

Lancashire County Council

Cabinet

Minutes of the Meeting held on Thursday, 20th January, 2022 at 2.00 pm in Committee Room 'A' - The Tudor 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 Councillor Lorraine Beavers was also in attendance under the provisions of Standing Order No. C14(2).

1. **Apologies for Absence**

Apologies were received from County Councillor Azhar Ali OBE.

2. **Disclosure of Pecuniary and Non-Pecuniary Interests**

County Councillor Peter Buckley declared a Non-Pecuniary interest in Item 11 – Kirkham Town Centre Projects as his wife is the Leader of Fylde Borough Council.

3. **Minutes of the Meeting held on 2 December 2021**

Resolved: That the minutes of the meeting held on 2 December 2021 be confirmed as a correct record and signed by the Chair.

4. **Questions for Cabinet**

One question was asked by a county councillor at the meeting. The question and the response are attached to the minutes.

5. Procurement Report

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

- i. Supply of Water and Wastewater Retail Services;
- ii. Programme of Insurance Policies for the County Council;
- iii. Carers Assessment and Support Service;
- iv. Provision of Extra Care Services at Greenbrook House; and
- v. Lancashire Infant Feeding, Breastfeeding Peer Support Service.

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

- i. Supply of Water and Wastewater Retail Services;
- ii. Programme of Insurance Policies for the County Council;
- iii. Carers Assessment and Support Service;
- iv. Provision of Extra Care Services at Greenbrook House; and
- v. Lancashire Infant Feeding, Breastfeeding Peer Support Service.

6. Lancashire County Council (Alder Lane, Parbold Hill and Sparrow Hill, Parbold, Crow Orchard Road and Hall Lane, Wrightington, West Lancashire Borough) (Revocation, Red route Clearway and Prohibition of Waiting) Order 202*

Cabinet considered a report proposing to introduce a 'Red Route' Clearway along a section of the A5209 Parbold to Wrightington to combat the steep increase in highway parking that has occurred resulting in serious road safety concerns for both vehicles and their occupants, as well as other road users of this busy section of the A5209.

Resolved: That, the proposals for the Red Route Clearway along the section of the A5209 as set out in this report and the attached appendices, be approved.

7. Proposed Speed Cushions, Chain Lane & Staining Road, Staining

Cabinet considered a report proposing to construct a pair of speed cushions on Staining Road and two pairs of speed cushions on Chain Lane, Staining, as part of an evidence-based accident reduction scheme to reduce the speed of traffic through the existing 20mph zone.

It was noted that following the statutory advertisement of the speed cushions, the proposal had received four responses supporting the proposal, one of which requested additional speed cushions to be installed, and two responses from objectors to the proposal. The responses of which are outlined in the report.

Resolved: That, the installation of the speed cushions on Chain Lane and Staining Road, Staining as shown at Appendix 'A' of the report, be approved.

8. Station Road, Bamber Bridge - Bus Stop Clearways and On Street Parking Amendments

Cabinet considered a report proposing to address safety concerns and implement bus stop improvements on Station Road, Bamber Bridge between Collins Road and Greenwood Road.

Resolved: That, the proposed bus stops clearways and associated bus stop infrastructure as shown at Appendix 'A' of the report, be approved.

9. Schools Budget 2022/23

Cabinet considered a report seeking authorisation to submit the Schools Block budget pro-forma and requests approval for the Early Years, High Needs and Central Schools Services Block budgets for 2022/23, as required by the Government's school funding Regulations and Guidance.

In presenting the report, it was noted that Appendix 'B' of the report, which contained the feedback on the proposed budget proposals from the Lancashire Schools Forum following its meeting on 13 January 2022, was circulated to Cabinet following the agenda publication and would be attached to the minutes.

Resolved: That:

- i. The report, including the 2022/23 Dedicated Schools Grant allocations, the final budget proposals for each funding block and any comments made by the Lancashire Schools Forum, be noted;
- ii. The Acting Head of Service – Schools Finance be authorised to submit the final Schools Block budget pro-forma for 2022/23 to the Education and Skills Funding Agency by 21 January 2022, on the basis set out in this report;
- iii. The 2022/23 budgets for the Early Years, High Needs and Central Schools Services Blocks and local proposals for the High Needs Supplementary Grant allocation for 2022/23, be approved;
- iv. Agreed that the Dedicated Schools Grant Reserve underwrite the uncertainties around the 2022/23 Schools Budget; and
- v. The decision be implemented immediately for the purposes of Standing Order C28(3) as any delay could adversely affect the execution of the county council's responsibilities. The reason for this was to ensure that the necessary pro-forma could be submitted to the Education and Skills Funding Agency by the required deadline of 21 January 2022.

