

Full Council

Thursday, 13th October, 2016, Council Chamber, County Hall, Preston

Question time begins at 1.30 pm.

Full Council begins at 2pm or at the end of Question Time, whichever is earlier.

Agenda

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2. **Disclosure of Pecuniary and Non-Pecuniary Interests**
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 4. **Borrowing from the Municipal Bond Agency**
Report to follow
- B. Matters for Information**
 5. **Report of the Cabinet (Part B)** (Pages 13 - 18)
 6. **Report of County Council Committees**

To receive reports from:
 - (a) **The Overview and Scrutiny Committees** (Pages 19 - 30)
 - (b) **The Audit and Governance Committee** (Pages 31 - 38)
 - (c) **The Pension Fund Committee** (Pages 39 - 44)

(d) The Urgency Committee (Pages 45 - 46)

7. Report of the Combined Fire Authority (Pages 47 - 50)

NOTICES OF MOTION

C. Notices of Motion

To consider any Notices of Motion submitted under Standing Order No. 14.2.1.

Jo Turton
Chief Executive

County Hall
Preston

10 October 2016

Agenda Item 3

Minutes

At a meeting of the Full Council held at Council Chamber, County Hall, Preston, on Thursday, 21st July, 2016

Present:

County Councillor Janice Hanson (Chairman)

County Councillors

T Aldridge	G Dowding	M Parkinson
A Ali	G Driver	N Penney
T Ashton	K Ellard	S Perkins
A Atkinson	J Fillis	M Perks
A Barnes	J Gibson	S Pryn
M Barron	G Gooch	P Rigby
L Beavers	M Green	A Schofield
D Borrow	Dr M Hassan	K Sedgewick
P Britcliffe	P Hayhurst	S Serridge
M Brindle	C Henig	R Shewan
I Brown	S Holgate	D T Smith
K Brown	D Howarth	K Snape
T Brown	M Johnstone	D Stansfield
P Buckley	A Jones	J Sumner
T Burns	A Kay	V Taylor
Mrs S Charles	J Lawrenson	M Tomlinson
A Clempson	T Martin	C Wakeford
D Clifford	J Mein	D Watts
Mrs F Craig-Wilson	G Molineux	D Westley
L Collinge	Y Motala	D Whipp
C Crompton	B Murray	P White
M Dad	D O'Toole	G Wilkins
B Dawson	Mrs L Oades	B Winlow
F De Molfetta	J Oakes	B Yates
C Dereli	M Otter	

1. Apologies and Announcements

Announcements

The Chairman reported the following deaths:

Former County Councillor Derek Lockwood OBE JP, who passed away peacefully at home on Tuesday 31 May 2016 with his family by his side after a

short time in hospital. Mr Lockwood served as the Conservative County Councillor for the Blackpool Highfield and Stanley Electoral Division from May 1985 until May 1998 and served on a number of committees, including Policy and Resources, Education and Highways and Transportation. Mr Lockwood was also a former County Council Conservative Group Leader.

Former County Councillor Geoff Roberts who passed away in Southport Hospital on Monday 18 July 2016. Mr Roberts was elected as a Labour County Councillor to serve the Skelmersdale Central electoral division from 1997 until 2005.

During this period he held the position of chair of Development Control Committee Regulatory Committee and Lancashire Local West Lancashire. He also served on a number of committees including Highways and Transportation, Planning, Industrial Development and Tourism, Social Services and various Overview and Scrutiny Committees.

In addition, the Chairman invited Council to demonstrate its solidarity with and respect for the victims of the terrorist attack in Nice, the people of France and the victims of terrorism and violence everywhere, as well as in memory of Mr Lockwood and Mr Roberts, by standing for one minutes silence. The Full Council stood in silent tribute.

A number of members spoke in memory of both Mr Lockwood and Mr Roberts and offered condolences to their family and friends.

Chartered Institute of Highways Transportation (CIHT)/Department for Transport Reducing Sign Clutter Award

The Chairman was pleased to announce that at the recent 2016 CIHT awards, Lancashire County Council won the CIHT/Department for Transport award for reducing sign clutter. The award was for the reduction of sign clutter in relation to 'The Fishergate Central Gateway Project'.

The judges were impressed with the clear administrative process used and said that this logical and thorough approach to the principle that a scheme should start with nothing and only include what is truly required was exactly what they would like to see universally applied.

Peter Bell, Ginette Unsworth and Shaun Capper attended Full Council, representing the teams that had worked on this project and were congratulated by members.

National Award for Patient Safety – Preventing Avoidable Harm

The Patient Safety and Quality Improvement Team received an award for preventing avoidable harm at the recent Patient Safety and Congress Awards ceremony held in Manchester on 5 July.

The Chairman informed members that this award was for a project to prevent falls which was a significant public health concern.

The judges had said that the Lancashire County Council entry was a “fantastic multi-agency approach which demonstrated a superb first level intervention, co designed and co- produced with patients and families. It was an excellent example of the power of sharing data.

Ann Smith, Head of the Patient Safety and Quality Improvement team and Sumaiya Sufi, Area Manager attended Full Council to represent the team and members congratulated them on this award.

British Citizen Award for Service to Volunteering and Charitable Giving awarded to Julie Bell, Head of Libraries, Museums, Culture and Registrars

The Chairman informed Council that Julie Bell, Head of Libraries, Museums, Culture and Registrars had been awarded a British Citizen Award for service to volunteering and charitable giving in recognition of her long service to girl guiding.

Julie was nominated for her award by the young people she worked with. She had been a volunteer, working with Girl guiding UK for 35 years and started volunteering with the charity at the age of 15. Julie was the County Commissioner and regional Chief Commissioner for North West. Members offered their sincere congratulations on this wonderful achievement.

Armed Forces Covenant – Employer Recognition Scheme, Silver Award 2016.

Lancashire County Council had been named as a 2016 Defence Employers Recognition Scheme Silver Award winner. CC Darren Clifford, Armed Forces & Veterans Champion, received the award on behalf of the county council at a ceremony in Manchester on Thursday, 7 July.

The county council was nominated for the award by 42 Infantry Brigade, headquartered at Fulwood Barracks, Preston. The nomination stated, in part:

"Lancashire Country Council had been the driving force behind the improved delivery of the Armed Forces Covenant in the county. It had, through developing collaborative working with all other Local Authorities, enabled focussed support and delivery of service provision to the Armed Forces Community. It was held in high regard within the Headquarters and was rightly seen as a forward leaning and proactive partner".

Kieran Curran and Vanessa Carthy attended Full council with the plaque that the Council had been awarded and members congratulated them on their help in achieving this award.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

The Full Council was notified that Members had been invited to make declarations of Pecuniary and Non-pecuniary interest in matters on the agenda in accordance with the County Council's Code of Conduct for Members. The following interests were declared:

Name of Councillor	Agenda item Number	Nature of interest (non-pecuniary unless stated)
A Barnes	B 8	Rawtenstall Bus Station - Leader of Rossendale Borough Council

3. Confirmation of the minutes from the meeting held on 26 May 2016

Resolved: That the Minutes of the meeting of the County Council held on 26 May 2016 be confirmed and signed by the Chairman.

4. Borrowing from the Municipal Bond Agency

In moving the report the Deputy Leader explained that following changes introduced by Government in 2010/11 the cost of the Council borrowing money had increased. In response, the Council as part of a Local Government Association initiative had contributed to the setting up of the Municipal Bond Agency (MBA), which was intended to reduce costs.

In order to borrow from the MBA the Council would need to enter into the Agency's Framework Agreement.

