

Lancashire County Council

Scrutiny Committee

Minutes of the Meeting held on Friday, 26th February, 2016 at 10.00 am in Cabinet Room 'B' - The Diamond Jubilee Room, County Hall, Preston

Present:

County Councillor Bill Winlow (Chair)

County Councillors

A Barnes	V Taylor
C Crompton	C Wakeford
Mrs L Oades	D Watts
M Parkinson	G Wilkins
C Pritchard	D Westley
J Shedwick	

CC David Westley replaced CC David O'Toole for this meeting

1. Apologies

Tributes were paid to County Councillor Richard Newman-Thompson who sadly passed away in the early hours of Monday, 22 February.

Richard, who was 53, was elected as the county councillor for Lancaster East in May 2013. During his time as a county councillor he served as Lead Member for Health and as Deputy Chair of the Development Control Committee, as well as holding a number of other special responsibilities. He was also a councillor on Lancaster City Council where he was Cabinet Member for Finance, and a valued member of the Scrutiny Committee.

Although Richard worked hard to remain active as a councillor, including participating in the Full Council budget meeting on 11 February, he had been ill for some time.

No other apologies were received.

2. Disclosure of Pecuniary and Non-Pecuniary Interests

None were disclosed.

3. Minutes of the Meeting held on 15 January 2016

The minutes of the meeting held on 15 January 2016 were agreed to be an accurate record.

4. Syrian Resettlement Programme

The Chair introduced Saulo Cwerner (Equality and Cohesion Manager) who delivered a presentation regarding the Syrian Resettlement Programme.

The Committee was informed that the Government had committed to settle 20,000 Syrian Refugees over the next five years and that, following a series of discussions between Lancashire Chief Executives Group, it was agreed that Lancashire would resettle up to 500 refugees over the same period as a proportionate contribution to the overall national programme.

It was explained that the Home Office had communicated funding arrangements and noted that this would be supplied for a total of five years. Saulo conveyed that the funding provided had been more generous than previous resettlement programmes and it was anticipated that it would cover all costs of integrating refugees into the community. Members were informed that the financial contribution towards support of each individual was approximately £8,520, and additional funds would be added to the standard tariff for children (for children aged 3-4, £2,250; for children aged 5-18, £4,500).

Regarding how funding was provided by the Home Office, it was highlighted that 22% of the total funding per year for a refugee would be received on their day of arrival, followed by six equal installments every two months. Moreover, it was noted that social care costs would be paid separately to this funding and would be paid on an incurred basis, or from an individual's assessment outcome.

Reference was made to property with it stated that this was required to be fully furnished prior to a refugees arrival to ensure housing was fit for purpose. It was elaborated that refugees would be welcomed and assisted at the airport, supplied with a package containing groceries and some cash to enable them to avoid any financial difficult prior to receiving the money they were entitled to. Regarding benefits, it was explained that refugees would be entitled to receive mainstream benefits which were separate from the local authority funding package.

Saulo informed the Committee about integration support, stating that the funding would be utilised to cover the cost of English language tuition and to fund interpretation and translation services to enable refugees to communicate adequately. It was explained that the refugee's support would be fully managed and staff involved with the programme would receive training, and also a formal reporting system would be put in place to account for any incidents that required attention.

It was noted that all 15 local authorities in Lancashire were participating in the programme. Involvement, it was conveyed, would be on a 'rota basis' to enable efficient delivery and to ensure an equal dissipation of refugees in the various areas, therefore five local authorities in Lancashire would be participating in each year of the programme and this would be coordinated by the county council as the lead authority.

The Committee was informed that a planning group had been set up between the participating local authorities, the first of which to take place on 10 March, 2016, where a delivery model and timeline would be agreed on. It was highlighted that the first arrivals were anticipated to arrive in the summer of 2016 as there were a range of issues that required negotiation in the meantime.

It was expressed that there may be some financial implications for the county council due to the structure of payments from the Home Office, as they planned to pay arrears. This, it was noted, would mean that the county council would have short-term financial implications until the Home Office provided the funds. Saulo noted that discussions had taken place with Finance and Commissioning to identify the best way forward, and the proposals would be taken to Management Team and the relevant Cabinet Member for agreement.

Finally, it was stated that it was not anticipated that services would be delivered by LCC with most of the work being commissioned externally. It was noted that costs could be involved with officer time around project management, commissioning and procurement but these would be charged against the funding grant supplied by the Home Office.

The Chair thanked Saulo for delivering the presentation and invited questions and comments from the Committee.

