

Lancashire County Council

Scrutiny Committee

Friday, 17th June, 2016 at 10.00 am in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Agenda

Part I (Open to Press and Public)

No.	Item
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1.	Apologies
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2.	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.

3.	Appointment of Chair and Deputy Chair
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To note the appointment by Full Council on 26 May 2016 of County Councillor Bill Winlow as Chair of the Committee and County Councillor Alyson Barnes as Deputy Chair for the following municipal year.

4.	Constitution, Membership and Terms of Reference	(Pages 1 - 6)
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5.	Minutes of the Meetings held on 13 May
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(a)	Minutes of the Meeting held on 13 May at 10:00am	(Pages 7 - 10)
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(b)	Minutes of the meeting held on 13 May at 12:00pm	(Pages 11 - 12)
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6.	Newton Europe Consultants
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A presentation to provide the Committee with an overview of how the role and remit of Newton's is contributing to the transformation of the design and delivery of services which will result in improved outcomes for adults.

7. Strategic Economic Plan

A presentation to provide the Committee with a progress update on the Strategic Economic Plan including key initiatives and programmes.

8. Urgent Business

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.

9. Date of Next Meeting

The next meeting of the Scrutiny Committee will be held on Friday 22 July at 10:00am at the County Hall, Preston.

I Young
Director of Governance,
Finance and Public Services

County Hall
Preston

Agenda Item 4

Scrutiny Committee

Meeting to be held on 17 June 2016

Electoral Division affected: None

Constitution, Membership and Terms of Reference (Appendix 'A' refers)

Contact for further information:

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Executive Summary

This report sets out the Constitution, Membership and Terms of Reference of the Scrutiny Committee for the municipal year 2016/17.

Recommendation

The Committee is asked to note the report.

Background

The County Council at its annual meeting on 26 May 2016 agreed that the Committee shall comprise 13 County Councillors (on the basis of 6 Labour members, 5 Conservative members, 1 Liberal Democrat member, and 1 independent member). Nominations of County Councillors to serve on the Committee have been submitted to the Director of Governance, Finance and Public Services Solicitor by the respective political groups.

The County Councillors appointed to serve on the committee for the following year are:

Alyson Barnes
Carl Crompton
Miles Parkinson
John Shedwick
Vivien Taylor
David Watts

Lizzi Collinge
David O'Toole
Sandra Perkins
Ron Shewan
Christian Wakeford
George Wilkins

Bill Winlow

A copy of the Committee's Terms of Reference is attached at Appendix 'A'.

Consultations

N/A

Advice

N/A

Implications: e.g. Financial, Legal, Personnel, Human Rights, Crime and Disorder or Other

This item has the following implications: Nil

Risk management

There are no risk management implications arising from this item.

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

Paper	Date	Contact/Directorate/Tel
Agenda and Minutes of the Meeting of the Full Council	26 May 2016	Janet Mather, Legal and Democratic Services Ext. 31123

Reason for inclusion in Part II, if appropriate

N/A

Scrutiny Committee

1. To review decisions made, or other action taken, in connection with the discharge of any functions which are undertaken by the Cabinet collectively, the Leader, Deputy Leader or the relevant Cabinet Members or Cabinet committees.
2. To make reports or recommendations to the Full Council, the Cabinet, the Leader, Deputy Leader or the relevant Cabinet Members or Cabinet committees with respect to the discharge of any functions which are undertaken by the Cabinet collectively, the Leader, Deputy Leader or the relevant Cabinet Members or Cabinet committees.
3. To review decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the Cabinet, except for decisions of the Regulatory Committee, the Development Control Committee, the Audit and Governance Committee, the Conduct Committee, the Pension Fund Committee, the Corporate Complaints Committee and the Student Support Appeals Committee or any other committees of the Full Council as the Full Council may from time to time specify.
4. To make reports or recommendations to the Full Council or the Cabinet with respect to the discharge of any functions which are not the responsibility of the Cabinet.
5. In reviewing decisions (other than decisions designated as urgent under Standing Order 34(3)) made in connection with the discharge of any functions undertaken by the Cabinet collectively, the Leader, Deputy Leader or the relevant Cabinet Members or Cabinet committees, but which have not been implemented, the Committee may recommend that the decision be reconsidered by the person who made it or to refer the decision to the Full Council for it to decide whether it wishes it to be reconsidered by the decision taker. These rules do not apply to executive decisions which take the form of recommendations for final decision by the Full Council
6. To request a report by the executive to Full Council where a decision which was not treated as being a key decision has been made and the Scrutiny Committee is of the opinion that the decision should have been treated as a key decision
7. To hold general policy reviews and to assist in the development of future policies and strategies (whether requested by the Full Council or the Cabinet, individual Cabinet members, Cabinet committees, or decided by the Committee itself) and, after consulting with any appropriate interested parties, to make recommendations to the Cabinet, individual Cabinet members, Cabinet committees or to the Full Council as appropriate.
8. To undertake reviews (whether requested by the Full Council, the Cabinet, the relevant Cabinet Members, Cabinet committees or decided

by the Committee itself) and make recommendations to the Full Council, the Cabinet or the relevant Cabinet Members or Cabinet committees, as appropriate, on relevant services or activities carried out by external organisations which affect Lancashire or its inhabitants.