An amendment was moved and seconded that:

"This proposal potentially places the Council at serious financial risk and it is therefore resolved that:

Council defers consideration of this item and requests the Audit and Governance Committee to examine the potential risks in entering into the framework Agreement and the possible mitigation of those risks".

Upon being put to the vote the motion was CARRIED and it was:

Resolved: That consideration of this item be deferred and that the Audit and Governance Committee be requested to examine the potential risks of the County Council into entering into the Framework Agreement and the possible mitigation of those risks at its meeting on 26 September 2016 and a further report be presented to Full Council on 13 October 2016.

5. Transport for the North

The Full Council was asked to support in principle a draft 'Proposal to Establish a Sub-national Transport Body' and make a nomination to serve as the County Council's representative on Transport for the North.

Resolved: That,

1. The contents of the report be noted.
2. Support be given 'in principle' for the draft 'Proposal to Establish a Sub-national Transport Body' as set out in Appendix 'A' to the report and its submission to the Secretary of State.
3. This agreement 'in principle' be contingent on TfN drawing down powers from central government and not derogating powers from local transport authority arrangements or securing any reserve powers to determine, manage and/or deliver local transport responsibilities without the full support of the relevant local transport authority.
4. The Leader of the County Council be nominated to serve as Lancashire County Council's representative on Transport for the North and that the Deputy Leader be nominated as a substitute to attend meetings in the absence of the Leader of the Council.

6. The Council's Code of Corporate Governance

The Full Council was asked to approve a revised Code of Corporate Governance for the County Council which had been considered by the Audit and Governance Committee on 30 June 2016.

It was noted that Full Council in July 2015 had approved a new Code of Corporate Governance for the County Council and an Action Plan for 2015/16 which was based on the current guidance at that time. Full Council also agreed that the Code would be reviewed on an annual basis. The Full Council was informed that new guidance had been published earlier this year and as a consequence the Code of Corporate Governance had been updated to reflect the changes.

Resolved: That the revised Code of Corporate Governance, as set out at appendix 'A' to the report now presented be approved.

7. Revised Procurement Rules

The Full Council was asked to approve revision to the County Council's Procurement Rules including an amendment to the approval process for tender exercises which were deemed to be Key Decisions, in order to enhance the efficiency of decision making.

Resolved: That,

1. The revised Procurement Rules set out at Appendix 'A' to the report be approved.
2. The Rules be reviewed by the Procurement Board each year, and that the Director of Financial Resources be authorised to update the thresholds as required in line with changes to EU thresholds.
3. Where approval has been received from the Cabinet Member to undertake a tender process which is deemed to be a Key Decision, the subsequent award of the Contract on the satisfactory completion of the tender exercise shall not be deemed a Key Decision and can be approved by the relevant Head of Service or Director.
4. The Director of Governance, Finance and Public Services be authorised to make consequential amendments to the Constitution as required.

8. Report of the Cabinet (Part B)

The Leader of the Council moved Part B of the report of the Cabinet from its meeting on 9 June 2016.

Resolved: That part B of the report of the Cabinet from its meeting on 9 June 2016 be noted.

9. Report of County Council Committees

(a) Report of the Overview and Scrutiny Committees

County Councillor Bill Winlow presented the reports of the Overview and Scrutiny Committees as follows:

- Health Scrutiny Committee – 24 May 2016 and 14 June 2016
- Scrutiny Committee – 13 May 2016

Resolved: That the reports of the Overview and Scrutiny Committees as now presented, be noted.

(b) Report of the Audit and Governance Committee

County Councillor Terry Brown presented the report of the Audit and Governance Committee from its meeting held on 30 June 2016.

Resolved: That the report of the Audit and Governance Committee as now presented, be noted.

(c) Report of the Pension Fund Committee

County Councillor Kevin Ellard presented the report of the Pension Fund Committee from its meeting held on 10 June 2016.

Resolved: That the report of the Pension Fund Committee as now presented, be noted.

(d) Report of the Urgency Committee

The Leader presented the report of the Urgency Committee, which set out decisions of the Chief Executive under the Council's Urgent Business Procedure on behalf of the Urgency Committee.

Resolved: That the report of the Urgency Committee, as now presented, be noted.

10. Report of the Lancashire Combined Fire Authority (CFA)

County Councillor Frank De Molfetta presented the report of the Lancashire Combined Fire Authority from its meeting on 20 June 2016.

Resolved: That the report of the Lancashire Combined Fire Authority, as now presented, be noted.

11. Notices of Motion submitted under Procedural Standing Order 14.2.1 (a) (Part C)

1. It was moved by County Councillor Gibson and seconded by County Councillor Dowding that:

Lancashire County Council condemns racism, xenophobia and hate crimes unequivocally. Racism, xenophobia and hate crimes of any description have no place in our country or our county.

We are proud to live in a diverse and tolerant society and note that a lot of good work is taking place across Lancashire:

- The Lancashire Strategic Hate Crime Group is devising the hate crime strategy and there is a dedicated hate crime unit within Lancashire Constabulary.
- There are excellent examples of partnership working to tackle racism, xenophobia and hate crime between the County Council, Borough and District Councils, Lancashire Constabulary, the Office of the PCC and the voluntary, community and faith sectors across the County.

This Council wants to assure all of the County's residents and visitors that they are valued members of our society and as elected representatives of the diverse communities across Lancashire, Full Council is asked to place on record that the

County Council will not tolerate hate crime, racism or xenophobia in its communities.

This Council resolves to:

- Display the opening paragraph in this motion prominently on the county council website and that a press release is issued to publicise the motion.
- Ask the [scrutiny committee](#) to review the current measures taken to counter racism, xenophobia, and hate crime and report back to Full Council.
- Support and work with people who are victims of hate crime, racism or xenophobia to feel confident in coming forward and reporting it.

On being put to the vote the motion was CARRIED and it was:

Resolved: That,

Lancashire County Council condemns racism, xenophobia and hate crimes unequivocally. Racism, xenophobia and hate crimes of any description have no place in our country or our county.

We are proud to live in a diverse and tolerant society and note that a lot of good work is taking place across Lancashire:

- The Lancashire Strategic Hate Crime Group is devising the hate crime strategy and there is a dedicated hate crime unit within Lancashire Constabulary.
- There are excellent examples of partnership working to tackle racism, xenophobia and hate crime between the County Council, Borough and District Councils, Lancashire Constabulary, the Office of the PCC and the voluntary, community and faith sectors across the County.

This Council wants to assure all of the County's residents and visitors that they are valued members of our society and as elected representatives of the diverse communities across Lancashire, Full Council is asked to place on record that the County Council will not tolerate hate crime, racism or xenophobia in its communities.

This Council resolves to:

- Display the opening paragraph in this motion prominently on the county council website and that a press release is issued to publicise the motion.
- Ask the [scrutiny committee](#) to review the current measures taken to counter racism, xenophobia, and hate crime and report back to Full Council.
- Support and work with people who are victims of hate crime, racism or xenophobia to feel confident in coming forward and reporting it.

2. It was moved by County Councillor Prynne and seconded by County Councillor Beavers that:

This Council notes that:

1. Last year many young people (aged 16 or over) left the care of Lancashire County Council and began the difficult transition out of care and into adulthood.
2. A 2016 report by The Children's Society found that when care leavers move into independent accommodation they begin to manage their own budget fully for the first time. The report showed that care leavers can find this extremely challenging and with no family to support them, are falling into debt and financial difficulty.
3. Research from The Centre for Social Justice found that over half (57%) of young people leaving care have difficulty managing their money and end up in debt when leaving care.
4. In 'Keep on Caring: Supporting Young People from Care to Independence', July 2016, HM Government highlighted how local authorities can also support care leavers financially in lots of different ways, including introducing exemptions from council tax.
5. The Children and Social Work Bill, currently progressing through parliament, introducing a new 'Care Leavers Covenant' underpinned by statutory duties to make sure local authorities set out clearly the entitlements for care leavers including housing, jobs and healthcare.
6. The local authority has a duty of care to care leavers.