CC Liz Oades queried whether funding was ring-fenced in order for it be identifiable from other central funding. Saulo Cwerner explained that the provenience of the money was from overseas development aid and was a dedicated grant which was ring-fenced and monitored by the Home Office. It was noted that there was flexibility in terms of how the grant could be used within the remit of its dedicated purpose.

CC Liz Oades stated that Government needed to provide more clarity around the funding as soon as possible. The Chair therefore suggested that a letter be penned from the Committee requesting further information from the relevant Minister.

The Committee agreed to the Chair's proposal.

CC George Wilkins stated that it was his understanding that the Government were selecting people from the United Nations refugee camps in North Syria, and asked how family units were comprised. Saulo Cwerner elucidated that it varied from case to case, some were single parents, and some were larger families. However, the Government had been clear about the benefit cap for supporting very large families. Regarding the selection process, it was explained that the Home Office worked with international organisations to identify families with the most complex needs and therefore required resettlement. The Committee were informed that LCC, working in conjunction with CCG's and other partners, would assess whether Lancashire had the infrastructure to support particular families, and therefore prior information was supplied to ensure that needs were catered for as some refugees would have complex health and social care needs.

CC George Wilkins asked what rationale had been applied to the geographical placement of refugees, stating that in previous programmes resettled people would be clustered together rather than spread across the county. Saulo Cwerner stated that the rationale was for all local authorities in the United Kingdom to participate in the process, and refugees would settle in smaller groups over a larger geographical footprint than previous programmes.

CC Clare Pritchard queried whether Lancashire would be receiving 500 individuals, or 500 families over the next five years. It was explained that 500 individuals would be resettled in Lancashire over the next five years.

CC Clare Pritchard asked who would be responsible for social care costs for refugees after funding had ceased. It was conveyed that social care costs would be picked up by the county council after the five year integration period.

CC Clare Pritchard stated that there could be long-term financial implications for the county council due to a cap on council tax benefit repayments from Government. Therefore, it was queried whether local authorities would be fully compensated, or only to the cap. Saulo Cwerner explained that he did not have the information, however this would be raised at a meeting with the DWP (Department for Work and Pensions), the Job Centre and a Home Office representative on 10 March, 2016. Therefore, following this meeting the answer would be provided to the Committee.

CC Clare Pritchard expressed concern that schools may not have the resources to cope with the complex needs that resettled children may possess, and therefore asked if funding would be provided for schools to employ additional teaching assistants if providing tuition to refugees. Saulo Cwerner explained that the additional money for children would be utilised for educational support.

CC Alyson Barnes noted that some district councils did not have responsibility for housing in their area as it had been transferred to other organisations, therefore it was queried how the situation was to be managed. Saulo Cwerner stated some districts had been talking to local housing associations and other district councils had been reliant on private landlords. It was expressed that this would be discussed further at a meeting between participating districts and unitaries.

CC Alyson Barnes asked if support would be provided to refugees to help them to navigate the care system and therefore ensure they received the help and support they required. Saulo Cwerner elucidated that support would be provided via helping refugees to claim benefits, signposting and helping to avoid any issues. It was noted that awareness would be raised with the DWP and the Job Centre to ensure the benefits system did not create any barriers.

CC Clare Pritchard queried if in-work benefits could be claimed by refugees. Saulo Cwerner explained that the in-work benefits agreement the Government had with the EU did not apply to refugees from Syria, as a non-EU country, and therefore they could be claimed.

CC George Wilkins queried whether, in the event that the situation diffused in Syria, there was provision for refugees to return to Syria. Saulo Cwerner explained that there was not a repatriation programme for refugees, however there was a voluntary repatriation programme for failed Asylum Seekers which had been operating for a number of years. However, it was expressed that the likelihood was that if they wanted to return it would be via their own means.

CC George Wilkins asked if psychological help would be provided to refugees considering the trauma they had been subjected to due to the war. Saulo Cwerner explained that a refugee's needs would be assessed in the refugee camps and if Lancashire's infrastructure could not cater for their needs, the Home Office would be informed that the refugee would be better suited elsewhere in the country. It was stated that Lancashire Care Foundation Trust did have a trauma unit but this had limited capacity.

CC David Westley asked if the English language course to be provided for refugees was compulsory as communication was key to successful integration, and also queried if outcomes would be monitored. Saulo Cwerner explained that Lancashire Adult Learning had been approached to determine the financial implications of providing ESOL (English for Speakers of Other Languages) courses for refugees. It was expressed that the aim was for refugees to gain a grasp of English within the first year of tuition and that once everything had been agreed and costed, a strong ESOL proposal would be put forward. It was also clarified that progression would be monitored as part of a refugee's integration plan, along with employment and other areas.

