

Lancashire County Council

Cabinet

**Minutes of the Meeting held on Thursday, 8th September, 2022 at 2.00 pm in
Committee Room 'B' - The Diamond Jubilee Room, County Hall, Preston**

Present:

County Councillor Phillippa Williamson Leader of the Council
(in the Chair)

Cabinet Members

County Councillor Alan Vincent
County Councillor Peter Buckley
County Councillor Charles Edwards
County Councillor Graham Gooch
County Councillor Michael Green
County Councillor Jayne Rear
County Councillor Aidy Riggott
County Councillor Cosima Towneley
County Councillor Shaun Turner

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

Prior to the start of the meeting, the Leader of the Council, on behalf of the council and all the residents of Lancashire, expressed concern at the recent news of Her Majesty the Queen's health and conveyed thoughts and prayers to Her Majesty and the Royal Family at this time. County Councillor Ali, Leader of the Opposition, echoed and endorsed those comments.

1. Apologies for Absence

No apologies were received.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None.

3. Minutes of the Meeting held on 7 July 2022

Resolved: That the minutes of the meeting held on 7 July 2022 be confirmed as a correct record and signed by the Chair.



4. Cost of Living - Warm and Welcome Places

Cabinet considered a report on the cost of living. It was noted that the report was prepared following a notice of motion agreed at Full Council on 14 July 2022 in relation to utilising county council owned buildings to offer a warm and welcome place where people could keep warm and comfortable this coming autumn and winter.

In presenting the report, Cabinet expressed thanks to all the officers involved in producing the report and for the work they had undertaken.

It was also noted that a cross party scrutiny task and finish group had been established and had met for the first time on 1 September 2022 to discuss the report and to identify best practices, to work in delivering warm hubs and welcoming space schemes, and to report its findings back to Cabinet.

The Chair of the Warm and Welcome Public Spaces Task Group, County Councillor David Westley, had been invited to attend Cabinet to report back the comments made during the task group's meeting on 1 September 2022. A copy of the minutes from the meeting of the task group on 1 September 2022 had been circulated to members.

Resolved: That, the progress made on the notice of motion in relation to utilising county council owned buildings to offer a warm and welcome place, be noted.

5. Annual Reports of the County Council's Champions and the Former Champion for Disabled People

Cabinet received the annual reports of the county council's Champions and the Former Champion for Disabled People.

The reports outlined the activities each Champion had undertaken between 1 April 2021 and 31 March 2022, in the respective roles they held, from the resources previously allocated to them on an annual basis.

In presenting the report, the Cabinet thanked all the Council Champions; County Councillors Joan Burrows, Scott Smith, Paul Rigby, Carole Haythornthwaite, Alf Clempson and Stuart Morris, as well as the former Champion for Disabled People, County Councillor Rupert Swarbrick, for the work they had undertaken and continued to undertake in the community.

Resolved: That, the annual reports of the county council's Champions and the Former Champion for Disabled People, be noted.

6. Questions for Cabinet

There was one question received.

The question and response are attached to the minutes.



7. Corporate Performance Report - 2022/23 Quarter 1

Cabinet considered a report providing an overview of the key performance indicators as well as corporate risks and opportunities to enable monitoring against the four priorities of the corporate strategy:

- Delivering better services
- Protecting our environment
- Supporting economic growth
- Caring for the vulnerable

This report covered the quarter 1 of 2022-23 and included a revised set of performance indicators as well as updated corporate risks and opportunities.

It was noted that the risk entries for Counter Terrorism and Cyber Security were provided at Appendix 'E' which was considered exempt from publication and in Part II, and therefore appeared at Item No. 30 on the agenda.

Resolved: That, following consideration of the report and the additional information set out in Appendices 'A' to 'E', the report be noted.

8. Money Matters 2022/23 Position - Quarter 1

Cabinet considered a report providing an update to Cabinet on the county council's 2022/23 revenue and capital financial position, as at the end of June 2022 and an updated medium term financial strategy covering the period 2023/24 to 2025/26.

It was noted that the effects of the COVID-19 pandemic were still evident in some services particularly relating to Adults and Children's Social Care. There were also significant inflationary pressures resulting from a number of other factors including the pandemic and the war in Ukraine.

