developing Provision for Children and Young People with Special Educational Needs and Disabilities - Proposal for the Expansion of Thornton Cleveleys Red Marsh School

Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The appendix 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 interest in disclosing the information.

Resolved: That, Appendix D of Item 12 - Developing Provision for Children and Young People with Special Educational Needs and Disabilities - Proposal for the Expansion of Thornton Cleveleys Red Marsh School, be noted.

24. Appendix B of Item 13 - The Future of Maintained Nursery Provision at Edisford Primary School, Clitheroe

Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The appendix 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 interest in disclosing the information.

Resolved: That, Appendix B of Item 13 - The Future of Maintained Nursery Provision at Edisford Primary School, Clitheroe, be noted.

25. Home Care Fees

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 interest in disclosing the information.

Cabinet considered a report on reviewing the fees paid to the Homecare Framework providers.

Resolved: That, the recommendations as set out in the report, be approved and the decision be implemented immediately for the purpose of Standing Order C28(3) as any delay could adversely affect the execution of the county council's responsibilities.

26. Urgent Business

The Chair had approved that an item of urgent business be included for consideration at the meeting, in relation to the Works Contract for Barnoldswick Church of England Primary School - Defective Roof Replacement.

26(a) Works Contract for Barnoldswick Church of England Primary School - Defective Roof Replacement

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 interest in disclosing the information.

Cabinet considered a report on a Works Contract for Barnoldswick Church of England Primary School

In presenting the report it was noted that the reason for urgency was due to the roofing problems and the current remedial works programme were causing considerable disruption to the school, preventing the school from operating at full capacity, causing inconvenience for the pupils and affecting the school's ability to maintain a COVID safe environment due to access restrictions.

Resolved: That, the recommendations as set out in the report, be approved.

Angie Ridgwell
Chief Executive and
Director of Resources

County Hall
Preston

Question to Cabinet
Responses for the Cabinet Meeting on
4 November 2021

Questions asked at the meeting

1.	Questioner: County Councillor Mathew Salter	Respondent: County Councillor Shaun Turner
	<p>Item 14 – Joint Lancashire Local Flood Risk Management Strategy 2021 - 2027</p> <p>With regards to the item on the proposed Flood Risk Strategy, it's essential that where housing development takes place every effort should be made to ensure it does not increase the risk of flooding. As the Lead Local Flood Authority, what is Lancashire County Council doing to ensure this is the case?</p>	<p>The Lead Local Flood Authority is doing everything it can to ensure development doesn't increase the risk of flooding in line with its powers and duties. Whilst the Lead Local Flood Authority is not a statutory consultee in the Local Plan making process it proactively engages in the plan making process whenever the opportunity arises and encourages Local Planning Authorities to involve us in their plan development from an early stage. The Lead Local Flood Authority is a statutory consultee for major developments with surface water drainage, under the Town and Country Planning (Development Management Procedure) (England) Order 2015. This duty commenced on 6 April 2015. It comments on around 800 major planning applications per year, responding within a statutory 21 day timescale.</p> <p>The Lead Local Flood Authority's role is to review major planning applications to technically assess the surface water flood risk and sustainable drainage proposals and provide advice to the Local Planning Authority on whether the development proposal meets the relevant requirements for sustainable drainage systems. Lancashire is working hard to place itself at the forefront of national, regional and local matters relating to development and surface water management.</p>

2.	Questioner: County Councillor Mark Clifford	Respondent: County Councillor Alan Vincent
	<p>Item 7 - Household Support Fund (06 October 2021 to 31 March 2022)</p> <p>The report proposes to allocate £3m to be shared between the Districts. What consultation has taken place with district councils to arrive at this figure and how is the remaining £6.7 million to be used?</p>	<p>The nature of the funding and the timing of its announcement meant that we were not able to undertake extensive consultations with District Councils, however Cllr Vincent explained that the Chief Executive has discussed this with Chief Executives from the District councils and suggested jointly working with them to develop options. An officer meeting, including district representatives took place on the 18th October – at that meeting district colleagues were clear that they had local needs information and existing distribution networks that could be of real benefit and that they wanted to receive a proportion of the funding for distribution through existing channels. That request was incorporated into the recommendation that is contained in the cabinet report. Officers have written to all chief executives to explain the proposal. A further meeting on the 28th October outlined the current proposals.</p> <p>As referred to in the report we have already committed to support eligible families/children to fund £15 vouchers for eligible free school meal recipients for the October half term and the cabinet report also proposes similar support for the Christmas/New year holiday and February half term. That is a total of 4 weeks support with an anticipated cost of £590k per week – so £2.36m in total. Options for the distribution of the remaining funding are still being developed, and we continue to talk to district colleagues about options. Proposals will wherever possible go through normal decision-making processes to ensure as much transparency as possible.</p>