This council believes that:

1. To ensure that the transition from care to adult life is as smooth as possible, and to mitigate the chances of care leavers falling into debt as they begin to manage their own finances, they should be exempt from paying council tax until they are 25.
2. Care leavers are a particularly vulnerable group for council tax debt.

This council, therefore resolves:

1. To write to the Minister of State for Children and Families, urging him to introduce legislation for a national exemption for care leavers from council tax up to the age of 25; specifically to introduce the following amendment to the Local Government Finance Act;
(1) In section 6, paragraph 4, after "or 4 (students etc.);" insert "*or 11 (Care Leavers),*"

- In schedule 1, following Paragraph 10 insert new paragraph 11:

Care Leavers

11.

- (1) A person shall be disregarded for the purposes of discount on a particular day if—
- (a) on the day he is a former relevant child within the meaning given by section 23C(1) of the Children Act 1989, and
 - (b) They are under the age of 25.

And also, in view of this, to amend the appropriate sections of the Children and Social Bill currently passing through Parliament, particularly looking at Chapter 2 Other Provision Relating to Children In England, *Combined Authority Functions Relating to Children*.

2. To write to all leaders of District councils across Lancashire County to make them aware of this issue and the opportunities to lobby central government as the above legislation is introduced. Future discussions could look at the opportunity through the use of partnership working and existing powers for further support to care leavers up to the age of 25.

County Councillor Charles moved an amendment to resolution 2) the effect of which would be "To write to all leaders of District Councils across Lancashire County Council and to all Members of Parliament covering the Lancashire County Council area....."

This amendment was accepted and on being put to the vote the motion was CARRIED and it was:

Resolved: That,

This council notes that:

1. Last year many young people (aged 16 or over) left the care of Lancashire County Council and began the difficult transition out of care and into adulthood.
2. A 2016 report by The Children's Society found that when care leavers move into independent accommodation they begin to manage their own budget fully for the first time. The report showed that care leavers can find this extremely challenging and with no family to support them, are falling into debt and financial difficulty.
3. Research from The Centre for Social Justice found that over half (57%) of young people leaving care have difficulty managing their money and end up in debt when leaving care.

4. In 'Keep on Caring: Supporting Young People from Care to Independence', July 2016, HM Government highlighted how local authorities can also support care leavers financially in lots of different ways, including introducing exemptions from council tax.
5. The Children and Social Work Bill, currently progressing through parliament, introducing a new 'Care Leavers Covenant' underpinned by statutory duties to make sure local authorities set out clearly the entitlements for care leavers including housing, jobs and healthcare.
6. The local authority has a duty of care to care leavers.

This council believes that:

1. To ensure that the transition from care to adult life is as smooth as possible, and to mitigate the chances of care leavers falling into debt as they begin to manage their own finances, they should be exempt from paying council tax until they are 25.
2. Care leavers are a particularly vulnerable group for council tax debt.

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 - (1) In section 6, paragraph 4, after "or 4 (students etc.)" insert "*or 11 (Care Leavers),*"
 - In schedule 1, following Paragraph 10 insert new paragraph 11:

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- (1) A person shall be disregarded for the purposes of discount on a particular day if—
 - (a) on the day he is a former relevant child within the meaning given by section 23C(1) of the Children Act 1989, and
 - (b) They are under the age of 25.

And also, in view of this, to amend the appropriate sections of the Children and Social Bill currently passing through Parliament, particularly looking at Chapter 2 Other Provision Relating to Children In England, *Combined Authority Functions Relating to Children*.

2. To write to all leaders of District councils across Lancashire County and to all Members of Parliament covering the Lancashire area to make them aware of this issue and the opportunities to lobby central government as the above

legislation is introduced. Future discussions could look at the opportunity through the use of partnership working and existing powers for further support to care leavers up to the age of 25.

Jo Turton
Chief Executive

County Hall
Preston

Agenda Item 5

Meeting of the Full Council Meeting to be held on 13 October 2016

Report submitted by: Head of Legal and Democratic Services

Part B

Electoral Division affected:
None;

Report of the Cabinet (Part B) (Annex 1 refers)

Contact for further information:
Josh Mynott, Tel: (01772) 534580, Democratic and Member Services Manager,
josh.mynott@lancashire.gov.uk

Executive Summary

The report of Cabinet from its meetings on 14 July, 8 September and 26 September 2016.

Recommendation

That the report of the Cabinet as now presented be noted.

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

Paper	Date	Contact/Tel
Agenda and minutes of Cabinet	14 July 2016, 8 September 2016 and 26 September 2016	Josh Mynott/(01772) 534580

Reason for inclusion in Part II, if appropriate

N/A

Meeting of the Full Council 13 October 2016

The agenda and minutes of the meetings may be viewed on the County Council's website at the following link:

<http://council.lancashire.gov.uk/mgCommitteeDetails.aspx?ID=122>

Report of the Cabinet meeting on 14 July 2016

Annual reports of the County Council Champions

Cabinet received the reports outlining the activities and expenditure of the six County Council Champions for the year 2015/16.

Resolved: That the annual reports of the County Council's six Champions for 2015/2016 be noted.

2015/16 – Preston, S Ribble and Lancashire City Deal Programme: End of Year Review

Cabinet received a report providing a summary of key performance of the Preston, South Ribble and Lancashire City Deal Programme during and up to 2015/16 (Year 2).

Resolved: That the progress being made on delivering the Preston, South Ribble and Lancashire City Deal Programme as set out in the report be noted.

The County Council's Financial Position - 2015/16 Outturn

Cabinet considered a report providing a summary of the County Council's financial position at the end of 2015/16.

Resolved: That:

- (i) the transfer of the 2015/16 underspend to reserves be approved.
- (ii) the Capital Programme for 2016/17 and onwards be increased by £108.778m to reflect the slippage in 2015/16.

Lancashire Safeguarding Children Board Annual Report 2015 -16

Cabinet received a report presenting the draft annual report of the independent Lancashire Safeguarding Children's Board (LSCB).

Resolved: That the draft Annual Report of the Lancashire Safeguarding Children's Board be noted.

Lancashire Safeguarding Adults Board Annual Report 2015 -16

Cabinet considered a report presenting the draft Annual Report of the independent Lancashire Safeguarding Adults Board (LSAB).

Resolved: That the draft Annual Report of the Lancashire Safeguarding Adults Board be noted.

Report of the Cabinet meeting on 8 September 2016

Money Matters - 2016/17 Financial Position and Medium Term Financial Strategy

Cabinet received a report setting out the financial position as at 30th June 2016, the latest position in respect of the County Council's reserves and the County Council's updated financial outlook (Medium Term Financial Strategy) for period 2017/18 to 2020/21.

Resolved: That

- i. the forecast overspend of £11.267m on the 2016/17 revenue budget be noted;
- ii. the position in respect of the Council's reserves and to agree the transfers outlined in the report be noted;
- iii. authority be delegated to the Director of Financial Resources, in consultation with the Deputy Leader of the County Council, to authorise appropriate use of the Transitional Reserve within the parameters of the level of funding agreed by Cabinet and Full Council in setting the budget;
- iv. the revised funding gap of £147.944m as set out in the Medium Term Financial Strategy be noted.

