

Lancashire County Council

Community, Cultural, and Corporate Services Scrutiny Committee

**Minutes of the Meeting held on Thursday, 26th September, 2024 at 10.30 am in
Committee Room 'B' - The Diamond Jubilee Room, County Hall, Preston**

Present:

County Councillor Ged Mirfin (Chair)

County Councillors

A Cullens BEM	Y Motala
C Edwards	S Rigby
T Hurn	R Woollam
E Lewis	

County Councillor Alan Cullens BEM and Steve Rigby replaced County Councillors Sue Hind and John Shedwick respectively.

At the start of the meeting, the Chair drew the committee's attention to the briefing note that had been circulated by Lucy Thompson, Director of People, in relation to the Council's participation in the Local Government Association Transformation and Innovation Exchange. Committee members were encouraged to read the note when they were able to.

1. Apologies

There were no apologies received.

2. Constitution, Membership and Terms of Reference

The committee considered a report which set out its Chair and Deputy Chair, membership, and Terms of Reference for the 2024-25 municipal year.

Resolved: That the following be noted:

- i. The appointment of County Councillors Ged Mirfin and John Shedwick as Chair and Deputy Chair respectively of the Community, Cultural and Corporate Services Scrutiny Committee for the 2024-25 municipal year;
- ii. The membership of the committee, following the County Council's Annual Meeting held on 23 May 2024; and
- iii. The Community, Cultural and Corporate Services Scrutiny Committee Terms of Reference.

3. Disclosure of Pecuniary and Non-Pecuniary Interests

None.

4. Minutes of the Meeting Held on 21 May 2024

Resolved: That the minutes of the meeting held on 21 May 2024 be confirmed as an accurate record and signed by the Chair.

5. National Portfolio Organisations

The Chair welcomed County Councillor Peter Buckley, Cabinet Member for Communities and Cultural Services, and Andy Walker, Head of Service Business Growth and External Funding, to the meeting. The report presented detailed how work to support Arts Council designated and funded National Portfolio Organisations (NPO's) were being supported within Lancashire and the council's expectations for how the next round of National Portfolio Organisations funding may play out in Lancashire. A presentation was presented to the committee to support the report, a copy of which is attached to the minutes.

The Chair, on behalf of the committee, thanked the officers for the detailed report provided, and the presentation presented.

Comments and queries raised from the committee were as follows:

- Due to cultural services being significant drivers of economic output in local communities, the committee was encouraged to see the link between cultural services and economic development, and the continuation of that relationship was emphasised.
- The Creative Step Programme, which was an initiative designed to support and develop creative businesses and individuals within Lancashire, was highlighted for the valuable advice it provided to organisations. It was therefore suggested that more information on the Creative Step Programme, including details of its work and operations, be circulated to the committee.
- Concerns were raised regarding the lack of investment and cultural events in areas such as Preston, and it was noted that the county council had introduced several initiatives, including Crowdfund Lancashire, which had attracted over £1.3 million for community projects across the county, including those within Preston.
- Local Government was the largest investor of culture and the creative arts, and the committee highlighted the importance of ensuring the county council continues to support new organisations and assist in their growth.
- The committee highlighted the need to maintain relations with district councils, and it was noted that the county council worked closely with the district councils, and the district council also had representation on Arts Lancashire,



which was a collaborative network that supported and promoted the arts and cultural sector within Lancashire, as well as bringing together various stakeholders, including local authorities, arts organisations, and individual artists, to foster dialogue, share resources, and advocate for the arts. The committee requested more information to be circulated on Creative Lancashire and Arts Lancashire, including what the county council's involvement in those two organisations were.

