

Lancashire County Council

Urgency Committee of the Full Council

**Wednesday, 19th June, 2013 at 10.00 am in Cabinet Room 'B' - County Hall,
Preston**

Agenda

Part 1 (Open to Press and Public)

No.	Item
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1.	Apologies
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2.	Minutes of Previous Meeting	(Pages 1 - 2)
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The Committee is asked to confirm the Minutes of the meeting held on 24 May 2013 as a true and correct record.

3.	Disclosure of Pecuniary and Non-Interests
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Members are asked to consider any Pecuniary and Non-Pecuniary Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda.

4.	Committees and appointments	(Pages 3 - 6)
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5.	Standing Order 19(4)	(Pages 7 - 8)
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6.	Urgent Business
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An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the Chief Executive should be given advance warning of any Member's intention to raise a matter under this heading.

I M Fisher
County Secretary and Solicitor

County Hall
Preston

Agenda Item 2

Lancashire County Council

Urgency Committee of the Full Council

Minutes of the Meeting held on Friday, 24th May, 2013 at 10.00 am in Cabinet Room 'B' - County Hall, Preston

Present:

County Councillor Jennifer Mein (Chair)

County Councillors

D Borrow	P Hayhurst
A Ali	M Johnstone
A Atkinson	R Newman-Thompson
Mrs S Charles	D O'Toole
G Driver	S Serridge
M Green	B Winlow

1. Constitution: Chair, Deputy Chair and Terms of Reference

Resolved: That the appointment of County Councillor Jennifer Mein as Chair, County Councillor David Borrow as Deputy Chair, and the Terms of Reference and Constitution of the Committee, be noted.

2. Apologies

None.

3. Disclosure of Pecuniary and Non-Interests

There were no interests disclosed.

4. Minutes of Previous Meeting - 28 March 2013

The minutes of the meeting on 28 March 2013 were agreed as a correct record.

5. Membership of committees and related appointments 2013/14

The Committee noted that the Liberal Democrat nomination for Chair of the Scrutiny Committee was County Councillor Bill Winlow, and the Conservative nomination for Deputy Chair of the Education Scrutiny Committee was County Councillor Susie Charles.

It was also noted that the nominations for the Health and Wellbeing Board would be the cabinet members with statutory responsibilities for children's and adults' services, and a Liberal Democrat nomination, confirmed as County Councillor David Whipp.

The Committee considered the proposals to establish two new committees, being an Executive Committee and a Budgetary Committee. It was agreed that officers be requested to develop proposals in consultation with all political groups for these new committees. The proposals would be brought to a meeting of Urgency Committee in advance of the next Full Council on 18 July

Resolved: That

- i. officers be requested to develop proposals in consultation with the leaders of all political groups for Executive and Budgetary Committees.
- ii. the proposals be brought to a meeting of Urgency Committee in advance of the next Full Council on 18 July
- iii. County Councillor Winlow be confirmed as Chair of the Scrutiny committee and County Councillor Charles be confirmed as the Deputy chair of the Education Scrutiny Committee for 2013/14
- iv. The two Cabinet Members with responsibility for children's and adults' services, and County Councillor Whipp, be appointed to the Health and Wellbeing Board for 2013/14

6. Police and Crime Panel for Lancashire

It was proposed that the Lancashire County Council representative on the Police and Crime Panel be County Councillor Jennifer Mein.

Resolved: That the Lancashire County Council representative on the Police and Crime Panel would be County Councillor Jennifer Mein until the Annual General Meeting of the County Council in 2014.

7. Urgent Business

There was no urgent business.