Supporting People and the Prevention and Early Help Fund

Cabinet received a report on the outcomes of the consultation on the proposed savings to the Supporting People budget, and the work of the Prevention and Early Help Cabinet Member Working Group and its recommendations in relation to the allocation of the Prevention and Early Help Fund.

Resolved:

- i. that the proposal to cease the funding of the non-statutory Supporting People services as set out in the Report be approved
- ii. that an annual budgetary provision from the Prevention and Early Help Fund of:
 - a. up to £500k for crisis support
 - b. up to £1.25 million for domestic abuse services, comprising refuges, medium to high risk victim services and perpetrator services

- c. up to £1.25 million to services for homeless people with complex needs.
- be approved
- iii. that up to £1 million of the planned underspend from the 2016/17 Prevention and Early Help Fund budget during 2017/18 be utilised to facilitate:
 - a. the reconfiguration of housing and support pathways / services for care leavers and young people who are homeless; and
 - b. the development of commissioning intentions and re-procurement of services for homeless households with complex needs
- iv. to request officers to prepare an agreement with the Office of the Police and Crime Commissioner for the commissioning of domestic abuse and medium to high risk victim services, on the basis of the county council contributing £300,000 pa to those services for a minimum of three years; 2017/18 to 2019/20 from the £1.25m annual allocation under item b) above.

The Property Strategy - Responses to Consultation

Cabinet considered a report on the outcomes of the consultation in relation to the proposals agreed on 12 May 2016 regarding the Council's Property Strategy. The attention of cabinet was drawn to a further petition and a letter from Hyndburn Borough Council's Scrutiny Committee received shortly before the meeting. Cabinet members were also provided with responses on a number of questions raised at the Executive Scrutiny Committee.

Resolved: That

- i. the outcomes of the consultation as set out in the report be noted.
- ii. the Planning and Needs Assessment for the Library Service set out at Appendix "I" be approved as the basis of determining the level of provision for the Council's statutory library service.
- iii. the Library Strategy at Appendix "H" be approved.
- iv. the proposed investment in the Mobile Library Service set out in the report be approved.
- v. the proposed model for an "Independent Community Library Offer" as set out in the report be endorsed on the basis that these community libraries are **in addition to** the provision made by the Council to satisfy section 7 of the Public Libraries and Museums Act 1964.
- vi. the exploration of the development of alternative options for the future delivery of library services be continued, including, but not limited to, the extended use of volunteers and the development of a potential model which would allow the Library Service to be run independently of the Council as described in the report.
- vii. the revised proposals for the implementation of the Property Strategy set out at Appendix "B" be approved
- viii. a consultation on the proposal to discontinue use of Upholland Children's Centre, St Thomas the Martyr CE Primary School, on the basis set out in the report be agreed.

- ix. the buildings identified in Appendix "B" as not to be retained for future use are declared surplus to requirements and that the services delivered from them will be discontinued on the basis of the timeline set out at Appendix "P".
- x. officers be instructed to consider the viability of the expressions of interest received in relation to the transfer of Council premises as set out in Appendix "B" and to bring back a further report to the next meeting of Cabinet for consideration.
- xi. the request from the Schools Forum for transition funding for schools with attached children's centres and that this will be the subject of future discussions between officers and the Schools Forum be noted.

Report of the Cabinet meeting on 26 September 2016

Scrutiny Committee Request to Reconsider a Decision - Property Strategy

Cabinet considered the request of the Scrutiny Committee made at its meeting on 22 September 2016 to reconsider the Cabinet decision of 8 September 2016 in relation to the Property Strategy.

Resolved: That the decision of the Cabinet on 8 September 2016 in relation to the Property Strategy be confirmed.

Meeting of the Full Council Meeting to be held on 13 October 2016

Report submitted by: Head of Legal and Democratic Services

Part B

Electoral Division affected:
(All Divisions);

Report of the Overview and Scrutiny Committees (Annexes 1 to 4 refer)

Contact for further information:
Samantha Parker, Tel: (01772) 538221, Legal and Democratic Services,
sam.parker@lancashire.gov.uk

Executive Summary

The most recent cycle of meetings of the Overview and Scrutiny Committees took place in the period June to September 2016.

The reports of the committees are attached as Annexes 1 to 4 as follows:

- Annex 1 – Children's Services Scrutiny Committee
- Annex 2 – Education Scrutiny Committee
- Annex 3 – Health Scrutiny Committee
- Annex 4 – Scrutiny Committee

The meeting of the Health Scrutiny Committee due to be held on 26 July 2016 was cancelled.

The Scrutiny Committee meeting on 22 September 2016 was convened to consider a call-in on the Property Strategy – Responses to the Consultation.

Copies of the agenda and reports considered by the committees, together with minutes of the relevant meeting may be viewed on the County Council's web site at the following link:

<http://council.lancashire.gov.uk/mgListCommittees.aspx?bcr=1>

Officers specified in each report can also be contacted for further information.

The Executive Scrutiny Committee met on 12 July and 6 September 2016 to consider all reports considered by Cabinet and Key Decisions by individual Cabinet Members.

Recommendation

That the report of the Overview and Scrutiny Committees, as now presented, be noted.

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

Paper	Date	Contact/Tel
Agenda and minutes:		Samantha Parker/Legal and Democratic Services/(01772) 538221
Children's Services Scrutiny Committee	7 September 2016	
Education Scrutiny Committee	19 July 2016	
Health Scrutiny Committee	20 September 2016	
Scrutiny Committee	17 June, 22 July, 22 and 23 September 2016	
Executive Scrutiny Committee	12 July and 6 September 2016	
Reason for inclusion in Part II, if appropriate		
N/A		

Meeting of the Full Council – 13 October 2016

Report on the Children's Services Scrutiny Committee meeting on the 7 September 2016

Chair: County Councillor Gina Dowding

The agenda and minutes of the meeting may be viewed on the County Council's web site via the following link:

[Children's Services Scrutiny Committee](#)

Lancashire Safeguarding Children's Board

Jane Booth, Independent Chair of the Lancashire Safeguarding Children's Board (LSCB), presented the Committee with the Annual Report for 2015/16 which set out the priorities for the LSCB and areas identified for future work.

Resolved: The Committee:

- i. Considered and commented on the content of the Annual Report and identified actions to take.
- ii. At the January 2017 meeting, consider what information to be received around children and young people's health for the meeting in April.

Fostering and Adoption

Barbara Bath, Head of Service Fostering, Adoption and Residential YOT presented the Committee with a report detailing the background to the Fostering and Adoption Service.

The report outlined the services delivered by Fostering and Adoption in Lancashire and provided information on the challenges faced by the service.

Resolved: The Committee:

- i. Considered and agreed areas for review within the Fostering and Adoption Service
- ii. Confirmed work to be completed by the sub groups on the marketing of foster carer recruitment and to review possible complementary services such as a respite model
- iii. To confirm nominations for the sub groups with Wendy Broadley

Youth Offending Team - Sub Group Update

The Committee were presented with the final draft report of the YOT sub group.

Resolved: The Committee approved the recommendations outlined in the YOT sub group report – scrutiny spotlight review.

Special Educational Needs and Disabilities - Sub Group Update

County Councillor Susie Charles provided the Committee with a verbal update on the Special Educational Needs and Disabilities (SEND) sub group progress.

Resolved: The Committee noted that a further update will be provided to the January meeting and subsequently on a quarterly basis until the review is concluded.

