

Lancashire County Council

Cabinet

Minutes of the Meeting held on Thursday, 7th July, 2022 at 2.00 pm in Committee Room 'B' - The Diamond Jubilee 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 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**

Apologies were received from County Councillor Charles Edwards.

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

County Councillor Cosima Towneley declared a non-pecuniary interest in relation to Item 13 - Recommendation of the Edward Stocks Massey Bequest Fund Joint Advisory Committee, as a member of that joint advisory committee.

3. **Minutes of the Meeting held on 9 June 2022**

Resolved: That the minutes of the meeting held on 9 June 2022 be confirmed as a correct record and signed by the Chair.

4. **Questions for Cabinet**

There were no questions received.

5. Report of the Lead Members

Cabinet received the annual reports of the Lead Members. It was noted that the role of the Lead Members was to work with and support the Cabinet in the delivery of the Cabinet's vision for the county council and the council's corporate priorities.

In presenting the report, the Cabinet thanked all the Lead Members; County Councillors Mike Goulthorp, Alan Cullens BEM, Jeff Couperthwaite, Sue Whittam, and Rob Bailey for all their work and for the support they have provided Cabinet and continue to provide.

Resolved: That, the annual reports of Lead Members be noted.

6. Procurement Report

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

- i. Delivery of Skills Bootcamp
- ii. Provision of an Adult Numeracy Programme
- iii. Permanent Cold Lay Surfacing Material
- iv. Colne Primet Academy Expansion

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

- i. Delivery of Skills Bootcamp
- ii. Provision of an Adult Numeracy Programme
- iii. Permanent Cold Lay Surfacing Material
- iv. Colne Primet Academy Expansion

7. Works to Operational Premises - Condition Led Programme

Cabinet considered a report setting out the proposals for the allocation of capital funding to address a phase of high priority building condition repairs and statutory programmes of remedial works to the operational premises portfolio.

It was noted that Appendix 'A' of the report was in Part II and appeared at Item No. 20 on the Agenda, as it contained confidential financial information. However, a Part I version of the Appendix, without the financial information included, was circulated prior to the meeting. The Part I version of the Appendix is attached to the minutes.

Resolved: That, the proposed list of condition and statutory compliance schemes across operational premises, as detailed in Appendix 'A' of the report, be approved.

8. Lancashire County Council (Various Locations, Burnley, Chorley, Fylde, Hyndburn, Lancaster, Pendle, South Ribble and West Lancashire) (Revocation, 30mph, 40mph, 50mph, 60mph and Derestricted Speed Limits (21/22 No1)) Order 202*

Cabinet considered a report proposing to make a Speed Limit Order to reduce a number of speed restrictions on various roads within Burnley, Chorley, South Ribble and West Lancashire to improve the safety and operation of the public highway network.

The order further formalised the current signed Speed Limits on various roads within Chorley, Pendle, Preston, South Ribble and West Lancashire along with correcting anomalies within existing orders in the districts of Burnley, Fylde, Lancaster, and Pendle which had been highlighted by Lancashire Constabulary as requiring amendment to allow for effective enforcement.

In presenting the report, it was noted that Wyre was incorrectly listed in the brief summary of the report however, it was clarified that Wyre was not one of those districts affected.

Resolved: That, the Speed Limit proposals on the various lengths of road within Burnley, Chorley, Fylde, Hyndburn, Lancaster, Pendle, South Ribble and West Lancashire as detailed within this report and as set out in the Draft Order at Appendix 'A' of the report, be approved.

9. Allowances to Fostering and Adoption Panel Chairs and Members

Cabinet considered a report proposing an increase in the fees paid for Fostering and Adoption Panel membership. The proposals put forward were informed by analysis of the financial arrangements that exist in comparative local authorities and Independent Fostering Agencies.

The proposed changes would provide increased fees for independent members of the Fostering and Adoption Panel on the central list, that were comparable to the allowances and fees received by panel members and chairs for other local authorities and Independent Fostering Agencies.

The overriding aim of the proposal was to support the recruitment and retention of a suitably skilled, experienced, and diverse panel pool, that was able to provide high quality decision making that reflected the county council's commitment to children in care and those requiring adoptive families. The report also updated Cabinet on the interim arrangements for ensuring no financial detriment in the first year of young people 'Staying Put' with their foster carers.