CC Carl Crompton noted that there was huge demand for social housing in the county and therefore queried how confident the County Council was of securing housing for refugees. Saulo Cwerner explained that due to the relatively small number of properties required to assist the programme, it was anticipated that there would be no problems with securing housing.

CC Alyson Barnes expressed concern that the situation could be spun in the media and therefore expressed that work to counter this was required as this could cause community cohesion issues. Saulo noted that a media strategy would be devised to manage the information that was shared with communities and media outlets.

CC Vivien Taylor noted that the report stated the outlined district areas where refugees would be resettled was 'subject to consultation' and asked what was implied by this statement. Saulo Cwerner explained that the report had been written prior to the end of the consultation period and the particular districts noted had now fully agreed to participate.

The Chair thanked Saulo for the report and presentation delivered to the Committee and requested that an update be provided in the autumn of 2017.

Resolved: That;

- i. The Committee write to the Government requesting further information around funding arrangements for the Syrian Resettlement Programme.
- ii. The Committee be provided with further information regarding council tax benefit repayments to the county council for resettled Syrian refugees in Lancashire.
- iii. The Committee be provided with an update in autumn 2017 on the progress of the programme.

5. Interim Report of the Planning Matters Task Group

The Chair introduced Andrew Mullaney (Head of Planning & Environment) and CC Liz Oades, the Chair of the Task Group, who delivered the report to the Committee.

CC Liz Oades explained that the Task Group investigated several issues relating to planning including education, highways, flooding, archaeology and ecology. It was noted that the outcome of the investigation had led to the derivation of the draft recommendations at Appendix 'A', which had been sent to consultees to ascertain their views.

The Committee was informed that the report was an interim report as not all district council planning committee Chair's and portfolio holders had provided their responses to the consultation process. Therefore, it was anticipated that the final report would be before the Committee at the next meeting on, 8 April, 2016.

CC Liz Oades voiced that member's attendance throughout the Task Group meetings had been below par and therefore urged political groups to carefully consider their nominations to future Task Groups as continuity had been an issue. CC Clare Pritchard suggested that Group Whips be informed to address the issue.

The Chair noted that seven district councils had responded to the consultation, however five had not yet been received and urged members to raise this with district councils in their area.

Andrew Mullaney noted that he felt that the scrutiny process had strengthened relationships between the county council and district councils, particularly at an officer level, and that discussions held had been extremely useful to aid understanding of each other's pressures, concerns, how timing was managed and how responses could be provided in a more productive manner.

Andrew Mullaney noted that both district councils and the county council had been under pressure to turn around applications within certain timescales, with performance monitored by the Government. It was noted that the Task Group process had highlighted ways in which the process could be streamlined and prioritised with improved communication.

The Chair thanked Andrew Mullaney and CC Liz Oades and invited questions and comments from the Committee.

CC George Wilkins asked if the county council's role with district councils regarding planning could be expanded to ensure that developers adhered to rules and regulations. Andrew Mullaney explained that the county council had to operate within the limits of the national planning policy framework/planning policy guidance and therefore, there was limited flexibility in terms of demands upon developers. However, Andrew assured the Committee that the county council's responses were always put forward to achieve the best for Lancashire's communities.

CC Vivien Taylor stated that many residents in Lancashire were worried that the infrastructure was not in place to sustain the developments that were in the planning process and therefore stressed that the county council needed to provide valid responses that met the needs of developments and not only developers. Andrew Mullaney stated that a report was presented to the Task Group regarding this issue which set out what the county council performed in its role in the process. Andrew suggested that he would share the report with members following the conclusion of the meeting.

CC John Shedwick queried whether the recommendation, 'LCC officers to prepare a summary of the highways advice to the LPA for inclusion in reports to the LPA's development control committee', suggested that an executive summary drafted by LCC officers would be provided to development control committees. CC Liz Oades explained that some district officers had been using extracts from planning reports out of context and therefore, to avoid any further misunderstanding, county council officers would provide an executive summary to alleviate the issue.

CC John Shedwick asked how an application was deemed to be a 'minor application' as some small applications caused significant issues. CC Liz Oades explained that district councils had been sending a large amount of applications to the county council for developments, such as small extensions to a house, which had expended LCC Officer's time when it was more efficiently used on more important developments.