- The Chair read out comments submitted by County Councillor John Shedwick, Deputy Chair of the Committee, who was unable to attend the meeting. The Deputy Chair was encouraged at the inclusion of 8 new organisations in the Lancashire portfolio, in addition to the 10 existing recipients, and the Deputy Chair noted that Creative Lancashire was collaborating with individuals and organisations on other Arts Council England's Investment Programmes and place-based propositions for Historic England and National Heritage Lottery Fund Programmes.
- The committee explored the idea of using funds from the proceeds of crime to involve more young people in arts and other activities as a way to combat anti-social behaviour. They noted that the previous Police and Crime Commissioner had invited local groups to apply for money from a proceeds of crime fund, which had raised £600,000 from criminal asset seizures for community causes, including cultural events. It was suggested that the committee write to the current Police and Crime Commissioner to ensure this scheme continues.

The Chair thanked the Cabinet Member and officers for their presentation and for answering the committees' questions.

Resolved: That:

- i. A briefing note be provided to the committee providing more information on:
 - a. Creative Lancashire and Arts Lancashire, including what the county council's involvement with these organisations were.
 - b. The Creative Step Programme, outlining its work and operations.
- ii. The Cabinet Member for Communities and Cultural Services gives consideration to writing a letter to the Police and Crime Commissioner to seek support and continuation of the Safer Lancashire Neighbourhoods Fund.

6. Review of Procurement Service

The Chair welcomed County Councillor Alan Vincent, Cabinet Member for Resources, HR and Property (Deputy Leader), Noel O'Neill, Director of Finance and Commerce, and Paul Fairclough, Head of Service Procurement and Contract Management to the meeting. The report presented provided a review of the Procurement Service in the county council. A presentation was presented to the committee to support the report, a copy of which is attached to the minutes.



The Chair, on behalf of the committee, thanked the officers for the detailed report provided, and the presentation presented.

The Chair referred to Lancashire County Council's participation in the Local Government Association Transformation and Innovation Exchange. It was noted that this network will support work on the development of the council's change agenda which is being considered by the Community, Cultural and Corporate Services Scrutiny Committee at its meeting scheduled for 9 December 2024.

Comments and queries raised from the committee were as follows:

- The committee requested further data be provided on the following:
 - The names of suppliers and the category of Procurement contracts, grouped by the following amounts:
 - £1m - £5m
 - £500,000 - £1m
 - The numbers of suppliers and the category of Procurement contracts, grouped by the following amounts:
 - £250,000 - £500,000
 - £100,000 - £500,000
 - Below £50,000,
 - For suppliers with a Procurement contract between £1m – 5m and £500,000 - £1m, how many subcontracts each of those contracts had with the county council, and the total value of each of the subcontracts.
- The committee noted that implementation had been delayed, and that further consideration may be needed by the committee should there be any proposed changes that would impact upon the council.
- It was also suggested as an area for improvement that an application be developed to extract procurement contract data from the county council's systems, allowing users to see what contracts the council had and their respective categories. Additionally, it was noted that when examining the locality of contracts, more attention should be given to smaller contracts rather than large multi-million-pound ones, as the larger contracts typically went to large organisations.
- Concerns were raised about the locality of contracts being awarded and whether contracts were being awarded more to National organisations, rather than local businesses, and it was noted that this was a potential area for development in terms of understanding the council's spend better. The committee highlighted a need to encourage local businesses to participate in bidding and training, and support processes were necessary to help smaller firms overcome the intimidation of complex bidding forms that were required to fill in. The Preston Community Wealth model was given as an example to



see what lessons could be learnt from the techniques and strategies used by Preston.