Resolved: That;

- i. Approval be given to increase the payment for Fostering and Adoption Panel members and chairs as follows:
 - a. To increase the payments for chairs from £450 to £500 per meeting; and
 - b. To increase the payments for members from £90 to £120 per meeting.
- ii. Cabinet endorsed the approach set out in the report to "Staying Put" payments to ensure no financial detriment in the first year.

10. Expansion of Morecambe Road School, Lancaster

Cabinet considered a report that provided the outcome of the formal consultation that had been carried out in relation to a proposal to expand Morecambe Road School, Lancaster.

It was noted that Morecambe Road School was a co-educational special school for children and young people with moderate learning difficulties. Final approval was being sought to increase the pupil numbers by 34, to create a school population of 189, and to redesignate Morecambe Road School as a school that meets the needs of children and young people with generic learning difficulties.

Resolved: That, following consideration of the results of the formal consultation;

- i. Approval be given to increase the number of special school places at Morecambe Road School by 22 places to 177, to be created through the building of additional teaching space on the main school site;
- ii. Approval be given to the creation of an additional 12 special school places at Morecambe Road School, increasing the overall number of places to 189. These 12 places will be created through the development of satellite provision on the site of Lancaster and Morecambe College; and
- iii. Approval be given to change the designation of Morecambe Road School from one for pupils with moderate learning difficulties to one for pupils with generic learning difficulties.

11. Permanent Raising of the Age Range at Brunshaw Primary School, Burnley

Cabinet considered a report on the permanent raising of the age range at Brunshaw Primary School in Burnley.

It was noted that on 3 March 2022, Cabinet agreed to a statutory notice being published to begin a representation period on the future of the nursery provision currently delivered by Brunshaw Primary School, Burnley. A statutory proposal document was published in relation to the school discontinuing the nursery provision by permanently raising its age range from 3-11 years to 4-11 years, with effect from 31 August 2022 and the representation period took place from 10 March 2022 to 23 May 2022. Therefore, Cabinet was now being asked to take a decision about the proposal.

Resolved: That, the following be approved:

- i. The proposal as detailed in the statutory notice to discontinue the nursery provision at Brunshaw Primary School, Burnley by permanently raising its age range from 3-11 years to 4-11 years, with effect from 31 August 2022; and
- ii. An appropriate statutory decision letter be sent out, as specified under legal requirements, to give the reasons for the decision to the parties that have been consulted.

12. Review of Lancashire County Council's Educational/Off Site Visits Policy and Guidelines September 2022-September 2025

Cabinet considered a report that contained revisions to Lancashire County Council's Educational/Off Site Visits Policy and Guidelines September 2022 – September 2025.

Resolved: That, the revised Educational/Off Site Visits Policy and Guidelines September 2022 – September 2025, as set out at Appendix 'A' of the report, be approved.

13. Recommendation of the Edward Stocks Massey Bequest Fund Joint Advisory Committee

Cabinet considered a report outlining the recommendations of the Edward 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 17 June 2022, as set out at Appendix 'A' of the report, be approved; and
- ii. The interview panel of the Joint Advisory Committee be authorised to award the scholarships in relation to the Higher Education Student Scholarship Awards at its meeting on 16 December 2022.

14. Development of Lancashire and South Cumbria Health and Care Partnership

Cabinet considered a report on the development of Lancashire and South Cumbria Health and Care Partnership.

It was noted that from 1 July 2022, the Lancashire and South Cumbria Integrated Care System was required to establish an Integrated Care Partnership as a key component of the Health and Care Act 2022.

In presenting the report, it was proposed that County Councillor Michael Green be appointed to the Care Partnership, to represent the county council until the next county council elections.

Resolved: That;

- i. The development of Lancashire and South Cumbria Integrated Care Partnership, as set out in the report, be supported;
- ii. The Lancashire and South Cumbria Integrated Care Partnership be added to the county council's list of appointments to outside bodies; and
- iii. County Councillor Michael Green be appointed as the county council's representative on the Care Partnership until the next county council elections.

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

It was noted that no urgent decisions had been taken by the Leader of the County Council and the relevant Cabinet Members, since the last meeting of Cabinet.

