

Lancashire County Council

Cabinet

**Minutes of the Meeting held on Thursday, 1st December, 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 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 Azhar Ali OBE was also in attendance under the provisions of Standing Order No. C14(2).

1. Apologies for Absence

Apologies were received from County Councillor Lorraine Beavers.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None.

3. Minutes of the Meeting held on 3 November 2022

Resolved: That the minutes of the meeting held on 3 November 2022 be confirmed as a correct record and signed by the Chair.

4. Questions for Cabinet

There were no questions received.

5. Corporate Performance Report - 2022/23 Quarter 2

Cabinet considered a report providing an overview of the key performance indicators as well as corporate risks and opportunities to enable monitoring against the four priorities of the corporate strategy:

- Delivering better services
- Protecting our environment
- Supporting economic growth
- Caring for the vulnerable

This report covered quarter 2 of 2022-23.

Resolved: That, following consideration of the report and the additional information set out in Appendices 'A' to 'C', the report be noted.

6. Lancashire 2050

Cabinet considered a report on the progress made since January 2022, when the county council, together with Lancashire's 14 District and Unitary Councils, considered and supported the proposal to develop a long-term Strategic Plan for Lancashire.

The report also set out the continuing commitment to ensure that there continues to be opportunities for all the partner authorities to contribute to and influence thematic plans, including identifying specific schemes and activities.

Cabinet also thanked the Leader of the Council and the officers for their work in developing the report.

Resolved: That

- i. The outline Lancashire 2050 strategic framework (Appendix 'A') be the strategic framework that would guide further development of shared detailed priorities and actions with partners and stakeholders across the whole of Lancashire; and
- ii. The Leader of the Council continues to work with Lancashire Leaders in line with the principles already agreed by Full Council in January 2022 including that the Leader will make representations to that forum on any matters arising from Cabinet's consideration of this report.

7. Money Matters Quarter 2 Report 2022/23

Cabinet considered a report that provided an update on the county council's 2022/23 revenue and capital financial position. It was noted that the effects of the COVID-19 pandemic were still evident in some services particularly relating to demand for Adults and Children's Social Care. There were also significant inflationary pressures resulting from a number of factors including the pandemic and the war in Ukraine.



Resolved: That

- i. The current forecast overspend of £7.989m on the revenue budget in 2022/23 be noted; and
- ii. The revised 2022/23 capital delivery programme of £222.069m and the forecast outturn of £172.135m primarily due to slippage of delivery to future years be noted.

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. Provision of Library stock and other Library materials
- ii. Framework Agreement for Haulage Fleet for Lancashire Renewables Limited
- iii. Road markings and associated services
- iv. Routine gully cleansing.

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

- i. Provision of Library stock and other Library materials
- ii. Framework Agreement for Haulage Fleet for Lancashire Renewables Limited
- iii. Road markings and associated services
- iv. Routine gully cleansing.

9. Submission of an Expression of Interest to the Youth Investment Fund

Cabinet considered a report proposing the submission of Expressions of Interest to the Youth Investment Fund for 2 sites in Lancashire to seek funding for renovation. It was noted that the sites currently deliver a wide Early Help offer to children, young people and families as well as services directly targeted at young people during the day and into the evening. The Youth Investment Fund provides grant funding to renovate existing facilities to improve the health and wellbeing of young people, equip them with skills for work and life and empower them to become active citizens in their communities.

It was also noted that Appendix 'A' of the report was in Part II and appeared at Item No. 26 on the agenda.

Resolved: That

- i. The submission of Expressions of Interest to the Youth Investment Fund before the end of the year to renovate the 2 sites detailed within the report for the amounts outlined within Appendix 'A' of the report, be approved;
- ii. Works to the boiler and electrical installation approved within the Condition Led Programme 2019/20 at Fleetwood Children and Family Wellbeing (Milton Street), be considered match funding within the Expression of Interest for that site, and



- iii. The Director of Finance and the Director of Corporate Services be authorised to accept receipt of any grant funds were the submission to be successful in the full application stage, to agree grant conditions and to authorise the entering into of a Grant Funding Agreement by the council.

10. A601(M) Maintenance Project

Cabinet considered a report on the A601(M) Maintenance Project. It was noted that funding for the A601(M) bridge and highway maintenance project was originally approved by Cabinet in July 2020 as the lowest cost option for maintenance of the A601(M) over a 30-year period and included revoking the motorway status, reducing the speed limit and the replacement of Higher North Road bridge with an at grade junction as a means of achieving this.