Meeting of the Full Council – 13 October 2016

Report on the Education Scrutiny Committee meeting on the 19 July 2016

Chair: County Councillor Cynthia Dereli

The agenda and minutes of the meeting may be viewed on the County Council's web site via the following link:

[Education Scrutiny Committee](#)

Proposals for Designated Children's Centres

Bob Stott, Director for Education, Schools and Care, presented to the Committee the current patterns and future proposals of service delivery in Lancashire which constitutes the children's centre offer.

Committee members were advised that the designated children's centres proposal formed part of a wider Property Strategy consultation which was due to end on the 14th August 2016, with final proposals to Cabinet for approval on the 8 September 2016.

Resolved: That;

- i. The report be noted.
- ii. The Committee's concerns and comments be noted.
- iii. A formal response from the Committee to the proposals be submitted.
- iv. A breakdown by district on the access to the proposed sites for the most deprived areas be requested.
- v. Assurance that sufficient time and consideration be given to the volume of responses received and to allow for any further changes to the proposals.
- vi. Assurance that links would be made in relation to the reduction in bus services and the impact for the proposed sites.
- vii. A request be submitted from the Committee to the Bus Services Working Group to request a response to the consultation and to indicate if there is possible overlap in changes to both the children's centre location and bus service reduction.
- viii. A report to come back to the November meeting of the Committee after the conclusion of the consultation around the proposed service offer including further detail on the risks outlined in the report, how the transitional period would be managed, and the impact on the rural and most deprived communities.

Early Education and Early Years, School Improvement Service

Alison Kenny, Early Education and Learning Improvement Team Lead, School Improvement Service, provided information to the Committee on the Early Education and Early Years Teams, School Improvement Service.

Resolved: That;

- i. Officer be thanked for the report and attendance at the meeting.

- ii. The report be noted.
- iii. The Committee's concerns and comments be noted.
- iv. A further report would be provided for the Committee in November.

Outcomes of the White Paper

Bob Stott, Director for Education, Schools and Care, presented an update to the Committee on the outcomes of the White Paper.

The Committee was advised that meetings were attended across Lancashire to discuss the outcomes of the White Paper which included Primary Heads in Lancashire (PHiL), Lancashire Association of Secondary School Heads (LASSH), the Sounding Board Group and the Diocesan Liaison Group. It was highlighted to members that one of the changes around the introduction of a national funding formula was of great significance. This change would entail schools to be funded directly by 2018-19 and it was reported that local authorities would only have responsibility for the high needs funding for special educational needs and alternative provision.

Resolved: That;

- i. That the report be noted.
- ii. The Committee's concerns and comments be noted.
- iii. A special meeting or work shop of the Education Scrutiny Committee could be convened at the end of October if further information became available.
- iv. Dates of the upcoming conferences in the autumn be circulated to committee members.

Burnley University Technical College

Bob Stott, Director for Education, Schools and Care presented a position statement to the Committee on the situation around the closure of Burnley University Technical College in summer 2016.

Resolved: That the position statement and comments be noted.

Meeting of the Full Council – 13 October 2016

Report on the Health Scrutiny Committee meeting on 20 September 2016

Chair: County Councillor Steven Holgate

The agenda and minutes of the meeting may be viewed on the County Council's web site via the following link:

[Health Scrutiny Committee](#)

Transforming Care - Proposed redesign of Learning Disability services in the North West

Mary Hardie, Andrew Simpson and Lesley Patel were welcomed from NHS England North specialised commissioning team to deliver a presentation on the progress of the engagement process with stakeholders on proposals relating to services for adults with learning disabilities.

Resolved: The Health Scrutiny Committee noted and commented on the engagement process.

Emergency Care Crisis - Chorley

On 13 April, Lancashire Teaching Hospitals Trust notified a number of stakeholders and the public that they had taken the decision to temporarily close the A&E Department at Chorley and South Ribble Hospital and introduce an Urgent Care Service which would only be open between the hours of 8am and 8pm with a GP Out of Hours service overnight. The reason given by the Trust for the decision was due to insufficient numbers of middle grade doctors required to deliver a safe service. The temporary change came into effect on Monday 18 April 2016.

The Health Scrutiny Committee consequently held a series of meetings to establish how the situation came to be, what steps needed to be taken by the Trust to resolve the situation, and what lessons could be learnt from the NHS for the future.

The report produced and circulated to Committee Members outlined the background, findings, conclusions and recommendations following investigations from the Committee.

Resolved: The Health Scrutiny Committee approved the recommendations contained within the report attached at Appendix A (subject to amendments suggested).

Meeting of the Full Council – 13 October 2016

Report on the Scrutiny Committee meetings held on 17 June, 22 July, 22 and 23 September 2016

Chair: County Councillor Bill Winlow

The agenda and minutes of the meeting may be viewed on the County Council's web site at the following link:

[Scrutiny Committee](#)

17 June 2016

Newton Europe Consultants

The Committee was provided with a presentation on an overview of how the role and remit of Newton Europe was contributing to the transformation of the design and delivery of services which would result in improved outcomes for adults.

Resolved: That;

1. The report be noted
2. The Committee receive periodical updates on how the recruitment of additional social workers was easing waiting times and how Adult Services was maximising its productivity.
3. The Committee receive data for sandbox Clinical Assessment Service (CAS) to Screening Initial Assessment (SIAS) referrals and non-sandbox CAS to SIAS referrals.
4. The Committee receive information on the current position of Liquid Logic and future plans in relation to improving service delivery

Strategic Economic Plan

The Committee was presented with a progress update on the Strategic Economic Plan including key initiatives and programmes.

Resolved: That the Committee note the update report.

22 July 2016

Transport Asset Management Plan (TAMP) Data Refresh June 2016

The Committee was updated on the background to highway maintenance funding, and the importance of an effective TAMP.

Resolved: That the Committee note the content of the TAMP data refresh June 2016 document.

Highways Performance

The report presented was in response to the Scrutiny Committee's request for an update on service response times to Member enquiries. The report provided an overview of the current resources, communication arrangements and performance levels.

Resolved: That;

1. The Committee note the report
2. Phil Durnell and Christine Entwistle would liaise with members directly regarding the comments they had made about specific issues in their locality.

Response by the Cabinet Member for Environment, Planning and Cultural Services to the recommendations of the Scrutiny Committee's Review of Planning Matters

The Scrutiny Committee had made recommendations following a review by the Planning Matters Task Group formed at the request of CC Liz Oades.

The report presented set out the response from the Cabinet Member for Environment, Planning and Cultural Services to the Committee's recommendations. Some of the recommendations related to the portfolios of the Cabinet Member for Highways and Transport, and the Cabinet Member for Children, Young People and Schools. Where appropriate their views had been sought.

Resolved: That;

1. The Committee note the support for all the recommendations from the Cabinet Member for Environment, Planning and Cultural Services
2. The recommendation on Flood Risk Management be passed to the Flood Risk Management Team so it can report back to the Scrutiny Committee at the October meeting.

22 September 2016

Request to consider a Call In – The Property Strategy – Responses to Consultation

Following a request by seven County Councillors in accordance with the "Call In" procedure rules, the Committee considered a report outlining the decision of the Cabinet on 8 September 2016 in relation to the Property Strategy.

Resolved: That the cabinet be asked to reconsider its decision of 8 September 2016 in relation to the Property Strategy, on the following grounds:

1. Both the consultation and the cabinet decision were based on incorrect financial information and the decision does not meet the Council's own priorities to support the needs of the residents of Lancashire, particularly the more deprived communities

2. The Scrutiny Committee also sought assurances that the methodology was applied consistently and fairly

23 September 2016

Prevent

A report was presented to the Committee providing information on the implementation of the Prevent Duty, Section 26 of the Counter-terrorism and Security Act 2015 across the authority since its commencement in July 2015, and our partnership working arrangements with regard to Prevent.