10. Department for Environment, Food and Rural Affairs Flood and Coastal Erosion Grant in Aid Capital Funding - Flood Risk Management Works and Studies

Cabinet considered a report seeking approval to add 10 externally funded projects into the county council's capital programme. These schemes would mainly be funded by the Department for the Environment, Food and Rural Affairs' Flood and Coastal Erosion Risk Management Grant in Aid capital funding programme, with one project being funded by

the North West Regional Flood and Coastal Committee's Local Levy. It was also noted that additional funding would be contributed from the county council's existing staff revenue budgets where appropriate.

Resolved: That, the addition of 10 externally funded flood risk management projects identified in the report, and as set out at Appendix 'B' of the report, with a combined value of £1,755,500.00 into the 2022/23 drainage capital programme, subject to final project approvals to be notified by the Department for the Environment, Food and Rural Affairs early in 2022, be approved.

11. Kirkham Town Centre Projects

Cabinet considered a report that provided information on a range of strategic regeneration activities in Kirkham Town Centre and opportunities that the county council has to add value to the proposed investment and provide significant economic benefit alongside importantly assisting the town's post COVID-19 economic recovery.

In presenting the report, it was noted that Appendix 'A' of this report was in Part II and appeared at item number 22 on the agenda.

Resolved: That;

- i. The Executive Director of Growth, Environment, Transport and Community Services, Director of Finance and Director of Corporate Services, in consultation with the Leader of the County Council and the Cabinet Member for Economic Development and Growth, be authorised to receive and approve, where appropriate, the funding business case and approve the grant funding agreement;
- ii. Approval be given in-principle, to investment of up to £3.2m capital to support the Kirkham Future High Streets Fund capital shortfall, subject to receipt of an appropriate funding business case and agreement of Fylde Borough Council to enter into a funding agreement;
- iii. It be noted that any county council grant funding will be subject to extensive due diligence, and which will be supported by a grant funding agreement prepared by legal, finance and economic development officers; and
- iv. It be noted that regular updates will be provided as required to the Cabinet Member for Economic Development and Growth.

12. Domestic Abuse - Proposed Approach to Address Statutory Responsibilities and Protection / Prevention

Cabinet considered a report seeking to advise Cabinet of the statutory responsibilities for Lancashire County Council under the Domestic Abuse Act 2021, and in particular the requirement to provide safe accommodation support services. It also proposed a wider public health approach to domestic abuse in terms of protection and prevention.

Resolved: That;

- i. The statutory responsibilities of Lancashire County Council under the Domestic Abuse Act 2021, and in particular the requirement to provide safe accommodation support services be noted;

- ii. The ongoing revenue budget as detailed in the report, so that both the statutory requirements and the wider prevention approach are funded to provide a holistic approach to domestic abuse be agreed; and
- iii. The general approach to the type of services being commissioned to address domestic abuse and support to victim-survivors, as detailed at Appendix A of the report, be agreed.

13. 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.

14. Urgent Business

There were no items of Urgent Business.

15. Date of Next Meeting

It was noted that the next meeting of Cabinet would be held at 2pm on Thursday 3 February 2022 at County Hall, Preston.

16. 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.

17. 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.

18. Request for Waiver of Procurement Rules - Independent Investment 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 requesting a Waiver of Procurement Rules in relation to the Independent Investment Advisor of the Lancashire County Pension Fund.

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

19. Procurement Schedule Update

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 of the procurement activities for adult social care, particularly noting the legal advice set out in the report and the advice of Louise Taylor, Executive Director of Adult Services and Health & Wellbeing, in relation to the context and issues faced.

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

20. Where Our Children Live - Property Programme of Works

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 setting out the proposals for capital investment to deliver the property aspects of the Where Our Children Live programme.