However, it had been found that the estimated cost of the new junction had increased significantly due to construction inflation adversely affecting the activities associated with that part of the project. It was therefore being proposed to retain and repair Higher North Road bridge, that was being the lowest cost option within budget, whilst seeking to deliver the other aspects of the original project.

It was noted that Appendix 'A' of the report was in Part II and appeared at Item No. 27 on the agenda.

Resolved: That approval be given for the alternative option of retaining and repairing Higher North Road bridge, and that the proposal to replace the bridge with a new junction, approved by Cabinet in July 2020, be rescinded and not implemented.

11. Lancashire County Council (Various Roads, Burnley, Chorley, Hyndburn, Pendle, Preston, Rossendale, West Lancashire and Wyre) (Revocations and Various Parking Restrictions 21-22 (No2)) Order 202*

Cabinet considered a report that proposed to introduce new restrictions in the districts of Burnley, Pendle, Preston, Rossendale, West Lancashire and Wyre whilst removing current restrictions that are no longer required and correcting inconsistencies with the current Order in the districts of Burnley, Chorley, Hyndburn, Pendle, Preston and West Lancashire.

Resolved: That the proposals for new and existing restrictions on the various lengths of road within the Burnley, Chorley, Hyndburn, Pendle, Preston, Rossendale, West Lancashire and Wyre districts as detailed within the report and as set out in the Draft Order and Appendix 'A' of the report, be approved.

12. Moving Traffic Enforcement Powers

Cabinet considered a report on the Moving Traffic Enforcement powers. It was noted that since the introduction of the Traffic Management Act 2004 legislation has been in place but not enacted to allow councils to undertake moving traffic enforcement. In 2022 the power was enacted, and councils could now apply to take on these powers. The report set out an overview of the powers, the process of the application and the potential start date, if the application was successful.



It was noted that Appendix 'B' of the report was circulated to the Cabinet following the agenda publication. A copy of Appendix 'B' is attached to the minutes.

Resolved: That the Regulation and Enforcement Manager be authorised, in consultation with the Cabinet Member for Highways and Transport, to submit a completed application, signed by the Chief Executive, for the provision of moving traffic powers in line with the requirements set out by Government and as set out in the report.

13. Speed Indicator Devices - Updated Policy and Procedure

Cabinet considered a report on the updated policy and procedure for Speed Indicator Devices. It was noted that Speed Indicator Devices were a popular tool to tackle speeding issues on the highway and the responsibility for considering requests for Speed Indicator Devices sat with the county council's Road Safety team. Over the years a clear process and procedure had been developed and was operating effectively and the report sought to establish this process and procedure as a formally adopted policy of the county council.

Resolved: That approval be given to adopt the Speed Indicator Device Policy and Procedure, as set out at Appendix 'A' of the report, as a method for considering and implementing Speed Indicator Devices across Lancashire.

14. Town2Turf Public Realm Transformation

Cabinet considered a report on the Town2Turf Public Realm Transformation. It was noted that Burnley Borough Council had been successful in securing "Levelling Up Fund" monies for significant improvement works to the route between Burnley Town Centre and the Turf Moor Football stadium and Burnley Borough Council confirmed that it was willing to enter into an S278 Agreement for the delivery and payment of the works with the county council.

Resolved: That

- i. Approval be given for the county council to enter into a S278 Agreement under which it will accept staged payments totalling £5,755,866 from Burnley Borough Council along with any other additional financial provisions for the project that may be agreed; and
- ii. Approval be given for any payments received in connection with the agreement to be added to the Externally Funded block of the 2022/23, 2023/24 and 2024/25 capital programme in advance of any application for payment from appointed contractors. It was estimated that the following expenditure would be incurred in each year as £1,553,595 (2022/23); £3,952,567 (2023/24); £249,704 (2024/25). The final wording of the S278 Agreement would be agreed under the present authorisations for S278 Agreements.



15. Statutory Social Care Annual Report on Complaints and Customer Feedback 2021-2022

Cabinet considered a report on the Statutory Social Care Annual Report on Complaints and Customer Feedback 2021-2022.

In presenting the report, officers were requested to explore options for undertaking regular surveys of Lancashire residents on council services.

Resolved: That

- i. The Statutory Social Care Complaints Annual Report on Complaints and Customer Feedback for children and young people and adult services for 2021/22, acknowledging the associated learning, so that the county council can meet its legal obligations, be noted; and
- ii. Officers explore options for undertaking regular surveys of Lancashire residents on council services.

