

Environment, Economic Growth and Transport Scrutiny Committee
Meeting to be held on Thursday, 29 June 2023

Electoral Division affected:
(All Divisions);

Corporate Priorities:
Delivering better services;
Protecting Our Environment

Report of the Public Realm Agreements Task Group
(Appendices 'A' and 'B' refer)

Contact for further information:

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Brief Summary

Provided at Appendix 'A' is the final draft report of the Public Realm Agreements Task Group. The findings from this report have led to a number of recommendations being formulated which are contained within the final draft report. A copy of the Public Realm Agreement is set out at Appendix 'B'.

Recommendation

The Environment, Economic Growth and Transport Scrutiny Committee is asked to support the recommendations of the task and finish group.

Detail

At its meeting on 4 March 2022, the former Internal Scrutiny Committee agreed a proposal to establish a task group to review Public Realm Agreements.

The initial objectives of the review were to:

1. Examine and consider the existing financial allocations for the functions within the Lancashire County Council approved applicable Public Realm Agreement budget.
2. Assess via the 12 district councils on how they fulfil the terms of existing PRAs.



3. Identify ways of improving communication and information (Who does what) about Public Realm Agreements between the county council, district councils, and residents including via parishes where applicable.

Membership of the task group

The task group was made up of the following County Councillors:

- Joan Burrows*
- Terry Hurn
- Erica Lewis
- Jackie Oakes
- John Potter
- Alan Schofield (Chair)*
- Ron Woollam

* County Councillors Joan Burrows and Alan Schofield replaced County Councillors Sue Hind and John Shedwick respectively and on a permanent basis from late July 2022 onwards.

County Councillor David O'Toole replaced County Councillor Terry Hurn at the meeting held on 31 May 2023.

Proposed recommendations

The proposed recommendations of the task group are included in its report set out at Appendix 'A'. A copy of the existing Public Realm Agreement is set out at Appendix 'B'. The proposed recommendations are also set out below.

1. There should be an annual review of public realm work requirements and budget allocations. - i.e. That the Cabinet Member for Highways and Transport give consideration to introducing an annual review of public realm work requirements and budget allocations
2. That the date in clause 5.1 of the Public Realm Agreements be changed to 1st March.
3. That all other parish and town councils in Lancashire be offered a chance to apply for a direct allocation subject to appropriate specifications, and agreement and availability from the 2023/24 unallocated Public Realm Agreement budget (£407,199 as at 4 April 2023) - and subject to the area of work not already undertaken by the respective district council.
4. We encourage our partners at district and parish level to reduce or eliminate the use of glyphosate but the discretion as to which herbicide to use on Public Realm Agreement work continue to be left with the district councils concerned.



5. That arrangements be made (by Lancashire County Council and/or in conjunction with district council(s)) for trialling other herbicides (other than Glyphosate) and/or methods and to keep in touch with relevant developments.
6. That the existing basis of work to remove specified invasive weeds which receive attention by the county council on a reactive basis, should be communicated to district councils and parish and town councils.
7. That the Public Realm Agreement be enhanced by providing hyperlinks to the current Highways Management Plan and to cover planning for emergency responses.
8. That the frequency of liaison through progress meetings with district councils (including especially on Public Realm Agreement work) be increased to twice a year e.g. in late Spring and early Autumn. This is linked to recommendation no. 1.
9. That those parish and town councils having a direct allocation for some Public Realm Agreement type work, be listed, or appended to the respective district council PRA document.
10. That the contact details of respective county council and district council officers involved in public realm agreement work, be kept up to date via the progress meetings.
11. That county council officers discuss further with district council colleagues the publishing of annual programme of works emanating from the 2023/24 respective budgets and onwards, that the programme of works be then communicated by respective district councils to any/all parish and town councils in their district area and include the then respective contact details for the district council officers.
12. That county council officers should communicate the county council related programme of works to all parish and town councils (either directly or via district councils) including respective contact details for the Lancashire County Council officers.
13. The existing arrangements for grass cutting, including effect of the flail cutting reduction, be reviewed prior to the budget for 2024/25 being set.
14. No change recommended in respect of district councils' budget monitoring/supervision; however, further consideration should be given to respective cost management by each District Council at future liaison/progress meetings.
15. The County Council's own procedures for reviewing its own, direct or contracted public realm work should be reviewed.
16. That biodiversity issues and carbon neutral goals be a consideration in the annual review of the Public Realm Agreement work and be reflected in the Public Realm Agreement.



17. That permissive tasks be discussed further at future liaison/progress meetings.
18. That future appropriate inflation increases are considered in the future budgets. This is also linked to an earlier finding and recommendation for annual review of budgets (recommendation no 1).

The Environment, Economic Growth and Transport Scrutiny Committee is asked to support the recommendations of the task group.

Appendices

Appendices 'A' and 'B' are attached to this report. For clarification they are summarised below and referenced at relevant points within this report.

Appendix	Title
Appendix 'A'	Public Realm Agreements Task Group final draft report
Appendix 'B'	Example Public Realm Agreement

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Legal and finance

Recommendations are made for further consideration to be given to issues and this would need to include a full assessment of the legal and financial risk and implications. Legal advice will be required. To delegate certain functions (powers or duties) as a highway authority is an important legal step and requires clarity as to what each District or Parish Council is to do. The agreements for allocation to parish or town councils will in effect need to be agreements under S101 Local Government Act 1972. The District cannot further delegate to another authority (See S101 (6)).

Risk management

This report has no significant risk implications.

Local Government (Access to Information) Act 1985

List of Background Papers

Paper	Date	Contact/Tel
None		

Reason for inclusion in Part II, if appropriate - N/A