Resolved: That the Committee:

1. Note the report;
2. Note the developments and comment as appropriate;
3. Consider receiving further updates on Prevent including the developing Prevent Strategy.

Hate Crime

The Committee was informed that Lancashire County Council had considered a notice of motion at Full Council on 21 July 2016 relating to hate crime and from this, the Council resolved to:

- Display the opening paragraph in this motion prominently on the county council website and that a press release is issued to publicise the motion.
- Ask the scrutiny committee to review the current measures taken to counter racism, xenophobia, and hate crime and report back to Full Council.
- Support and work with people who are victims of hate crime, racism or xenophobia to feel confident in coming forward and reporting it.

The report provided the Scrutiny Committee with information relating to the current measures in place and support available.

Resolved: That the Committee:

1. Note the report
2. Note the developments and comment as appropriate.

Meeting of the Full Council Meeting to be held on 13 October 2016

Report submitted by: Head of Legal and Democratic Services

Part A

Electoral Division affected:
None;

Report of the Audit and Governance Committee (Annex 1 refers)

Contact for further information:
Cath Rawcliffe, Tel: (01772) 533380, Democratic Services Officer,
cath.rawcliffe@lancashire.gov.uk

Executive Summary

The report of the Audit and Governance Committee from its meeting held on 26 September 2016 is attached at Annex 1.

Copies of the agenda reports considered by the committee are available to view via the following link:

<http://council.lancashire.gov.uk/ieListMeetings.aspx?CommitteId=728>

Councillors can also contact the officers specified in each report for further information about each item.

Recommendation

The Full Council is asked to note the report of the Audit and Governance Committee, as now presented.

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

Paper	Date	Contact/Tel
Agenda and Minutes of the Audit and Governance Committee	26 September 2016	Cath Rawcliffe, Legal and Democratic Services, Tel: (01772) 533380

Reason for inclusion in Part II, if appropriate

N/A

Report of the Audit and Governance Committee - Matters for Information

The following matters were considered by the Audit and Governance Committee at its meeting on 26 September 2016:

Part I (Open to Press and Public)

1. Risk and Opportunity Register

The Committee considered a report on an updated quarter 2, Risk and Opportunity Register.

It was noted that the Register had been reported to Management Team, and would be presented to the next meeting of the Cabinet Committee on Performance Improvement in October.

Decision Taken: That the updated Quarter 2 Risk and Opportunity Register be noted.

2. Liquid Logic System Update

A report was presented on the recent progress that had been made in improving the Liquid Logic System. The report included the proposed next steps for the system and the new governance arrangements for system developments and implementations.

It was agreed that a further update would be presented to the next meeting of the committee on the 30 January 2017.

Decision Taken: i) That the report be noted.

ii) That a further report be presented to the next meeting of the Committee on 30 January 2017.

3. Internal Audit progress report

The Committee considered the Internal Audit Service Progress Report for the period to 9 September 2016.

The report also included details of an external assessment of the Council's Internal Audit Service.

Decision Taken:

- i) That the Internal Audit Service Progress report for the period to 9 September 2016 be noted.

- ii) That the proposal to appoint the Chartered Institute of Internal Auditors to undertake an external assessment of the Council's Internal Audit Service be noted.

4. Statement of Accounts - Waste Plant - Valuation

A report was presented on the valuation of the Waste Facilities at Farrington and Thornton Waste Technology Parks.

It was noted that the value of the assets held in the accounts was considered materially correct and no changes had been made the Council's Statement of Accounts.

Decision Taken: That the report be noted.

5. Annual Governance Statement 2015/16 Update

The Committee received an update in relation to the Annual Governance Statement for 2015/16. The report identified a number of key issues and themes that had emerged during 2015/16 and which would continue to feature in 2016/17.

The report also provided the Committee with an update in relation to those issues which were also relevant to the External Auditor's Value for Money (VfM) conclusion contained within the Audit Findings Report elsewhere on the agenda.

Decision Taken: That the Annual Governance Statement for 2015/16 be approved for inclusion in the County Council's Statement of Accounts.

6. Approval of the County Council's and County Pension Fund's Letter of Representation 2015/16

The Committee considered a report on the County Council's Management Representation Letter and that for the Lancashire County Pension Fund.

The Committee was informed that the Management Representation Letters should be made available to the external auditors (as part of the audit evidence) before the audit report was issued.

Decision Taken

The Committee approved the management representation letters, as set out at Appendices 'A' and 'B', to the report presented.

**7. External Audit
Lancashire County Council - Audit Findings Report 2015/16**

A report was presented, on the overall findings of the external auditor in relation to the audit of the annual accounts of Lancashire County Council, their proposed opinion on those accounts, and conclusion on the council's value for money arrangements.

The report included a recommendation requiring all declarations for related party disclosures to be completed annually. In response to concerns raised by the Members, officers were asked to investigate whether any financial sanctions could be imposed on councillors who failed to complete their declarations.

Decision Taken: That:

- (i) The external audit findings report covering the audit of the County Council for year ended 31 March 2016 be noted.
- (ii) The adjustments to the financial statements and other issues raised by the external auditor, as set out in the report presented, be noted.
- (iii) Officers be asked to investigate whether any financial sanctions can be imposed on Councillors who fail to complete their related party disclosure declarations.

8. Approval of the County Council's Statement of Accounts 2015/16

The Committee received the County Council's Statement of Accounts for 2015/16. A summary of the preparation process and the main points of the Statement of Accounts was presented.

A number of accounting adjustments agreed with the external auditor and shown in their Audit Findings report elsewhere on the agenda were reflected within the statement.

Decision Taken: That the Lancashire County Council Statement of Accounts for 2015/16 be approved and signed by the Chair of the Committee.

**9. External Audit
Lancashire County Council Pension Fund - Audit Findings Report
2015/16**

A report was presented on the audit findings in relation to the accounts of the Lancashire County Pension Fund.

Decision Taken: That the external audit findings report covering the audit of the Lancashire County Pension Fund for year ended 31 March 2016 be noted.

10. Approval of the Lancashire County Pension Fund's Statement of Accounts 2015/16

The Committee considered the Lancashire County Pension Fund's Statement of Accounts for 2015/16.

The Statement of Accounts included the Fund Account and the Statement of Net Assets and had been prepared in accordance with standard accounting practice as outlined in the notes to the accounts of the Pension Fund.

Decision Taken: That the Lancashire County Pension Fund's Statement of Accounts for 2015/16 be approved and signed by the Chair of the Committee.

11. Appointment of External Auditors

A report was presented summarising the changes to the arrangements for appointing External Auditors following the closure of the Audit Commission and the end of the transitional arrangements at the conclusion of the 2017/18 audits.

The Committee were presented with three options for appointing External Auditors in the future, one of which required Full Council approval.

In response to concerns raised by the Members, it was agreed that prior to entering into a contract to appoint external auditors, a further report be presented to the Audit and Governance Committee setting out details of the contract, including the period of appointment.

Decision Taken: That:

- (i) The Committee recommend Full Council to opt-in to an approved sector led body, specifically Public Sector Audit Appointments Ltd, to act as the Appointing Person for the appointment of External Auditors for the County Council. (A full report will be presented to a future meeting of Full Council)
- ii) That prior to entering into a contract to appoint external auditors, a further report be presented to the Audit and Governance Committee setting out details of the contract, including the period of the appointment.