Resolved: That;

- i. The current forecast overspend of £17.740m on the revenue budget in 2022/23, be noted;
- ii. The revised funding gap of £159.678m covering the period 2023/24 to 2026/27 as set out in the revised financial outlook forecast for the council, be noted;
- iii. The budget adjustments for 2022/23, and following years' changes, included in the revised medium term financial strategy, be approved;
- iv. The contents of the county council's reserves position, be noted; and
- v. The revised 2022/23 capital delivery programme of £221.889m and the forecast outturn of £196.951m primarily due to slippage of delivery to future years, be noted.



9. Procurement Report

Cabinet considered a report seeking approval to commence the following procurement exercises in accordance with the county council's procurement rules:

- i. Supply of stone and paving products
- ii. Civil engineering materials
- iii. Customer Contact Centre Solution

Additionally, the report requested approval for a waiver of the Procurement Rules set out in Appendix R of the county council's Constitution to allow the council to continue to contract with Openreach Limited (via British Telecommunications Plc) without competitively tendering.

Resolved: That;

- i. The commencement of procurement exercises for the following be approved:
 - i. Supply of stone and paving products
 - ii. Civil engineering materials
 - iii. Customer Contact Centre Solution
- ii. The waiver of Procurement Rules to continue to direct award future contracts to Openreach Limited as set out in Appendix 'A' of the report, be approved.

10. Appointment to Outside Body - Prospects Foundation Management Committee

Cabinet considered a report that proposed to add Prospects Foundation Management Committee to the county council's list of outside bodies and to appoint County Councillor Peter Britcliffe as the county council's representative.

Resolved: That, the following be approved:

- i. Prospects Foundation Management Committee be added to the county council's list of outside bodies; and
- ii. County Councillor Peter Britcliffe be appointed as the county council's representative on the Prospects Foundation Management Committee until the next Lancashire County Council elections in May 2025.

11. Cottam Parkway Railway Station Ownership, Operations and Maintenance

Cabinet considered a report on the Cottam Parkway Railway Station project. It was noted that the Cottam Parkway Railway Station project was being developed as a key component of Lancashire County Council's Transforming Cities Fund programme. The project package comprised of the design and construction of a new railway station, platforms and car park with associated infrastructure, including a new access road and highway with canal bridge as well as schemes to support enhanced active travel.



A number of options for ownership, operations and maintenance of the new railway station and associated facilities were available to Lancashire County Council and the report considered the three options available and provided a final recommendation to Cabinet.

Resolved: That;

- i. The principle of transferring the freehold property at Cottam Parkway to Network Rail including station building, platforms and car park with access road (but excluding the highway) for future ownership, operation and maintenance (Option 1 in the report), be approved;
- ii. The Director of Highways and Transport be authorised, in consultation with the Director of Corporate Services and Director of Finance, to agree and finalise the terms of any agreements with the railway industry and Network Rail; and
- iii. Further reports in relation to the Cottam Parkway Railway Station project be submitted to Cabinet for consideration at appropriate gateway and decision points.

12. Knott End to Fleetwood Ferry

Cabinet considered a report on the Knott End to Fleetwood Ferry. It was noted that on 4 April 2018 the Leader of the County Council and the Cabinet Member for Highways and Transport approved a recommendation to secure ferry operations between Fleetwood and Knott End, in partnership with Wyre Council.

It was reported that the costs of running the service had increased substantially over the last four-year period and, although the ferry service was a well-used transport between the two locations, the operator was not in a position to reduce this subsidy to nil, as was the intention under the contract.

The report was therefore requesting approval for an increased contribution from the two authorities, in order to continue to operate the service sustainably.

Resolved: That, the following be approved:

- i. The extension of the duration of the existing subsidy to the Fleetwood to Knott End Ferry for the four remaining years of the contract;
- ii. That an additional subsidy of £10,000 per annum be provided by Lancashire County Council to support the continued operation of the Fleetwood to Knott End Ferry service until 2026; and
- iii. The addition of the Knott End to Fleetwood Ferry Service Working Group to the county council's list of appointments to outside bodies and the Director of Corporate Services be authorised, in consultation with the Leader of the Council, to approve the county council's representative on the working group until the next county council elections.