16. Creation of Additional Special School Places at West Lancashire Community High School, Skelmersdale

Cabinet considered a report that proposed to create additional special school places at West Lancashire Community High School, through the development of satellite provision in the Children's Centre on the site of St John's Catholic Primary School, Skelmersdale.

Resolved: That

- i. Approval be given for the initiation of a feasibility study and informal consultation to increase the number of pupil places at West Lancashire Community High School, Skelmersdale through satellite provision on the site of St John's Catholic Primary School; and
- ii. The Executive Director of Education and Children's Services be authorised, in consultation with the Cabinet Member for Education and Skills, to proceed to formal consultation on the proposals.

17. Lancashire County Council Environment and Climate Strategy

Cabinet considered a report on the new Environment and Climate Strategy for Lancashire County Council to run from 2023 to 2025.

Resolved: That the Lancashire County Council Environment and Climate Strategy 2023-25, as set out at Appendix 'A' of the report, be approved.

18. Re-imagining the Harris - Harris Your Place

Cabinet considered a report requesting additional funding from the county council by Preston City Council as a contribution to the rising construction and refurbishment costs associated with the Re-imagining the Harris project.



Resolved: That

- i. The provision of additional funding of £375,000 be agreed in principle as Lancashire County Council's contribution to the funding gap which has been identified due to rising costs associated with the project;
- ii. The Director of Corporate Services be authorised, in conjunction with the Director of Education, Culture and Skills, for the negotiation and approval of such legal agreements as are appropriate to secure Lancashire County Council's interest in the funding; and
- iii. The Director of Finance be authorised to clarify and determine the source of the funding, in consultation with the Cabinet Member for Resources, HR and Property (Deputy Leader).

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

The Leader reported the details of an urgent decision which had been taken on 28 November, i.e. after the agenda publication, setting out changes to Cabinet, Lead Member and Champion appointments which would take effect on 2 December. In doing so, the Leader thanked County Councillor Charlie Edwards for his work as Cabinet Member for Highways and Transport during the last 18 months. In reply, County Councillor Edwards wished County Councillor Rupert Swarbrick well in the role of Cabinet Member for Highways and Transport and thanked officers, in particular Phil Green and Phil Durnell, for their support during his time as Cabinet Member.

20. Urgent Business

There were no items of Urgent Business.

21. Date of Next Meeting

It was noted that the next meeting of Cabinet would be held at 2pm on Thursday, 19 January 2023 at County Hall, Preston.

22. 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.

23. 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.



24. Disposal of the Former Skerton High School, Lancaster

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 disposal of the former Skerton High School, Lancaster.

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

25. Implementation Dates and Funding for the Migration to Oracle Cloud from the Current E-Business Suite Oracle Platform

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 implementation and funding for the migration to Oracle Cloud from the current e-business suite Oracle platform.

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

26. Appendix 'A' of Item 9 - Submission of an Expression of Interest to the Youth Investment Fund

Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. Appendix 'A' 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 9 - Submission of an Expression of Interest to the Youth Investment Fund, be noted.

27. Appendix 'A' of Item 10 - A601(M) Maintenance Project

Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. Appendix 'A' 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 10 - A601(M) Maintenance Project, be noted.

Angie Ridgwell
Chief Executive

County Hall
Preston



Item 12 - Moving Traffic Enforcement Powers

Appendix 'B'

Final Consultation Responses

At the time of writing the Cabinet report the county council had received 162 responses to the online survey. At the close of the public consultation this total has increased and the response from the Constabulary received. This Appendix sets out the final responses received and should be read in conjunction with the Report.

General comments

The Cabinet report was prepared whilst the public consultation was ongoing. Further to the general comments that were received the following comments were received thereafter:

- Road markings and signs for all moving traffic restrictions will benefit from a review as they are often worn by age or corrosion. More advance signing like those on bus lanes would be advisable.
- The council should take these powers as the police do not have enough officers.
- Motorists drive as if they are permitted to drive as and where they wish.

Officer comments

Before any site is considered for enforcement the signing and lining will be fully reviewed as part of the implementation process. Advance signing will be considered where it can help advise the driver of the restrictions as they approach them. The change in legislation now requires a warning notice to be sent for a first offence which will also aid in educating drivers on their mistake and minimise repeat occurrences. The council taking on these powers will not remove the wider responsibility that the police have for the enforcement of moving traffic, the council seek to enhance compliance at the chosen junctions and would consider over areas once we have the powers.