12. 2016/17 Treasury Management Activity Report - April to July 2016

The Committee considered a report on a review of the county council's treasury management activities during the current financial year to the end of July 2016.

Decision Taken: That the review of treasury management activities for the period 1 April to 31 July 2016 shown at appendix A to the report, be noted.

13. The County Council's Treasury Management Strategy 2016/17

A report was presented on the County Council's Treasury Management Policy.

It was reported that recent economic uncertainty had resulted in the credit agencies downgrading the UK sovereign rating. In view of the recent changes and in anticipation of any future reductions, the County Council's Treasury Management Policy had been reviewed.

The economic position and low interest rates also required further consideration for the fixing of long term debt and the report covered the options including the potential use of the Municipal Bond Agency (MBA).

Decision Taken: That:

- i) The changes to the Treasury Management Strategy as set out in the report, to allow for changes in the UK sovereign credit rating following the referendum vote to leave the European Union, be approved.
- ii) Full Council be recommended to agree that the County Council enters into the UK Municipal Bond Agency framework agreement as set out in the report to the committee.

**Meeting of the Full Council
Meeting to be held on 13 October 2016**

Report submitted by: Head of Legal and Democratic Services

Part B

Electoral Division affected:
(All Divisions);

Report of the Pension Fund Committee

(Annex 1 refers)

Contact for further information:

Dave Gorman, Tel: (01772) 534261, Legal and Democratic Services,
dave.gorman@lancashire.gov.uk

Executive Summary

The report of the Pension Fund Committee from its meeting on 15 September 2016 is attached at Annex 1.

Copies of the agenda and reports considered by the Committee are available on the County Council's website [here](#).

Members can also contact the officers specified in each report for further information about each item.

Recommendation

That the report of the Pension Fund Committee, now presented, be noted.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Tel
Agenda and Minutes of the Pension Fund Committee	15 September 2016	Dave Gorman, (01772) 534261

Reason for inclusion in Part II, if appropriate

N/A

Report of the Pension Fund Committee - Matters for Information

The following matters were considered by the Pension Fund Committee at its meeting on 15 September 2016.

Part I

4. Lancashire Local Pension Board - Annual Report 2015/16

The Committee considered a report setting out details of the Lancashire Local Pension Board's first annual report, for 2015/16.

Decision taken:

That:

- (i) The report, now presented, be noted;
- (ii) The Chair of the Board be thanked for his attendance and the Board be thanked for the work undertaken during 2015/16.

Part II

6. Fund Performance Report

(Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act, 1972. It was considered that in all the circumstances of the case the public interest in maintaining the exemption outweighed the public interest in disclosing the information).

The Committee considered a presentation and report on the performance of the Fund as at 30 June 2016.

Decision taken:

That the report, now presented, be noted.

7. Investment Panel Report

(Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act, 1972. It was considered that in all the circumstances of the case the public interest in maintaining the exemption outweighed the public interest in disclosing the information).

The Committee considered a report from the Investment Panel setting out the work of the Panel since the last meeting of the Committee.

Decision taken:

That the report, now presented, be noted.

8. Local Pensions Partnership Update

(Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act, 1972. It was considered that in all the circumstances of the case the public interest in maintaining the exemption outweighed the public interest in disclosing the information).

The Committee considered a report setting out an update on the Local Pensions Partnership.

Decision taken:

That:

- (i) The report, now presented, be noted;
- (ii) George Graham, Managing Director (Administration) and Chief Finance Officer, Local Pensions Partnership, be thanked for his attendance.

Part I

9. Update on Work being undertaken on Governance and Risk

The Committee considered a report setting out details of work being undertaken on governance and risk.

Decision taken:

That the report, now presented, be noted.

10. Annual Report and Statement of Accounts of Lancashire County Pension Fund for the year ended 31 March 2016

The Committee considered a report setting out details of the Annual Report and Statement of Accounts of the Lancashire County Pension Fund for the year ended 31 March 2016.

Decision taken:

That:

- (i) The Lancashire County Pension Fund Annual Report for the year ended 31 March 2016, as set out at Appendix 'A' to the report, now presented, be approved;
- (ii) All those involved in the success of the Fund during the year be thanked.

11. Statement of Investment Principles

The Committee considered a report setting out details of an updated Statement of Investment Principles.

Decision taken:

That the updated Statement of Investment Principles, as set out at Appendix 'A' to the report, now presented, be approved.

12. Responsible Investment

The Committee considered a report setting out the quarterly update on Responsible Investment matters.

Decision taken:

That:

- (i) The report, now presented, be noted;
- (ii) The Chair be authorised, in consultation with the Head of Fund, to approve a revised Statement of Compliance with the Stewardship Code;
- (iii) Responsible Investment be the subject of a monthly workshop, preferably prior to the end of the year.

13. Feedback on Attendance at Training and Conferences

The Committee considered a report setting out details of attendance by Committee Members at recent conferences, events and external training sessions.

Decision taken:

That the report and feedback, now presented, be noted.

14. Report of Decisions taken under the Urgent Business Procedure

The Committee considered a report setting out details of decisions taken under the Urgent Business Procedure.

Decision taken:

That the report, now presented, be noted.

Meeting of the Full Council Meeting to be held on 13 October 2016

Report submitted by: Head of Legal and Democratic Services

Part B

Electoral Division affected:
(All Divisions);

Report of the Urgency Committee

Contact for further information:

Chris Mather, Tel: (01772) 533559, Democratic Services Manager,
chris.mather@lancashire.gov.uk

Executive Summary

This report sets out two decisions of the Chief Executive under the Council's Urgent Business Procedure on behalf of the Urgency Committee.

Recommendation

The Full Council is asked to note the report.

Background and Advice

Since the last meeting of the Full Council, the Chief Executive has, in consultation with the Chair and Deputy Chair of the Urgency Committee, taken the following decisions under the Urgent Business Procedure on behalf of the Urgency Committee:

- **Employment Committee Terms of Reference**

On 12 July 2016:

Approval was given to an amendment to the Employment Committee's Terms of Reference giving the Committee responsibility for the appointment of the following statutory officers:

Director of Children's Services
Director of Adult Services
Director of Public Health

The Director of Governance, Finance and Public Services was authorised to make the necessary consequential amendments to the Employment Committee's Terms of Reference and to the Council's Constitution.

It was necessary to use the Urgent Business Procedure to enable the amendment to the Employment Committee's Terms of Reference to be effective prior to the next meeting of the Committee on 18 July 2016.

On 23 August 2016:

Approval was given to the Employment Committee being given responsibility for the determination of the pay and terms and conditions of employment of Lancashire's Senior Coroners, Area(s) Coroners and Assistant Coroners, and that the Committee's Terms of Reference be amended accordingly.

It was necessary to use the Urgent Business Procedure as it was anticipated that the County Council would need to consider a matter relating to Coroners' pay before the next meeting of the Full Council on 13 October 2016.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Risk management

No significant risks have been identified.

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

Paper	Date	Contact/Tel
Items of Urgent Business	12 July 2016 23 August 2016	Chris Mather/(01772) 533559

Reason for inclusion in Part II, if appropriate

N/A

**Meeting of the Full Council
Meeting to be held on 13 October 2016**

Report submitted by: Head of Legal and Democratic Services

Part B

Electoral Division affected:
None

Report of the Lancashire Combined Fire Authority (CFA)

(Annex 1 refers)

Contact for further information:

Diane Brooks, (01772) 866720, Lancashire Fire and Rescue Service

dianebrooks@lancsfireandrescue.org.uk

Executive Summary

Annex 1 sets out a summary report of the Lancashire Combined Fire Authority following its meeting on the 19 September 2016. This is now presented to the Full Council for information.