13. Lancashire County Council (Bethesda Street, Hammerton Street, Paradise Street, St James's Street, Tanner Street and Unnamed Street, Burnley, Burnley Borough) (Suspension and Various Parking Restrictions) Experimental Order 2021

Cabinet considered a report that highlighted objections to the recent Experimental Traffic Regulation Order supporting the safe operation of the new public realm layout and the public transport improvements within the St James's Street area of Burnley and requested Cabinet to consider making the Order permanent.

It was noted that the original Experimental Traffic Regulation Order was shown at Appendix 'A' of the report and depicted on the plan at Appendix 'B' of the report, for the reasons outlined within the report and in the Statement of Reasons at Appendix 'C' of the report.

Resolved: That, the making permanent of the Experimental Traffic Regulation Order, be approved.

14. Lancashire County Council (Churchill Way, Nelson, Pendle Borough) (Restriction Of Waiting) Experimental Order 2021

Cabinet considered a report that highlighted objections to the recent Experimental Traffic Regulation Order in Churchill Way, Nelson, where consideration was now required as to whether to make the Experimental Order permanent.

It was noted that the original Experimental Traffic Regulation Order was shown at Appendix 'A' of the report and depicted on the plan at Appendix 'B' of the report for the reasons outlined within the report and in the Statement of Reasons at Appendix 'C' of the report.

Resolved: That, the making permanent of the Experimental Traffic Regulation Order be approved.

15. Preesall Road Safety Improvements

Cabinet considered a report that proposed to reduce the speed limit on Rosslyn Avenue and its side roads to 20mph. It was noted that the report summarised the results of the formal advertising of the proposed speed limit order, to which objections had been received.

Resolved: That, the introduction of the 20mph speed limit order, as shown in Appendix 'A' of the report, be approved.

16. Ruff Lane, Ormskirk, Road Humps

Cabinet considered a report that proposed to introduce a series of road humps on Ruff Lane, Ormskirk, between Knowsley Road and Beech Meadow, as part of a proposal for a cycle safety scheme.



It was noted that the report summarised the proposals and provided details of the formal advertising and consultation.

Resolved: That, the implementation of 75mm high road humps A to G, Ruff Lane, Ormskirk, as set out in the report and at Appendices 'A' and 'B' of the report, be approved.

17. Safer Road Fund - Speed Limit Order for Average Speed Camera Enforcement A588, A581, A682, A683 and A6

Cabinet considered a report that proposed to introduce five Speed Limit Orders as part of the average speed camera works on the A588, A581, A682, A683 and the A6 in order to improve road safety.

It was noted that the report highlighted objections to the recent consultation.

Resolved: That, the Speed Limit proposals on the A588, A581, A682, A683 and the A6 as detailed within the report and as set out in the Draft Orders at Appendices 'B' - 'F' of the report and depicted on the plans at Appendices 'G' - 'K' of the report for the reasons outlined within the report and in the Statement of Reasons at Appendix 'L' of the report, be approved.

18. Transport Asset Management Plan Phase 2 Year 2 - Data Refresh 2022

Cabinet considered a report that proposed to publish a review of the progress made during year 2 of Phase 2 of the Transport Asset Management Plan and refresh the data to show the latest condition of the county council assets and progress in a number of key areas in highway asset management over the past 12 months and to use the Data in the delivery of the Transport Asset Management Plan.

Resolved: That;

- i. The update on progress outlined in the Transport Asset Management Phase 2 Year 2 – Data Refresh 2022 as set out at Appendix 'A' of the report, be noted;
- ii. The Director of Strategy and Performance be authorised, in consultation with the Cabinet Member for Highways and Transport, to approve and publish the full and final version of the 'Transport Asset Management Plan Phase 2 Year 2 - Data Refresh 2022';
- iii. The use of the data for lifecycle modelling and allocation of funds in line with the Transport Asset Management Plan principles in the development of the county council's 2023/24 Highways Capital programme, which will be presented to Cabinet in March 2023, be approved; and
- iv. The continued monitoring of performance against the standards set, be approved.



19. Changes to the Telecare Service

Cabinet considered a report that proposed to introduce telecare charges to support the continuation and development of the service at a sustainable level and allow the county council to afford and embrace the full benefits offered by the transition from analogue to digital, for years to come.