9. To consider any matter brought to it following a request by a County Councillor or a Co-optee of the Committee who wishes the issue to be considered.
10. The regular liaison and joint discussion of future policy issues with the Executive.
11. To consider requests from the other Overview and Scrutiny Committees on the establishment of task groups, and to establish Sub-Committees, task groups, and other working groups and panels as necessary, as well as joint committees to exercise the statutory function of joint health scrutiny committees under the NHS Act 2006
12. To determine which Overview and Scrutiny Committee considers a particular matter where this is not clear.
13. The co-ordination of Overview and Scrutiny training for County Councillors and Co-optees.
14. The facilitation of liaison with external bodies and neighbouring authorities as appropriate.
15. To invite to any meeting of the Committee and permit to participate in discussion and debate, but not to vote, any person not a County Councillor whom the Committee considers would assist it in carrying out its functions.
16. To require any Councillor, an Executive Director or a senior officer nominated by him/her, or the Director of the Lancashire County Commercial Group to attend any meeting of the Committee to answer questions and discuss issues.
17. To establish arrangements for the scrutiny of member development, and receive reports from the Member Development Working Group
18. To review and scrutinise the operation of the Crime and Disorder Reduction Partnership in Lancashire in accordance with the Police and Justice Act 2006 and make reports and recommendations to the responsible bodies as appropriate
19. In connection with 18. above, to require an officer or employee of any of the responsible bodies to attend before the Committee to answer questions
20. To co-opt additional members in accordance with the Police and Justice Act 2006 if required, and to determine whether those co-opted members should be voting or non-voting

21. To review and scrutinise the exercise by risk management authorities of flood risk management functions or coastal erosion risk management functions which may affect the local authority's area

Lancashire County Council

Scrutiny Committee

Minutes of the Meeting held on Friday, 13th May, 2016 at 10.00 am in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Present:

County Councillor Bill Winlow (Chair)

County Councillors

C Crompton	C Pritchard
G Driver	J Shedwick
S Holgate	R Shewan
Mrs L Oades	D Watts
D O'Toole	G Wilkins
M Parkinson	

County Councillor Geoff Driver replaced County Councillor Vivien Taylor and County Councillor Steven Holgate replaced County Councillor Alyson Barnes for this meeting.

1. Apologies

None were received

2. Disclosure of Pecuniary and Non-Interests

None were disclosed

3. Minutes of the Meeting held on 8 April 2016

Resolved: That the minutes of the meeting held on 13 May 2016 be confirmed and signed by the Chair.

4. EP&R and FRM Joint Report Winter Floods 2015

The Chair welcomed Alan Wilton, Head of Service Emergency Planning and Resilience; Rachel Crompton, Flood Risk Manager; and Jim Walker from the Environment Agency to the meeting. A report was presented outlining the County Council's involvement in response and recovery, and the subsequent flood risk management activities, to the wide-spread floods in December 2015. The report included reference to the engagement with affected parties, organisational

parties, central government and the Environment Agency and the longer-term measures that might be required to improve flood risk management.

Questions and Comments by the Committee in relation to the report were as follows:

- The Committee wished to have their thanks and appreciation recorded to all those involved in any way in response to the floods.
- Members were informed Emergency Planning was looking to improve training to senior staff.
- Evidence was being compiled in order to make bids to Defra regarding flood risk management.
- It was pointed out to the Committee that during the crucial period of the floods the Environment Agency had drawn in 350 plus additional staff from around the country.
- Members stated the main problem on Boxing Day 2015 was communication and enquired how many people had tried to contact LCC.
- The issue of the secondary pumps at Alt Crossens was raised and discussed. It was agreed to recommend to the Cabinet Member for Environment, Planning and Cultural Services that the County Council worked with the Environment Agency and other partners to resurrect the Internal Drainage Board.
- Committee Members were asked to flag up specific examples where they felt the Environment Agency had not been robust enough in challenging planning applications for developments on flood plains and pass them on to Jim Walker of the Environment Agency.
- The North West Regional Flood and Coastal Committee had made great steps in improving community resilience.
- Members felt there should be a protocol in place and stronger links between the Communications Service and the Emergency Planning Team to raise the profile and visibility of the County Council's response to flooding events. It was confirmed that the intention was to pick this up as part of the de-brief process.
- County Councillor Dereli attended as an observer but spoke with the Committee's consent. She asked if the Committee would consider the impact of canals, their maintenance and how they affected flooding events. The Chair noted this and said it would be considered as a potential future issue for consideration.