16. Urgent Business

With the agreement of the Chair, there were two items of Urgent Business to be considered in relation to the Changes to Cabinet Portfolio Responsibilities and the Project Agreement Variation in relation to the Lancashire Schools Phase 3 project.

16(a) Changes to Cabinet Portfolio Responsibilities

Cabinet considered an urgent report proposing to amend certain responsibilities set out in the Cabinet Members portfolios, specifically the portfolio for the Cabinet Member for Children and Families.

It was noted that the reason for urgency was due to the current statutory Lead Member for Children's Services undertaking the roles of both Cabinet Member for Children and Families and, for the municipal year 2022/23, Mayor of the borough of Burnley , and therefore the changes to the responsibilities needed to be in place as soon as possible for the municipal year 2022/23 only.

Resolved: That, the changes to the portfolio responsibilities as set out in the report and in Appendix 'A' of the report, be approved and that the decision should be implemented immediately for the purposes of Standing Order C29 as any delay could adversely affect the execution of the county council's responsibilities. The reason for this is that the designated Lead Member for Children's Services has already commenced her year as Mayor of Burnley and so the reduction in responsibilities is required immediately.

16(b) Lancashire Schools Phase 3: Project Agreement Variation

Cabinet considered a report on the Lancashire Schools Phase 3 project. The project aimed to improve outcomes for children and young people with autism and reduce High Needs Block spend on out of county placements. The project was initiated over 12 months ago and had not been delivered due to complications arising from defects liabilities.

The lender had stated that it required the county council to issue a certificate under section 3 of the Local Government (Contracts) Act 1997 before it would approve the variation to the Building Schools for the Future (BSF) Project Agreement necessary to allow the works at Hameldon College, Burnley to proceed.

It was noted that the reason for urgency was the need to ensure that the proposed works, which had been subject to delays outside of the county council's control, could take place as soon as possible, specifically to ensure that progress could be made over the summer period to minimise disruption to the school.

Resolved: That;

- i. The Director of Corporate Services be authorised to approve any documents required to give effect to the variation to the Project Agreement in order to allow the relocation of Broadfield Special School to the Hameldon College premises;
- ii. The Chief Executive and Director of Resources be authorised to issue a certificate under the Local Government (Contracts) Act 1997 in respect of the variation to the Project Agreement to be entered into between the county council and the PFI Contractor regarding works to be undertaken at the Hameldon College premises; and
- iii. That Lancashire County Council give an indemnity to the Chief Executive and Director of Resources as follows:

“Lancashire County Council shall indemnify the Chief Executive and Director of Resources against any claims made against them (including costs incurred by and awarded against them) and will not itself make claims against them for any loss or damage occasioned by neglect and error or omission committed by the Chief Executive and Director of Resources in the course of or in connection with the signing of the certificate(s) referred to above.”

- iv. 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. The reason for this is that the decision has been designated as business critical by the relevant Executive Director, and any delay in its implementation would have an adverse effect on the operations of the county council.

17. Date of Next Meeting

It was noted that the next meeting of Cabinet would be held at 2pm on Thursday 8 September 2022 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.

20. Appendix 'A' of Item 7 - Works to Operational Premises - Condition Led Programme

Exempt information as defined in paragraph 3 of Part 1 of Schedule 12A in the Local Government Act 1972. Appendix 'A' contains information relating to the financial or business affairs of any particular person (including the authority holding the information). It

is considered that in the circumstances of the case the public interest of maintaining the exemption outweighs the public interest in disclosing the information.

Resolved: That, Appendix 'A' of Item 7 - Works to Operational Premises - Condition Led Programme, be noted.

21. Public Health and Wellbeing Transformation- Future Procurement Approach

Exempt information as defined in paragraph 3 of Part 1 of Schedule 12A in the Local Government Act 1972. Appendix 'A' contains information relating to the financial or business affairs of any particular person (including the authority holding the information). It is considered that in the circumstances of the case the public interest of maintaining the exemption outweighs the public interest in disclosing the information.

Cabinet considered a report to consider the approach to future procurement of a number of public health and wellbeing contracts. In presenting the report, the Director of Corporate Services (Monitoring Officer) provided Cabinet with advice on the legal implications as outlined in the report.

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

Angie Ridgwell
Chief Executive and
Director of Resources

County Hall
Preston