- The committee inquired about the level of communication between the procurement team and local organisations during the procurement process and it was noted that during the procurement process and the pre-market engagement, tenders were published, and a “supplier day” was often held, which provided an opportunity for suppliers to learn about upcoming tenders, understand the council’s requirements, and ask any questions. It was suggested that councillors should be informed when supplier days were being held, so they could notify their local businesses in case any of them wanted to bid for the contract.
- It was noted that a new procurement operating model was being developed, with plans to implement a dedicated contract manager resource as part of it. The model was to remain devolved to individual services, but the new resource aimed to enhance the management of strategic contracts and make better use of the council’s data and systems related to contract management. The importance of establishing clear guidance on the contract management strategy at the county council, including defining roles and responsibilities for both procurement and service areas, was emphasised. The committee requested that the updated model be presented at a future meeting.
- The use of ethical contracting in the procurement processes was raised by the committee and it was noted that additional questions had been included on the Procurement questionnaire which potential contract bidders were required to fill in, and it was noted that the service also looked at a range of exclusion criteria's such as checking for potentially disqualified directors and gross misconduct when assessing bids.
- The committee stressed the importance of monitoring contracts, particularly larger ones, to prevent issues if a business encountered financial difficulties and went into administration, and it was noted that the council used a third-party software provider with a web portal capable of monitoring contracts. Therefore, if the service raised a concern about a contract’s performance, it would trigger an automatic email to the relevant contract manager to assess. The committee proposed a recommendation to seek assurances regarding the governance procedures and competence in monitoring contracts.
- The committee raised concerns about the awarding of contracts under urgency powers instead of the normal route. It was noted that although some contracts were awarded this way, the numbers were minimal. Additionally, any contract awarded under emergency powers that exceeded £75,000 had to be approved by the Cabinet.
- Key Performance Indicators were used in the evaluation of contract performance, and it was noted that there was a requirement under the new Procurement Act for details of contracts worth over £5m be published, which



would include details of the contract and details of Key performance indicators.

- A suggestion was made to see if the Lancashire Business Board could promote and support the tendering process, and to offer guidance and support for organisations to help bid for contracts, as previously done by the Lancashire Enterprise Partnership.

The Chair thanked the Cabinet Member and officers for their presentation and for answering the committees' questions.

Resolved: That a future report be made to the committee, to include the following information:

- i. An update on the legislative framework in which procurement operates, the role of procurement and services in the associated activities including any relevant legislative changes and associated implications for the county council's approach.
- ii. Extended data concerning the County Council's spend data, including –
 - performance based on supplier locality and the approach taken to the delivery of social value. This information to detail key information by category (including by the following spend bands £1m - £5m; £500k - £1m; £250k - £500K; £100k - £500k; and below £50k); and identify how many are Lancashire based with a significant presence in the county such as distribution sites and offices.
 - identifying the multiple contracts that the organisations would possess in the future.
 - Financial stability /competence of the suppliers.
- iii. Consideration of the potential for development of an internal enhanced data base application.
- iv. Benchmarking and learning opportunities and identify how the lessons learned have added value at the county council including the Contract Management and learnings that can be gleaned from Preston City Council's Community Wealth Building Model.
- v. The potential future role of the Lancashire Business Board to promote and support the tendering process, and to offer guidance and support for organisations to help bid for contracts, as previously done by the Lancashire Enterprise Partnership.
- vi. An update on the strategic approach to the contract management function. This information to detail the numbers of contractors working on site at County Hall and the working relationships with those staffs.



vii. An update on how well the Cabinet Office Centralised Single Platform system is working and the benefits it brings to the county council's processes.

viii. Assurances regarding governance, scrutiny and performance concerning procurement activity and the potential opportunities to enhance the same.

7. Community, Cultural and Corporate Services Scrutiny Committee Work Programme, Actions and Assurances Update

The committee considered the work programme for the 2024/25 municipal year, and an update on actions and assurances.

It was noted that the Strategy for Change Management item would be discussed at the meeting on 9 December 2024, the Workforce Matters – (HR, Absenteeism Recruitment and Performance Management) would be discussed at the meeting on 31 October 2024, and the Asset Profile item would be discussed at the rescheduled March 2025 meeting.

It was also noted that a 4-hour scrutiny meeting was planned for the 12 February 2025 meeting, to focus on different aspects of the Lancashire Community Safety Partnership, and the 27 March 2025 meeting would be moved to an earlier date to avoid the county council's pre-election period.