Location specific

Individual comments were also received for each location:

1. **Charnley Street, Preston** – One way section of road
 - a. Vehicles regularly abuse the no entry/one way street to exit onto Corporation Street. The route is popular with drivers avoiding the bus gate on Fishergate.

At the close of the survey **43** (+1 since the preparation of the report) Respondents agreed there was an issue at this location whilst **62** (+1) disagreed.

The additional comments included:

- An admission that they knowingly go against the one way but never observe a problem.

- As a pedestrian it sometimes feels like the wild west trying to walk safely in that area.

Officer comments

These additional comments whilst not changing the for and against split could demonstrate that those that are against the enforcement of the one way may be part of the problem that the council is trying to tackle.

2. **Ringway/Bow Lane** – prohibited movements (no right turn, no U-turn)
 - a. Bow lane junction of Ringway is often raised in complaints. Vehicles that ignore the prohibited movements can come into conflict with pedestrians crossing sections under a green man.

At the close of the survey **58** (+2 since the preparation of the report) Respondents agreed there was an issue at this location whilst **52** (no change) disagreed.

The additional comments included:

- The U-turns are not legal and taking measures to prevent this makes sense.
- As a pedestrian they have to be extra vigilant of drivers who feel that they can drive with impunity.

Officer comments

The comments in the report cover these points, the additional 2 responses for enforcement add weight this location.

3. **Morecambe Road, Lancaster (Aldi)** – Prohibition of Right turn
 - a. Abuse of this prohibited turn results in vehicles coming into conflict with traffic on the busy main road that may be queuing to enter the junction on the right turn lane.

At the close of the survey **34** (no change) Respondents agreed there was an issue at this location whilst **37** (no change) disagreed.

- No further comments were offered on this location.

Officer comments

There are no further comments beyond those in the report.

4. **Hyndburn Road, Accrington (McDonalds)** – Prohibition of Right turn
 - a. The location has had 2 accidents in the last 2 years. The junction has been designed to encourage the left turn only from west bound traffic, vehicles approaching from the West (Eastbound) should go round the roundabout to gain access to the site.

At the close of the survey **25** (no change) Respondents agreed there was an issue at this location whilst **24** (no change) disagreed.

- No further comments were offered on this location.

Officer comments

There are no further comments beyond those in the report

Email responses

The council also provided an email address for feedback to be submitted. In total 6 emails were received.

1. Two emails of support from Parish councils.
2. An email stating that the introducing of more cameras was not the way to manage the city centre and requesting that the Fishergate Bus lane was re-opened instead.
3. Three emails from different parish councils asking for enforcement of HGV movements and other restrictions in their parishes.

Officer comments

The council is not seeking to introduce a one-way restriction on Charnley Street, it currently exists and has been observed as being abused by drivers using it to avoid the Fishergate Bus lane or to cut through the city centre. The bus lane only operates between 11am and 6pm which are normally the busiest times for pedestrian shoppers in the city centre. The reduced hours of operation allow a level of cross city access outside of these hours. The Fishergate bus lane provides an active traffic management tool and reduces the conflict of vehicles and pedestrians in the heart of the city shopping area, there is no intention of re-opening the road to all traffic.

The requests for other sites were responded to directly explaining that for the application process the council must choose a small selection of sites for the initial power, after which, if the power is granted, it will be within the councils remit to explore the expansion of the scheme in the future. Any requests for enforcement would be collated and added to a forward plan of possible sites, each of which will be considered in the future and would require a similar 6-week engagement exercise.

Police consultation

In line with the main report Lancashire Constabulary's Road policing Chief Inspector was considering the council's intention to apply for these powers. Confirmation has been received stating that *"The Constabulary have no objection to your proposal in principle; should LCC proceed to implement the proposal we would ask that our Safer Roads Unit are consulted in regard to any processes which LCC plan to implement, to ensure that LCC do not increase the current workload demand within that team."*

Officer comments

The enforcement of moving traffic is currently the remit of the police, in the same way that bus lane enforcement was with the police prior to the council taking on the powers. The introduction of the council enforcing some locations should only have a positive impact on the police as the council would actively undertake the enforcement and all the associated paperwork and processes in the same way that was done for bus lanes. The police will still retain the powers to tackle moving traffic offences but as the scheme develops, they will be able to concentrate on other policing matters whilst the council pick up the enforcement of moving traffic in key areas.