Resolved: That, approval be given for the following three tier, non-means tested charging structure to be introduced in respect of telecare services provided by the county council, with effect from 1 January 2023:

- Level 1 – On-site staff or a nominated family member or friend responds to an alert or emergency call - **£4.00 per week.**
- Level 2 – A mobile responder responds to an alert or emergency call - **£5.50 per week.**
- Level 3 - This service has all the benefits of service level 2, plus the additional option of having up to 2 wellbeing calls or 1 visit per week - **£9.00 per week.**

20. Consultation Regarding the Future of Individual Service Funds in Lancashire

Cabinet considered a report on the future of individual service funds in Lancashire. It was noted that in March 2020, Cabinet resolved that approval be given for a consultation to take place on the draft Individual Service Fund to inform the final Individual Service Fund policy and procedures. However, it was reported that the consultation was not progressed within intended timescales as the Coronavirus pandemic necessitated other more urgent priorities.

A six-week public consultation on the proposed Individual Service Fund policy had now taken place which sought views from members of the public and care and support providers who will manage the Individual Service Fund agreements and as a result of the consultation, several changes have been made to the policy.

Resolved: That:

- i. The consultation findings, as set out at Appendix 'A' and Appendix 'B' of the report, be noted; and
- ii. The revised policy and procedures governing Individual Service Funds, as set out at Appendix 'C' of the report, be approved.

21. Special Educational Needs and Disabilities Sufficiency Strategy Implementation - Increase in the Number of Special School Places

Cabinet considered a report providing an overview of proposals to expand and increase the number of places at Thornton Cleveleys Red Marsh School: Willow Campus, Lostock Hall Moor Hey School and Kingsbury Primary School, Skelmersdale, following the formal consultation processes.



It was noted that Appendix 'E' of the report was deemed to be exempt from publication and was therefore in Part II and appeared at Item No. 32 on the Agenda.

Resolved: That;

- i. Following consideration of the results of the formal consultation, approval be given for the expansion and increase in the number of places at Thornton Cleveleys Red Marsh School: Willow Campus;
- ii. Following consideration of the results of the formal consultation, approval be given for the expansion and increase in the number of pupil places at Lostock Hall Moor Hey School; and
- iii. Approval be given to initiate a feasibility study and informal consultation to expand and increase the number of pupil places at Kingsbury Primary School, Skelmersdale.

22. Lead Local Flood Authority Planning Advice Service

Cabinet considered a report on the Lead Local Flood Authority Planning Advice Service. It was noted that the Lead Local Flood Authority has a 'pre-application advice service for surface water and sustainable drainage systems' for developers, which was launched in 2017. Since then, it had remained unchanged taking a 'one size fits all' approach to service delivery and charging structure regardless of development complexity.

The service had been reviewed and renamed as 'Lead Local Flood Authority Planning Advice Service' to reflect the proposed broader range of paid-in services and revised charging structure. The proposals aimed to better meet the needs of the county council's customers at more stages of the planning process whilst making more efficient use of resources. The review delivers the recommendation (M2) made by the county council's former External Scrutiny Committee to promote the pre-application service.

Resolved: That, approval be given for the proposed Lead Local Flood Authority Planning Advice Service, including associated fees and charges, to fulfil the recommendation (M2) of the county council's former External Scrutiny Committee and to support the statutory duty under the Town and Country Planning (Development Management Procedure) (England) Order 2015.

23. Lancashire Community Safety Agreement 2022 – 2025

Cabinet considered a report on the new Lancashire Community Safety Agreement 2022 – 2025, which had been developed in collaboration with community safety leads, to reflect the issues and threats from crime and anti-social behaviour evidenced in the current strategic assessment.

It was noted that there was a statutory requirement for the Lancashire Community Safety Partnership Board, in its role as the Community Safety Strategy Group, to develop a community safety agreement. The agreement set out how responsible authorities will work together to address the key community safety issues in Lancashire and covered a 3 year period with an annual refresh.