Resolved: That

- i. The work programme for 2024/25 at Appendix 'A' of the report be noted;
- ii. The formal written responses from County Councillor Peter Buckley, Cabinet Member for Community and Cultural Services to the Committee's recommendations on Lancashire Community Safety Agreement and Performance Update and Draft LCC Cohesion and Integration Strategy 2024/28 detailed in Appendix 'B' of the report, be noted;
- iii. The information included in the report for the 31 October 2024 meeting of the Committee be confirmed; and
- iv. The information provided as part of the actions and assurances to the Committee with regard to future work programme items at Appendix 'C' of the report be noted.

8. Urgent Business

There were no items of Urgent Business.

9. Date of Next Meeting

It was noted that the next meeting of the Community, Cultural and Corporate Services Scrutiny Committee will be held on Thursday 31 October 2024 at 10.30 am in Committee Room B – The Diamond Jubilee Room, County Hall, Preston.

H MacAndrew
Director of Law and Governance



County Hall
Preston





Work to Support Lancashire's National Portfolio Organisations

Presentation to Community, Cultural, and
Corporate Services Scrutiny Committee meeting
26/09/2024

Andy Walker – Head of Service Business Growth



National Portfolio Organisations

- *“National Portfolio Organisations are leaders in their areas, with a collective responsibility to protect and develop our national arts and cultural ecology.”*
- Key funding stream for local arts across Lancashire due to the scale (£445m per year across 985 organisations nationally) and duration of funding (typically 3 year programmes)
- Currently within the 2025-27 programme but with extension 2026/27 extension process now live.



LCC Role

- Organisations primarily lead their own bids for this and other resources through a network of professionals experienced at making such bids.
- LCC (Cultural Services- Adults) and Creative Lancashire (GETH) work at the margins of the process to encourage new Motabhoy to consider and properly prepare for bidding into the NPO and other funding opportunities
- Full listing of organisations and amounts available [online](#)



Creative Step Programme

- Over the months leading up to the ACE NPO programme Cultural Services supported Arts Lancashire to deliver a series of workshops and webinars to organisations interested in applying to become an NPO.
- These sessions brought in experts from across the country to provide information which would give organisations the best possible chance of success. The success of this has been shared as a model of good practice to other authorities nationally.
- In total, 18 Pan-Lancashire organisations joined the portfolio for 2023. 10 Lancashire arts organisations existing Arts Council England (ACE) National Portfolio Organisation (NPO) continued to be supported as NPO organisation



Lancashire Organisations Supported (£1.98m)

Blackpool Grand Theatre, Blackpool • Burnley Youth Theatre, Burnley • Horse + Bamboo, Rossendale • Imitating The Dog, Lancaster • In-Situ, Pendle • Lancaster Arts, Lancaster • More Music, Morecambe • The Dukes, Lancaster • The Grundy Art Gallery, Blackpool • The Harris Museum, Art Gallery & Library, Preston 8 new organisations were brought into the portfolio within Lancashire for the first time. These include: • Blackburn Museum & Art Gallery Blackburn • British Textile Biennial Blackburn Page 14 • Culturapedia Blackburn • The National Festival of Making Blackburn • The Whittaker Rossendale • LightPool Blackpool • Dance Syndrome Hyndburn • Idle Women Hyndburn





Procurement

**Community, Cultural and Corporate Services Scrutiny
Committee**

September 2024

Procurement Matters

The report presented seeks to establish:

[SECTION 1]

Background information concerning the County Council's spend data, including performance concerning supplier locality and the approach taken to the delivery of social value.

[SECTION 2]

The legislative framework in which procurement operates, the role of Procurement and services in the associated activity.

[SECTION 3]

Assurance regarding governance, scrutiny and performance concerning procurement activity and the potential opportunities to enhance the same.