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

21. Transforming Cities Fund Preston City Region Programme

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 Transforming Cities Fund programme.

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

22. Appendix A of Item 11 - Kirkham Town Centre Projects

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.

Resolved: That, Appendix A of Item 11 - Kirkham Town Centre Projects, be noted.

Angie Ridgwell
Chief Executive and
Director of Resources

County Hall
Preston

Question to Cabinet
Responses for the Cabinet Meeting on
20 January 2022

1.	Questioner: County Councillor Stewart Jones	Respondent: County Councillor Aidy Riggott
	<p>Item 11 – Kirkham Town Centre Projects</p> <p>I am delighted to see Kirkham Regeneration Project is mentioned in the Cabinet papers! Can you tell more about this fantastic support from the County Council to support this Excellent project in the Rural Fylde</p>	<p>Further to your question regarding the Kirkham Regeneration Project and interest in the proposed County Council support.</p> <p>Please note that the Cabinet Report is both a Part I and Part II item due to the nature of financial information contained that is required to inform Cabinet to enable it to make a decision on the recommendations.</p> <p>As you point out, the project offers the opportunity to support regeneration activity in Fylde.</p> <p>To focus upon the context and funding opportunity that the County Council has to support our Town Centres in post-Covid-19 economic recovery, 'Kirkham Futures' identifies a comprehensive programme of activity to deliver once in a generation improvement, and whilst Fylde Council was successful in securing Government funding, this was insufficient to enable satisfactory delivery of key interventions and activities, and which may have compromised the ability to realise local long-lasting benefit.</p> <p>The proposed County Council funding will therefore enable the authority to add value to funding that has already been secured by Fylde Council and ensure that such regeneration benefits are best realised.</p>

		<p>As noted in the report, any funding award will be subject to an appropriate business case and thereafter funding agreement. At this point, and once financial and commercial sensitivities no longer exist, further detailed project information will be able to be provided in accordance with the Cabinet recommendations.</p>
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Lancashire Schools Forum

CC Phillippa Williamson, Leader, Lancashire
County Council and CC Jayne Rear, Cabinet
Member for Education and Skills

Tel. 01772 795749
Email head@stfch.lancs.sch.uk
Date 13 January 2022

C. CC Michael Goulthorp, Lead Member for Education and Skills

Dear Phillippa and Jayne,

Schools Budget 2022/23

As you will be aware, at a meeting on 13 January 2022, the Schools Forum was presented with information about the latest proposals for setting the Schools Budget from April 2022.

Following consideration of the proposals, the Forum agreed a number of recommendations for your consideration in finalising the Schools Budget for 2022/23. Where applicable these recommendations follow the outcomes of consultations with schools and early years providers.

The Forum:

Supported the Schools Block proposals, as follows:

- The DfE's National Funding Formula (NFF) methodology should continue to be used as the Lancashire formula for 2022/23;
- The Minimum Funding Guarantee (MFG) be set at +2.0% for 2022/23, mirroring the National Funding Formula;
- The use of the circa £2.2m of the Growth Fund allocation to ensure that the National Funding Formula (NFF) methodology can be applied in full in 2022/23;
- The transfer of circa £1.7m (0.19%) of Schools Block funding to the High Needs Block for the revised payment arrangements needed for the contractual school PFI contribution in relation to the former Hameldon site, as it is being taken over by a Lancashire special school.

Supported the High Needs Block proposals, as follows:

- The increased HNB allocation being utilised to cover the forecast growth in High Needs expenditure from April 2022;
- The increase in HNB allocation to broadly match uplifts in the mainstream sector, including:
 - Increasing the Weighted Pupil Numbers (WPN) rate by 4% to £4,567;

Chair Shaun Jukes

C/O The Clerk to the Schools Forum, • Financial Management (Development and Schools)
PO Box 100, County Hall, Preston, PR1 0LD

- Special School and PRU School Specific factors uplifted by 2% to match Schools Block MFG;
- Rate for Excluded Pupils, Medical and Other pupils uplifted to match increased WPN:
 - in the secondary PRU formula, 1 WPN;
 - in the primary PRU formula, 2/3 of 1 WPN.

