

Lancashire County Council

Internal Scrutiny Committee

Minutes of the Meeting held on Friday, 10th September, 2021 at 10.00 am in Committee Room 'A' - The Tudor Room, County Hall, Preston

Present:

County Councillor David O'Toole (Chair)

County Councillors

A Fewings	S Serridge
A Hindle	J Shedwick
S Holgate	R Swarbrick
T Hurn	B Yates
P Rigby	

County Councillors Sean Serridge, Rupert Swarbrick and Barrie Yates replaced County Councillors Dr Erica Lewis, Sue Hind and Scott Smith respectively.

1. Apologies

Apologies were received from County Councillors John Fillis and Stuart Morris.

2. Constitution: Chair and Deputy Chair; Membership; Terms and Reference

The report presented set out the constitution, membership, chair and deputy chair and terms of reference of the Internal Scrutiny Committee for the remainder of the municipal year 2121/22.

Resolved: That the following be noted;

1. The appointment of County Councillors David O'Toole and John Shedwick as Chair and Deputy Chair of the Committee for the remainder of the 2021/22 municipal year.
2. The membership of the committee following the County Council's Annual Meeting on 15 July 2021; and
3. The Terms of Reference of the Committee.

3. Disclosure of Pecuniary and Non-Pecuniary Interests

None were disclosed.

4. Minutes of the Meeting held on 5 March 2021

Resolved: The minutes from the meeting held on 5 March 2021 were confirmed as an accurate record.

5. Appointment of a Joint Health Scrutiny Committee for the Reconfiguration of Hyper Acute Stroke Services across North Mersey and West Lancashire

The Chair welcomed County Councillor David Westley, Chair of the Health Scrutiny Committee, to the meeting. The report presented was a request to appoint a proposed Joint Health Scrutiny Committee for the purpose of reviewing the final proposal for the reconfiguration of hyper acute stroke services across the North Mersey and West Lancashire area proposed by Liverpool Clinical Commissioning Group.

Lancashire County Council had been asked to provide the names of two county councillors to join with members from Knowsley, Sefton and Liverpool Councils. The Joint Health Scrutiny Committee would be similar to the Lancashire and South Cumbria Health Scrutiny Committee. As these three councils had agreed to the new joint committee there now had to be a public consultation on the reconfiguration.

The proposed joint committee was for mandatory purposes. If it was not agreed the county council would not have representation on the joint committee and therefore no recourse to provide formal comments on the public consultation nor the power of referral to secretary of state. The joint committee was to be established to consider this proposal only. The proposal by the NHS would affect residents across Liverpool, Knowsley, Sefton and West Lancashire. Health Scrutiny was a function of the county council and not the district councils in a two-tier area.

Comments and questions raised were as follows:

- It was important that Lancashire County Council had its say and that Health Scrutiny was effective in looking at any significant change in the delivery of services in the NHS.
- Members enquired about who would be servicing the new Joint Health Scrutiny Committee. It was important that Lancashire County Council understood and got information from the Joint Scrutiny Committee in a timely manner.
- The administration and service of the new Joint Service Scrutiny Committee was crucial.

Resolved: That;

1. The Internal Scrutiny Committee agreed to the proposed Joint Health Scrutiny Committee.

2. An update report be received by the Lancashire County Council Health Scrutiny Committee after every meeting of the Joint Health Scrutiny Committee.

6. Report of the Budget Scrutiny Review Panel

The Chair once again welcomed County Councillor David Westley to the meeting as Chair of the Budget Scrutiny Review Panel. The report presented requested the Internal Scrutiny Committee to consider the membership of the Budget Scrutiny Review Panel in terms of numbers.

The report also presented a brief overview of matters presented and considered by the Budget Scrutiny Review Panel at their meeting held on 1 September 2021. The main item had been the report on Money Matters 2021/22 Position Quarter 1 which showed the current position of the county councils finances and an indication of how the first quarter had gone. This had recently been presented to Cabinet.

Finally, the report asked Internal Scrutiny Committee to consider whether a future topic for scrutiny, Public Realm Agreements should be considered and the most appropriate committee to do this.

It was highlighted that further meetings of the Budget Scrutiny Review Panel had been proposed for November 2021 and January 2022. Suggested topics for consideration included further Money Matter updates, ongoing budget savings for the county council and the Commercialisation Strategy.