SECTION 1

Key information concerning the County Council's spend data, including performance concerning supplier locality and the approach taken to the delivery of social value.

High Value Contracts

SME Agenda

Social Value

Tail Spend

Locality Spend

Data Quality



County Council's Spend Data

- Simple spend data extraction possible: highlights top suppliers.
- Opportunities for further analysis to enhance understanding.
 - Potential to better understand the spend profile.
- Tail spend analysis
 - Explore local supply
 - Understand transaction costs



Locality of spend

- The Council is somewhat consistent in achieving a 40-50% spend with suppliers that have a Lancashire address registered in Oracle Fusion.
- SME Agenda (and benchmarking)
- Further opportunities for analysis to enhance understanding.

Year	Value of spend, supplier with Lancashire address	Total invoice payments reported	% Value of spend, supplier with Lancashire address
2020/21	£466,656,416	£979,255,643	48%
2021/22*	£451,513,977	£946,638,105	48%
2022/23	£518,695,456	£1,135,781,956	46%
2023/24	£849,618,863	£1,643,247,174	52%

Social Value

- Social value considers the wider economic, community or environmental benefits than can be generated through how Lancashire County Council delivers its activity and services, including when procuring goods, works or services from the Council's suppliers.
- Introduction of the Social Value Portal
- Opportunities to learn from local examples



SECTION 2

The legislative framework in which procurement operates, the role of Procurement and services in the associated activity.

Legislative Framework

Procurement Service

Procurement Act 2023

Operating Model



Procurement Act 2023

- The new Procurement Act 2023 takes effect 24 February 2025 (the delayed date).
- Prior to leaving the European Union public procurement legislation was derived from EU directives under four separate sets of regulations.
- The Procurement Act 2023 is regarded as an opportunity to create a simpler system.
- The key objectives of the Act are:
 - delivering value for money
 - maximising public benefit
 - sharing information
 - acting, and being seen to act, with integrity
 - treating suppliers the same unless we are justified in not doing so
 - support to SME's in removing barriers to accessing public contracts, directly or as part of the supply chain



Procurement Act 2023



Enhanced Transparency

Broader notices regime

- Procurement pipeline visibility
- Publication of contracts (over £5m)
- Publication of contract performance (over £5m)
- Below threshold & payment notices
- Enhanced conflict of interest provision



Enhanced Innovation

- New procurement procedure with supplementary procedures
- Changes to frameworks and contracting vehicles
- Duty to consider lots, SME agenda
- Central Digital Platform for suppliers and buyers
- Amended contract modification provision
- New direct award provision



How are we preparing?

- We are engaging with Cabinet Office, Government Commercial Function and the LGA.
- We are engaging with northern community of practice and the wider Communities of Practice through the Government Commercial College.
- Procurement is undertaking centrally funded elearning and deep dive training provided by the Cabinet Office.
- Procurement, Legal and Audit have formed a readiness working group
 - Reviewing Procurement Rules within the Council's constitution
 - Reviewing procurement documentation and guidance
 - Monitoring progress against training objectives
 - Considering systems readiness
 - Developing Internal and external communications plans
- We are reviewing and developing self-service models for below threshold notices.



Contract Management

- Contract Management concerns the effective management of the contract lifecycle, from creation to ongoing management and conclusion.
- Contract management activity is substantially devolved across the Council. Whilst some contract and supplier relationship management activity occurs within the Procurement service, the majority is not.
- Whilst some dedicated contract management resource exists in services, there is an opportunity to increase consistency and strengthen the approach to contract management in general.



SECTION 3

Assurance regarding governance, scrutiny and performance concerning procurement activity and the potential opportunities to enhance the same.

Audit

Benchmarking

Governance

Other Opportunities



Potential for Benchmarking

- Neighbouring authorities: local spend
- Commercial Continuous Improvement Assessment Framework
- Local Government Association

People

Data

Systems

Governance and control

Processes

Delivery Model