Supported the Early Years Block proposals, as follows:

- The use of £1m Schools Budget reserves being used in 2022/23, to mitigate transitional pressures in the Early Years Block budget to support the 3 and 4 year old base rate, as the Schools Block headroom transfer is not available;
- The £1m contribution would allow 4p per hour to be added to the base rate and be available for 2022/23 only to support the 3 and 4 years olds, meaning the rate would increase by 13p per hour from 2021/22, providing a £4.48 per hour 3 and 4 years olds rate from April 2022 (compared to £4.35 in 2021/22)
- The passporting of other DfE Early Years funding increases to providers:
 - + £0.21 per hour 2 year olds providing £5.37 per hour from April 2022
 - + £0.17 per hour for the maintained nursery schools supplementary funding providing £3.67 per hour from April 2022;
 - + £0.07 per hour for Early Years Pupil Premium providing £0.60 per hour from April 2022, equivalent to up to £342 per eligible child per year;
 - + £185 per eligible child the disability access fund (DAF) providing £800 per eligible child per year from April 2022;
- The continuation of Deprivation Supplements on the existing methodology for 2022/23;
- The continuation of the SEN Inclusion Fund at £500k for 2022/23.

Supported the Central School Services Block proposals, as follows:

- The transfer of £0.350m from Central School Services Block to the High Needs Block from 2022/23 to enable continued support for MASH and Emotional Health and Wellbeing Service;
- The proposals for the Central School Services Block in 2022/23, including uplifts for cost and demand led pressures.

Supported the Schools Supplementary Grant 2022/23 proposals, as follows:

- The proposed mechanisms for allocating the high needs funding supplementary grant in 2022/23:
 - Health and Social Care Levy (Increased NI contribution in 2022/23 for social care) - For special schools and AP only, to be calculated on 80% of total budget per school x 1.25% based on 2022/23 School Budget data, with an adjustment for exceptional place changes in year at special schools and increased exclusions at AP later in the year;
 - Wider costs pressures – Paid across all sectors and calculated on basis of WPNs in 2022/23 School Budget data, estimated at circa £600 per WPN

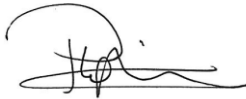
The Dedicated Schools Grant Reserve underwriting the uncertainties around the 2022/23 DSG Schools Budget, across Schools Block, High Needs Block, Early Years Block and CSSB.

The Forum also approved a number of budget lines and arrangements using our decision making powers. These are set out at Annex1.

I hope that you will be able to accommodate our recommendations and decisions when you set the Schools Budget for 2022/23.

With best wishes.

Yours sincerely

A handwritten signature in black ink, appearing to read 'SJ', with a large, sweeping flourish underneath.

Shaun Jukes
Chair, Lancashire Schools Forum

SPECIFIC APPROVALS NEEDED FROM THE SCHOOLS FORUM

The School and Early Years Finance (England) Regulations require certain proposals by the Local Authority relating to the Schools Budget to be approved by the Schools Forum. .

An indication of the specific proposals that have previously been considered and approved by the Forum is included together with proposals now put forward that require approval.

Function	LA proposals 2022/23	Proposed Expenditure: 2022/23 £m
Consultation on Formula Changes		
<ul style="list-style-type: none"> No local formula factor changes are proposed for 2022/23 in any funding block, beyond incorporating the DfE National Funding Formula (NFF) alterations into the local Schools Block formula 	The Forum have previously agreed to use the DfE's NFF as the Lancashire funding formula for the Schools Block budget, and NFF updates for 2022/23 introduced by the DfE are incorporated in the Schools Budget proposals for 2022/23, including revised sparsity and school business rates factors	
De-delegation for mainstream schools	LA proposals for: <ul style="list-style-type: none"> Schools in financial difficulty; Museum service (primary only); Staff Costs Public duties/Suspensions; Primary Inclusion Hubs Approved by the Schools Forum on 19 October 2021	3.468
Movement of up to 0.5% from the schools block to other blocks	Proposal to transfer £1.680m from the School Block to the High so that contractual school PFI contributions can be met from the relevant funding block in 2022/23, when	1.680