Comments and questions raised were as follows:

- Regarding Public Realm Agreements it was stated that these should be put forward as a future topic for scrutiny. If there were concerns about the budget for this the Budget Scrutiny Review Panel could not invite officers from the Highways team to one of its meetings.
- One of the solutions that scrutiny needed to look at was closer working relationships between the district councils and the county council in terms of Public Realm Agreements. The relationship between county council officers and district council officers needed to be considered.

Resolved: That the Internal Scrutiny Committee;

1. Agree the current membership of the Budget Scrutiny Review Panel of 7 members.
2. Note the update provided from the Budget Scrutiny Review Panel at its meeting on 1 September 2021.
3. Agree that a future topic on Public Realm Agreements was necessary and consider which scrutiny committee would be most appropriate.

7. Regulatory of Investigatory Powers Act 2000 - Annual Report

The Chair welcomed to the meeting Chris Wilkinson, Lancashire County Council Trading Standards Manager. The report presented informed the committee that the Regulation of Investigatory Powers Act 2000 (RIPA) provided a framework for local authorities, to use covert surveillance techniques for the purposes of undertaking statutory functions in connection with the prevention or detection of crime.

Local authorities were subject to regular inspections from the Investigatory Powers Commissioners Office – IPCO. The next inspection would take place in 2023.

Members were required to review the use of the RIPA and set the policy at least once a year.

The purpose of the report was to ask the committee to approve the three updated corporate policies on:

- RIPA surveillance.
- Non-RIPA surveillance.
- The use of Social Media and the Internet in investigations.

The committee was informed that there had been very few updates to the policies in the last twelve months.

In terms of the RIPA policy there was one amendment to the length of time that an authorisation could remain in place where a juvenile was used for the source of the information.

In the last twelve months there had been no applications for direct surveillance. Direct surveillance was using officers to observe the activities of individuals under investigation. There had also been no applications for the use of informants in investigations.

The only recommendation from the last RIPA report was that the authority refreshed the training for officers who might get involved in this area of work. This training was ongoing and was hoped to be completed by the end of this financial year.

Comments and questions raised were as follows:

- There was a request for the changes in future RIPA reports to be highlighted for members to see.
- Members enquired about the number of surveillance applications pre-Covid. The last RIPA report had an update on usage for 2019/ 2020.

Resolved: The Internal Scrutiny Committee approved the updated corporate policies on:

- RIPA surveillance.
- Non-RIPA surveillance.
- The use of Social Media and the Internet in investigations.

8. Work Programme 2021/22

The Committee received a report which provided information on the draft work programme for the Internal Scrutiny Committee.

The topics included in the work programme were identified at the joint work planning workshop for Internal and External Scrutiny held on 9 July 2021 and included topics that were still relevant and needed reviewing from last year's work programme

In regard to Public Realm Agreements, it was noted that the issue received a lot of attention from the public and was a concern to residents. It was an area of activity that was applied on by both the county council and the district councils as well as some parish councils. Members felt it was an important area to scrutinise to see where best practice lay.

In considering the most appropriate method of scrutiny it was felt a Task and Finish Group may be an appropriate option to look at this issue. The group could invite people from outside the authority such as district or parish colleagues to consider the issues jointly. The request for a Task and Finish Group would be discussed with relevant officers in the Highway Service and a report to request the setting up of a Task and Finish Group could come to the next Internal Scrutiny Committee agenda if this was felt to be the most appropriate method of scrutiny. Members enquired if the process of setting up the Task and Finish Group could be speeded up via the Chair and Vice-Chair outside of the committee, if necessary.

The subject of temporary traffic lights was raised and there was a request to look at the policy regarding them. There were two aspects to temporary traffic lights. One was where officers gave a permit for work to happen. The other was around Traffic Regulation Orders (TROs). Members should always receive pre-notice of any TROs being implemented.

Resolved: That;

1. The report presented be noted.
2. Additional topics identified be included in the work programme.
3. Consideration be given to setting up a Task and Finish Group looking at Public Realm issues.

9. Urgent Business

There were no items of Urgent Business.

10. Date of Next Meeting

The next meeting of the Internal Scrutiny Committee would take place on Friday 12 November 2021 at 10.00am at County Hall, Preston.

L Sales
Director of Corporate Services

County Hall
Preston