Resolved: That;

- i. The Community Safety Agreement 2022 - 2025 and the document referred to as "summary plan on a page" (Appendices 'B' and 'C' of the report), be noted; and
- ii. Full Council be asked to approve the Community Safety Agreement 2022 - 2025, as determined by the Council's Policy Framework.

24. Lancashire Culture and Sport Fund

Cabinet considered a report setting out proposals relating to the criteria to be used in the approval process for applications made to the Lancashire Culture and Sport Fund.

Resolved: That;

- i. The criteria for the approval of applications made to the Lancashire Culture and Sport Fund 2022/23 as attached at Appendix 'A', be approved;
- ii. The Head of Cultural Services be authorised, in consultation with the Cabinet Member for Community and Cultural Services, to establish a panel of county council officers to consider applications to the fund and make recommendations on the allocation of funds to successful applicants;
- iii. The Head of Cultural Services be authorised, in consultation with the Cabinet Member for Community and Cultural Services, to approve the allocation of funds;
- iv. An annual report be presented to the Audit, Risk and Governance Committee to monitor the scheme; and
- v. The Head of Cultural Services be authorised, in consultation with the Cabinet Member for Community and Cultural Services, to approve minor future changes to the criteria.

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

Resolved: That the two urgent decisions taken by the Leader of the County Council and the relevant Cabinet Members, since the last meeting of Cabinet, be noted.

26. Urgent Business

With the agreement of the Chair, there was one item of Urgent Business to be considered in relation to the Lancashire Complex Children's Home Capital Funding Application.

26(a) Lancashire Complex Children's Home Capital Funding Application

Cabinet considered a report that identified an additional county council requirement for smaller children's home provision for children with more complex health needs. The report set out proposals to submit a match funded capital bid to the Department for Education Children's Homes Capital Fund for the development of a three-bed, short-term children's home which included specialist health intervention delivered as



part of the placement (in collaboration with NHS partners), and for the allocation of match funding within the capital programme during 2023/24 and 2024/25 as set out in Appendix 'A' of the report.

It was noted that the reason for urgency was due to the deadline for submission of the funding application being 11:59pm on 9 September 2022.

Resolved: That;

- i. The following be approved:
 - a. The submission of an application to the Department for Education's Children's Home Capital Programme to develop provision for children who have more complex health needs; and
 - b. Match funding as set out at Appendix 'A' of the report and the cost to be met by new capital borrowing.
- 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.

27. Date of Next Meeting

It was noted that the next meeting of Cabinet would be held at 2pm on Thursday, 6 October 2022 at County Hall, Preston.

28. 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.

29. Exclusion of Press and Public

Resolved: That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following item 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.

30. Appendix 'E' of Item 6 - Corporate Performance Report - 2022/23 Quarter 1

Exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A to the Local Government Act 1972. The appendix contains information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. 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.

Resolved: That, Appendix 'E' of Item 6 - Corporate Performance Report - 2022/23 Quarter 1, be noted.



31. Cottam Parkway

Exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Local Government Act 1972. The report contained information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. 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.

Cabinet considered a report seeking approval to waive the council's procurement rules and to directly award a contract for the railway related element of the Cottam Parkway Railway Station.

Resolved: That, the recommendation as set out in the report, be approved.

32. Appendix 'E' of Item 21 - Special Educational Needs and Disabilities Sufficiency Strategy Implementation - Increase in the Number of Special School Places

Exempt information as defined in paragraph 3 of Part 1 of Schedule 12A in the Local Government Act 1972. Appendix 'E' contained information relating to the financial or business affairs of any particular person (including the authority holding the information). It was considered that in the circumstances of the case the public interest of maintaining the exemption outweighed the public interest in disclosing the information.

Resolved: That, Appendix 'E' of Item 21 - Special Educational Needs and Disabilities Sufficiency Strategy Implementation - Increase in the Number of Special School Places, be noted.

33. Urgent Business

33(a) Appendix 'A' of Item 26a - Lancashire Complex Children's Home Capital Funding Application

Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The appendix contained information relating to the financial or business affairs of any particular person (including the authority holding that information). 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.

Resolved: That, Appendix 'A' of Item 26a - Lancashire Complex Children's Home Capital Funding Application, be noted.

Angie Ridgwell
Chief Executive and Director
of Resources

County Hall
Preston