	the former Hameldon school premises will be used to permanently relocate a Lancashire special school	
Contracts (where the LA is entering a contract to be funded from the schools budget)	No Proposals at this time	
Financial issues relating to:		
<ul style="list-style-type: none"> arrangements for pupils with special educational needs, in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding 	Proposals contained in the High Needs Block Working Group recommendations report to the Forum and the Forum budget papers	111.392
<ul style="list-style-type: none"> arrangements for use of pupil referral units and the education of children otherwise than at school, in particular the places to be commissioned by the LA and schools and the arrangements for paying top-up funding 	Proposals contained in the High Needs Block Working Group recommendations report to the Forum and the Forum budget papers	11.601
<ul style="list-style-type: none"> arrangements for early years provision 	Proposals contained in the Early Years Block Working Group report to the Forum and the Forum budget papers	81.655
<ul style="list-style-type: none"> administration arrangements for the allocation of central government grants 	No Proposals at this time beyond passporting DfE allocations to schools	
Minimum funding guarantee (MFG)	Consultation responses on MFG reported to Forum on 19 October 2021 and recommended that the level of MFG to be used in the Lancashire funding formula for 2021/22 be set at +2.0%. This is incorporated into the Forum budget papers	
General Duties for maintained schools Contribution to responsibilities that local authorities hold for maintained schools	No Proposals at this time	

Central spend on and the criteria for allocating funding from:		
<ul style="list-style-type: none"> funding for significant pre-16 pupil growth, including new schools set up to meet basic need, whether maintained or academy 	<p>Policy previously agreed by the Schools Forum. Proposal to increase the growth fund unit values in line with increased NFF Minimum Pupil Funding levels each year</p> <p>Final budget proposals are contained in the Schools Budget 2022/23 report</p>	2.000
<ul style="list-style-type: none"> funding for good or outstanding schools with falling rolls where growth in pupil numbers is expected within three years 	No Proposals at this time	
Central spend on:		
<ul style="list-style-type: none"> early years block provision 	Final budget proposals are contained in the Schools Budget 2022/23 report	0.500
<ul style="list-style-type: none"> funding to enable all schools to meet the infant class size requirement 	No Proposals at this time	
<ul style="list-style-type: none"> back-pay for equal pay claims 	No Proposals at this time	
<ul style="list-style-type: none"> remission of boarding fees at maintained schools and academies 	No Proposals at this time	
<ul style="list-style-type: none"> places in independent schools for non-SEN pupils 	No Proposals at this time	
<ul style="list-style-type: none"> admissions 	Final budget proposals are contained in the Schools Budget 2022/23 report	1.400
<ul style="list-style-type: none"> servicing of schools forum 	Final budget proposals are contained in the Schools Budget 2022/23 report	0.188

<ul style="list-style-type: none"> • Contribution to responsibilities that local authorities hold for all schools 	No Proposals at this time	
<ul style="list-style-type: none"> • contribution to responsibilities that local authorities hold for maintained schools 	No Proposals at this time	
Central spend on:		
<ul style="list-style-type: none"> • capital expenditure funded from revenue: projects must have been planned and decided on prior to April 2013 so no new projects can be charged 	No Proposals at this time	
<ul style="list-style-type: none"> • contribution to combined budgets: this is where the schools forum agreed prior to April 2013 a contribution from the schools budget to services which would otherwise be funded from other sources 	For 2022/23, £0.350m from the historic commitments element has been transferred to the High Needs Block to ensure continuation of valued services to schools, as recommended by Forum on 6 July 2021	
<ul style="list-style-type: none"> • existing termination of employment costs (costs for specific individuals must have been approved prior to April 2013 so no new redundancy costs can be charged) 	No Proposals at this time	
<ul style="list-style-type: none"> • prudential borrowing costs – the commitment must have been approved prior to April 2013 	No Proposals at this time	
<ul style="list-style-type: none"> • SEN transport where the schools forum agreed prior to April 2013 a contribution from the schools budget (this is now treated as part of the high needs block but still requires schools forum approval as a historic commitment) 	No Proposals at this time	
Central spend on:		

<ul style="list-style-type: none"> • high needs block provision 	2022/23 funding level presented as part of the Schools Budget setting proposals	36.423
<ul style="list-style-type: none"> • central licences negotiated by the Secretary of State 	2022/23 funding level presented as part of the Schools Budget setting proposals	1.016
Funding of brought forward deficits	No Proposals at this time	