

Lancashire County Council

Cabinet

Minutes of the Meeting held on Thursday, 14th May, 2020 at 2.00 pm : Virtual Meeting - Skype

Present:

County Councillor Geoff Driver CBE Leader of the Council
(in the Chair)

Cabinet Members

County Councillor Keith Iddon
County Councillor Albert Atkinson
County Councillor Michael Green
County Councillor Phillippa Williamson
County Councillor Peter Buckley
County Councillor Graham Gooch
County Councillor Shaun Turner

County Councillors Azhar Ali and John Fillis were also in attendance under the provisions of Standing Order No. C14(2).

Tributes were paid to County Councillor Malcolm Barron, who sadly died yesterday. Cabinet held a minute's silence in his memory.

The Leader of the Council noted that this was the first ever "virtual" meeting of Lancashire County Council. He further noted the significant efforts made by the council and partners to tackle coronavirus, and paid tribute to teachers and other school staff, care homes and social care teams, and all other staff of the council for the response to the emergency.

1. **Apologies for Absence**

None.

2. **Disclosure of Pecuniary and Non-Pecuniary Interests**

There were no interests declared.

3. **Minutes of the Meeting held on 12 March 2020**

Resolved: That the minutes of the meeting held on 12 March 2020 be confirmed as a correct record and signed by the Chair.

4. Severe Weather Funding for Damage following Storms Ciara and Dennis

Cabinet received a report proposing funding for work to address damages caused by Storm Ciara and subsequently Storm Dennis in February 2020.

The total estimated cost of repairs required due to the above storms was estimated at £4,709,385 (including £4,461,857 capital and £247,528 revenue costs), with the initial proposal covering the urgent work that is required in the next 6 months with a value of £1,636,808.

Resolved: That

- i. £1,636,808 be allocated to the urgent works, as detailed at Appendix 'A', from the £5m additional capital funding approved by Full Council, as part of the county council's budget, for highway maintenance in February 2020.
- ii. the decision be implemented immediately for the purposes of Standing Order C29 as any delay would have an adverse effect on the operations of the county council in delivering this urgent maintenance work.

5. Foster Care Allowances 2020/21

Cabinet received a report setting out proposals for the increase of Foster Care Allowance rates for 2020/21, in line with National Minimum Standards.

Resolved: That

- i. the increase in the current scale of Foster Care Allowances, other than where specified, as set out at Appendix 'A'.
- ii. The decision be implemented immediately for the purposes of Standing Order C29 as any delay would have an adverse effect on ensuring the council met its statutory requirements.

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

The urgent decisions taken by the Leader of the County Council and Cabinet Members were noted.

7. Urgent Business

There were two items of urgent business.

7(a) Request Approval to Extend Existing Contracts in Response to Covid-19 Outbreak

This decision was taken as an item of urgent business to enable action to be taken in time on the contracts under consideration.

Cabinet considered a report outlining the outcome of an urgent review of contracts by the Procurement Service to identify those due to have been re-procured in the next 6 to 12 months. These proposals were considered in line with Proposals with Procurement Policy

Note 01/20 'Responding to COVID-19', to ensure the Procurement service could focus on essential category management activities, namely the supply of PPE, for the time being.

Resolved: That

- i. the extension of the contracts as set out in this report and detailed in the report be approved
- ii. Directors and Heads of Service be authorised to determine the length and number of extensions within the maximum scope permitted by this report.
- iii. The decision be implemented immediately for the purposes of Standing Order C29 as any delay would have an adverse effect on the ability of the Procurement Service to focus on essential COVID-19 related activities

7(b) Academy Conversion - Marsden Heights Community College

This decision was taken as an item of urgent business to enable the council to meet the target conversion date of 1 June 2020.

Cabinet considered a report seeking permission from Cabinet to delegate authority for finalising and approving the detailed legal documents to the Director of Corporate Services, and to provide the necessary authority and indemnity to the Chief Executive and Director of Resources, to complete the academy conversion of Marsden Heights Community College, in accordance with the directive Academy Order from the Department for Education on 8 February 2017.

Resolved: That

- i. the Director of Corporate Services be authorised to finalise and approve any documents necessary to give effect to the academy conversion of Marsden Heights Community College from the conversion date (with a target conversion date of 1 June 2020 or as soon as reasonably practicable thereafter)
- ii. the Chief Executive and Director of Resources be authorised to issue all necessary certificate(s) within and for the purposes of the Local Government (Contracts) Act 1997 in respect of the Deed of Variation to the Project Agreement with Lancashire Schools SPC Phase 2A Limited (the contractor responsible for designing, building, financing and operating the school facilities) (and any other certified service contracts with a term exceeding five (5) years being put in place to implement the directed academy conversion)
- iii. Lancashire County Council give an indemnity to the Chief Executive and Director of Resources as follows:
“Lancashire County Council shall indemnify the Chief Executive and Director of Resources against any claims made against them (including costs incurred by and awarded against them) and will not itself make claims against them for any loss or damage occasioned by neglect and error or omission committed by the Chief Executive and Director of Resources in the course of or in connection with the signing of the certificate(s) referred to above.”
- iv. The decision be implemented immediately for the purposes of Standing Order C29 as any delay could adversely affect the execution of the county council's responsibilities in relation to the target conversion date as set out.

8. Date of Next Meeting

It was noted that the next meeting of Cabinet would be held at 2pm on Thursday 11 June 2020 as a virtual meeting.

9. Notice of Intention to Conduct Business in Private

Cabinet noted the Notice of Intention to Conduct Business in Private and that no representations had been received.

10. Exclusion of Press and Public

Resolved: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that there would be a likely disclosure of exempt information as defined in the appropriate paragraph of Part I of Schedule 12A to the Local Government Act 1972 as indicated against the heading to the item.

11. Migration to Oracle Cloud from the current E-Business Suite Oracle Platform

Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Cabinet received a report on the migration to Oracle Cloud from the current E-business Suite Oracle Platform.

Resolved: That

- i. the recommendations set out in the report be approved.
- ii. the decision be implemented immediately for the purposes of Standing Order C29 as any delay could adversely affect the execution of the county council's responsibilities.

12. The Case for a Further Bond Issue

Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Cabinet received a report on the options for a further Bond issue.

Resolved: That

- i. the recommendations set out in the report be approved.

- i. the decision be implemented immediately for the purposes of Standing Order C29 as any delay could adversely affect the execution of the county council's responsibilities.

Angie Ridgwell
Chief Executive and
Director of Resources

County Hall
Preston