Recommendation

That the report of the Lancashire Combined Fire Authority, as now presented, be noted.

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

Paper	Date	Contact/Tel
Proceedings of the Lancashire Combined Fire Authority	19 September 2016	Diane Brooks, Lancashire Fire and Rescue Service, (01772) 866720

Reason for inclusion in Part II, if appropriate

N/A

**REPORT OF THE LANCASHIRE COMBINED FIRE AUTHORITY (CFA)
19 SEPTEMBER 2016**

1. FLOODING DEBRIEF OUTCOMES AND INVESTMENT

The Deputy Chief Fire Officer advised that the Service had actively taken the opportunity to learn from significant events through multi-agency debriefing sessions with partners and hot debriefing sessions on fire stations. He introduced Area Manager Mark Hutton who presented Members with an overview of the learning from Storms Desmond and Eva which occurred in December 2015 and advised how the Authority's investment would support future improvements.

AM Hutton reminded Members of the impact on Lancashire of the storms which had had the greatest impact in the North of the county. He gave an overview of the Service contribution to the response phase, the debrief processes and lessons learned, including how these had influenced the next Integrated Risk Management Plan, future training, equipment and the provision of flexible swift water rescue capability. It was noted that AM Hutton would be attending a national, multi-agency event the following week to share accumulated learning from the past 12-months where he would be giving an insight into the types and speed of events.

On behalf of the Authority, the Chairman gave thanks to all staff for their flexibility and commitment during that difficult time.

2. FOUR-YEAR SETTLEMENTS

As part of the Local Government Finance Settlement the Secretary of State had announced an offer of four year funding settlements for local authorities in return for publishing an efficiency plan.

The draft four year settlement included in the Local Government Finance Settlement identified a reduction of £1.8m for the current year, with a further reduction of £3.7m over the next three years. As part of the Settlement the Secretary of State announced an offer of four year funding settlements for local authorities, in order to help authorities plan ahead, subject to the Authority wishing to pursue this and the submission of a suitable efficiency plan. Subsequent to this the Secretary of state had re-affirmed that the offer of four year settlements was unaffected by the budget cuts announced earlier in the year. However, it was possible that other changes might arise in the future which could impact upon it. Furthermore, whilst it was not clear what the impact would be of not accepting this offer the Secretary of State had re-iterated that he 'could not guarantee future levels of funding' for councils which declined to submit an efficiency plan, thereby rejecting the four-year settlement. Based on this it was hard to see any scenario whereby those authorities who did not accept the offer subsequently recovered an enhanced settlement.

The Authority approved the recommendation to accept this offer and approved the efficiency plan as presented, thereby giving greater certainty to future funding levels and enhancing financial and service planning.

3. CORPORATE SAFETY, HEALTH AND ENVIRONMENT POLICY

Under Section 2(3) of the Health and Safety at Work Act 1974, employers must prepare, and where necessary revise, a written statement of health and safety policy. The existing safety, health and environment policy document, which was last considered by the Authority in September 2013, had been recently reviewed, amended as required, and was now presented to Members for consideration.

As the health and safety and environment functions were managed in a similar way it was considered appropriate for the Authority to declare its intent for both health and safety and the environment in the same document. Members considered the aims and objectives which were:

- Understand and ensure compliance with safety, health and environmental regulatory and other requirements that apply to our activities;
- Be fully committed to the prevention of injury and ill health to staff and visitors;
- Provide and maintain high facility, workplace and housekeeping standards;
- Continually develop and maintain systems and procedures to ensure that all equipment, plant and premises are safe and do not have an adverse effect on health and wellbeing;
- Consult and communicate with staff and representative bodies promoting Safety, Health, Wellbeing and Environmental expectations and standards;
- Identify hazards, aspects and reduce risks to as low as is reasonably practical whilst being risk aware rather than risk adverse;
- Raise awareness, train staff in safety, health, wellbeing and environmental matters and encourage our staff to play an active role in reducing impacts and risks and contributing to policy and procedural implementation;
- Support staff fitness and wellbeing;
- To plan and set objectives, targets and programmes and monitor and review our systems using proactive and reactive methods to continually improve our safety, health, wellbeing and environmental performance reporting progress each year;
- To implement and adhere to a framework of policies, procedures and processes that comply with the requirements of British and International Standards such as ISO 14001:2004 and OHSAS 18001: 2007;
- Have appropriate plans/arrangements to deal with emergency situations;
- Recycle and reduce waste wherever possible and make efficient and environmentally responsible use of energy, water and other natural resources;
- Periodically review our systems especially following safety or environmental events.

The Authority approved the policy which formed an integral part of the Integrated Risk Management Planning and Corporate Planning processes and Business Continuity Arrangements.

FRANK DE MOLFETTA
Chairman

LFRS
Fulwood

Meeting of the Full Council - 13 October 2016

Agenda Part C - Notices of Motion submitted under Procedural Standing Order 14.2.1(a)

1. By County Councillor Nikki Hennessy

Under the School Standards and Framework Act 1998 passed by the last Labour Government, schools that were not grammar schools at the beginning of the 1997/98 year cannot make the admission arrangements for selection by ability and parents may request for a ballot on whether existing grammar schools should retain selective admission arrangements.

Council believes that the principle of selection by ability is wrong educationally and excludes children, specifically children from BME backgrounds and children who qualify for free school meals. The principle is wrong because it assumes every child develops at the same rate. Council believes that the restriction against new grammar schools and provisions for parental balloting on existing grammar schools should be kept in place.

Council recognises the opposition for the Grammar school proposal amongst the teaching profession, a recent survey of more than 2,500 teachers, school leaders and heads, revealed that 80 per cent of the profession did not believe that the 11-plus test, taken to get into selective schools, could reliably measure long term academic potential. Kevin Courtney, general secretary of the National Union of Teachers, called the grammar schools proposal “a backward-looking policy”. He said: “Promoting grammar schools as the elite academic option instantly casts all other schools into the role of supporting actor.” This is damning evidence that the new government are out of touch with what this country really needs, we need an education system which works for everyone, not the few.

Council therefore requests that the Chief Executive writes to the Prime Minister outlining Lancashire's County Council's opposition to any move to open new grammar schools and commits the Council to working with the county's family of schools, the head teacher managerial association, parents, trade union partners and others to ensure that every child regardless of ability, gets the best education possible.

2. By County Councillor David Whipp

County Council notes the independent report by Price Waterhouse Cooper which sets out the future financial position of the county council and shows the stark deficit due to rising Social Care costs and inadequate central government funding.

Council also notes that in a recent BBC TV interview, Prime Minister Theresa May notably failed to comprehend the severity and causes of the financial crisis affecting every resident in Lancashire.

Council resolves that all-party representations be made to Mrs May, the Chancellor of the Exchequer and the Secretary of State for Communities and Local Government to request the Government to take urgent action to provide appropriate financial support to ensure that vital services continue to be provided by Lancashire County Council.

3. By County Councillor Geoff Driver

The Budget for the financial year 2016/2017, which was approved by Council in February 2016, provides sufficient funds to keep all the County Council's Libraries open and operational until 31st March 2017.

Council therefore resolves to re-open those Libraries which closed on 30th September and defer the planned closure of other Libraries until 31st March 2017, to give Community Groups and others the opportunity to consider all possible means of taking over the running of these much valued facilities.