- Members enquired if the Environment Agency (EA) had identified where the problems were regarding the flooding in Whalley. They were informed that the EA was working closely with LCC and other partners about what had occurred in Whalley. Whalley was a complicated area when it came to flooding due to the geography of the area. The EA was identifying a number of actions to take in the near future and a flood action group had been developed in the area. On the subject of the flood damage in St. Michael's, the temporary work on flood damage had been completed but there was still more work to do on long term repairs and to consider future developments.
- All drainage authorities had stepped up their efforts since the December floods.
- The Committee was informed that LCC was principally looking to Defra for funding and £6 million had been earmarked for Lancashire schemes.
- The Committee requested a report back in October to update on progress with repairs, diagnostics for longer term repairs and programmes of works identified and how work was progressing to increase the resilience of communities and improve communication.
- Alan Wilton, Head of Service Emergency Planning, informed the Committee he would be taking a paper to Management Team in the next few weeks on the de-brief process. The Committee requested that this paper be shared with Members as soon as possible.

Resolved:

1. That the response to date be noted and the Committee's advice on further appropriate response activities be expressed.
2. That a progress update report be brought back to the Scrutiny Committee in October.
3. That the Committee's thanks and appreciation to all those involved in response to the flooding be recorded.

5. Work Plan and Task Group Update

Andrew Mullaney, Head of Planning and Environment, attended the meeting regarding the letter drafted by the Planning Matters Task Group to the Secretary of State. He suggested that it would be helpful to gather more robust evidence, to support the Task Group's conclusions, for inclusion in the letter before sending it to the Secretary of State. It was agreed that Members would send concrete examples of specific instances of development issues to Andy and he would

explore these with colleagues in Highways and Education. A revised letter to the Secretary of State would then be drafted.

The Work Plan was presented to the Committee regarding upcoming topics and future topics not yet scheduled as well as an update on ongoing Task Groups and Task Groups that had recently been established.

Resolved:

1. That the Committee note the report
2. That the Committee agree to a revised letter to the Secretary of State from the Planning Matters Task Group being drafted.

6. Urgent Business

There were no items of urgent business.

7. Date of Next Meeting

The next meeting of the Scrutiny Committee will take place on Friday 22nd July 2016 at 10.00 in Cabinet Room B (The Diamond Jubilee Room) at the County Hall, Preston.

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Lancashire County Council

Scrutiny Committee

Minutes of the Meeting held on Friday, 13th May, 2016 at 12.00 pm in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Present:

County Councillor Bill Winlow (Chair)

County Councillors

C Crompton	C Pritchard
G Driver	J Shedwick
S Holgate	R Shewan
Mrs L Oades	D Watts
D O'Toole	G Wilkins
M Parkinson	

County Councillor Geoff Driver replaced County Councillor Vivien Taylor and County Councillor Steven Holgate replaced County Councillor Alyson Barnes for this meeting.

1. Apologies

None were received

2. Disclosure of Pecuniary and Non-Interests

County Councillor Bill Winlow declared a non-pecuniary interest in item 3 as he was a member of the Cabinet Working Group for Bus Services.

3. Bus Service Replacement Proposal for Sabden

The Committee considered the request made by five Members of the County Council that the decision made by the Cabinet Member for Highways and Transport on 11 May 2016 on the Bus Service Replacement Proposal for Sabden, be "Called In".

The Committee welcomed County Councillor Geoff Driver CBE presenting his reasons for the decision to be reconsidered.

In presenting the case for the Call In, it was noted that the proposal had been accepted by the members of the Bus Service Cabinet Working Group, and that there was sufficient funding available. It was felt that the need for the service had been sufficiently justified, and that it would be reasonable in the circumstances to accept that a special case could be made for Sabden without setting a general precedent.

County Councillor John Fillis, Cabinet Member for Highways and Transport, spoke in response. It was highlighted that, whilst the position of the residents of Sabden was understood, there had long been an approach in Lancashire of not taking on withdrawn commercial services. Concern was expressed at the precedent this would set, both for other communities which had lost or were losing their bus services, and also for commercial operators, who may seek to withdraw from further services if it was believed that the County Council was prepared to step in. Alternative models of delivery in Chorley and Longton were noted, and the county council's willingness to work with the community was confirmed. The Cabinet Member confirmed the commitment to the development of a clear agreed policy for the County Council in relation to the withdrawal of commercial services.

In the debate which followed, committee members expressed sympathy with Sabden residents, but recognised other areas where a demand for a similar subsidised service could exist, and the dangers outlined of setting a precedent for other areas and operators.

It was proposed and seconded that the Cabinet Member for Highways and Transport's decision on 11 May 2016 in relation to the Bus Service Replacement Proposal for Sabden should not be called in. On being put to the vote, the motion was won and it was therefore:

Resolved: That the Cabinet Member for Highways and Transport's decision on 11 May 2016 in relation to the Bus Service Replacement Proposal for Sabden should not be called in

4. Urgent Business

There were no items of urgent business

5. Date of Next Meeting

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