I M Fisher
County Secretary and Solicitor

County Hall
Preston

Urgency Committee

Meeting to be held on 19 June 2013

Electoral Division affected: None

Committee and Appointments

(Appendix 'A' refers)

Contact for further information:

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josh.mynott@lancashire.gov.uk

Executive Summary and Recommendation

The Urgency Committee is asked to:

- i. consider approval to the creation of an Executive Scrutiny Committee and Budgetary Scrutiny Working Group, the Budget Scrutiny Working Group to be a working group of the Executive Scrutiny committee
- ii. agree the constitution and membership of the Executive Scrutiny Committee
- iii. agree the appointment of a Chair and Deputy for the Executive Scrutiny Committee
- iv. authorise the Chief Executive to approve detailed Terms of Reference for the new committee and working group, and agree any consequential amendments to the constitution arising from this decision

Background and Advice

The Full Council at its annual meeting on 23 May agreed that the Urgency Committee should give consideration to the creation of two new committees to monitor executive decision making and budget setting. The Urgency Committee met on 24 May 2013 and agreed that officers be charged with the drafting of proposals for these new committees for consultation with the four political groups. A proposal has been consulted on with group leaders and is attached at Appendix A. The proposal includes the establishment of an Executive Scrutiny Committee, and a Budgetary Scrutiny Working Group to be established as a working group of the Executive Scrutiny Committee. The views of the groups on this document will be reported at the meeting.

The Urgency Committee is also required to agree the constitution and membership of any new committee approved in accordance with the political balance rules set out in the Local Government and Housing Act 1989.

In addition, the Committee is required to appoint a Chair and Deputy Chair of any new committee approved.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

It is a statutory requirement that the County Council approves political group balance allocations on Committees and Standing Orders require the appointment of Chairs and Deputy Chairs of Committees.

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Tel
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N/A

Reason for inclusion in Part II, if appropriate

N/A

New Committees – Proposal

At the meeting of the Urgency Committee on 24 May, it was agreed that proposals to create two new committees would be drawn up in consultation with the political groups.

Legal context

Since 2001, Lancashire County Council has operated a cabinet system. Under such a system, all executive decisions must be taken by the leader and cabinet. In law, there is a clear distinction made between decisions reserved for the executive and decisions reserved for full council and its committees.

The proposal is as follows:

Executive Scrutiny Committee

Membership: To be agreed (will be politically balanced)

Meeting frequency: monthly, one or two days before cabinet

Type of committee: Scrutiny committee

Roles and Responsibilities: Pre-decision scrutiny of cabinet decisions. The Executive Scrutiny Committee would meet shortly before cabinet each month, and would give consideration to any decisions due to be made by cabinet. The Executive Scrutiny Committee will also, at its meeting, scrutinise key decisions due to be made by individual cabinet members or cabinet committees.

The Executive Scrutiny Committee would have the right to require any cabinet member or executive director to attend to answer questions. It is expected that cabinet would take into account any comments or recommendations made by the Executive Scrutiny Committee when considering the relevant decision. In any case, a response to recommendations made by the Executive Scrutiny Committee should always be provided in writing within 2 months.

Budgetary Scrutiny Working Group

Membership: To be agreed (will include representation from all four groups)

Meeting frequency: as required during the budget setting process in December / January

Type of committee: Scrutiny working group, reporting to the Executive Scrutiny Committee

Roles and responsibilities: To make recommendations to cabinet on the cabinet budget proposals to full council. The Budgetary Scrutiny Working Group (BSWG) will meet as required over the budget setting period to consider the budget proposals. The BSWG will be able to require any cabinet member and executive director to attend to provide evidence and answer questions.

Agenda Item 5

Urgency Committee

Meeting to be held on 19 June 2013

Electoral Division affected: None

Standing Order 19(4) – Cabinet Meetings

Contact for further information:

Josh Mynott, 01772 534580, Office of the Chief Executive,

josh.mynott@lancashire.gov.uk

Executive Summary and Recommendation

The Urgency Committee is asked to consider any amendments to Standing Order 19(4) of the Constitution.

Background and Advice

Standing Order 19(4) says:

"The Leader and Deputy Leader of the main opposition group may as of right, attend meetings of the Cabinet and participate fully in discussion on all agenda items, but cannot vote. The Leader of the main opposition group shall be entitled to offer one of these places to the second largest opposition group."

The Urgency Committee is invited to consider the Standing Order.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

No implications

Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Tel
N/A		

Reason for inclusion in Part II, if appropriate

N/A