CC John Shedwick asked whether the recommendations suggested that if information around Education Contributions was absent from a district planning committee report, an explanation would be required from the relevant planning officers. CC Liz Oades explained that the Task Group requested the inclusion of the recommendation as it needed consideration with the current issues around school places. This, it was conveyed, had been a concern for Head teachers.

CC John Shedwick stated that there was confusion regarding who had riparian responsibilities for watercourses in the county. CC Liz Oades stated that in April, 2015, the county council became the responsible party for flooding and Rachel Crompton (Flood Risk Manager) was the county council contact. CC Liz Oades urged members to invite Rachel to their districts to discuss flooding and the

responsibilities of her department. Furthermore, it was noted that flooding incidents needed to be reported to Rachel as she was currently mapping the area where flooding had occurred.

CC Alyson Barnes explained that within her electoral division, Rossendale, 5,000 to 5,500 new homes over the next fifteen years were planned and in terms of the geography and topography of the region it was causing concern. It was noted that CC Alyson Barnes would be writing to Government stating her concerns.

CC Alyson Barnes noted that by 2021 it was planned that there would be one million new homes in the United Kingdom and asked how the county council planned to absorb their proportion of the total with consideration of the infrastructure issues already evident. Andrew Mullaney highlighted plans for North West Preston as an example of the approach to be adopted going forward to deal with such large scale developments. It was explained that in the building of the new homes, there had been particular consideration for infrastructure to ensure roads could accommodate for the increased demand.

CC David Westley raised that it was important for district councils to have a local plan as it provided an element of overall protection.

CC David Westley noted that he and CC Alyson Barnes sat on a Local Government association board which was currently considering national planning policy and that they would be responding to a consultation by Government. It was therefore suggested as a route towards expressing opinions to the Government regarding national planning policy.

CC Vivien Taylor stressed the need for a collective and cohesive approach to planning across Lancashire due to demands upon infrastructure.

CC Carl Crompton noted that the development works in North West Preston had created many issues with numerous complaints being received from residents regarding HGV's, infrastructure issues, crumbling roads, workers not adhering to prescribed working times, and many other issues. It was stressed that for future developments the road system should be put in first and the housing afterwards as it had created major problems in the area.

CC Clare Pritchard expressed that issues with local government funding appeared to be affecting planning and maybe it was an area that should be highlighted in the final report.

CC Alyson Barnes stated that there was a need for more effective infrastructure planning and a much more strategic approach to development in general.

CC Alyson Barnes noted that archaeological and ecological advice would diminish going forward and therefore queried what was planned to ensure this was available going forward. Andrew Mullaney explained that ecology advice was never a statutory responsibility of the county council and was offered to district councils as a discretionary service. If the volume of requests received was

unmanageable for the county council and therefore discussions had taken place with district councils to increase charges for the service, however these were unsuccessful and the service stopped. It was explained that district councils now acquired ecology advice from other sources and this had been the arrangement for the last 18 months.

Regarding archaeological advice, it was noted that one of the budget proposals agreed was to stop the historic environment service, which involved managing the historic environment record and providing advice from that record to district councils. It was noted that discussions were ongoing with people involved to continue to the service, however it was emphasised that there was only a slight possibility for a solution.

The Chair asked if any agencies or universities in Lancashire had been approached, for example as an archaeological study. Andrew Mullaney explained that discussions had taken place, however various avenues for solutions had not materialised and the position was difficult.

CC Liz Oades noted that LCC received 4,500 applications every year and there were capacity issues. It was stated that the Task Group did investigate implementing a charging policy for pre-application advice and guidance but this required Government authorisation.

CC Alyson Barnes noted that the Environment Agency was accepting flood risk assessments carried out by developers and that this was also the case for some transport assessments. Therefore, it was queried what was thought of the neutrality of the situation with developers undertaking their own assessments. Andrew Mullaney explained that during the Shale Gas applications, developers submitted their own transport risk assessments which were detailed and scrutinised by LCC and statutory consultees. It was noted that the process was robust, in particular regarding high-profile cases, and if there were problems, expert advice could be sought such as had happened recently. CC Liz Oades agreed that for high profile cases the process was robust, however it was highlighted that residential groups had had to buy in their own experts on occasion for advice and also, the arrangement between developers and the Environment Agency had not been well received which had contributed to the aforesaid.

CC David Westley stated that the county council often received blame at district planning committees when the advice provided objected to an application. It was stressed that the county council report should be read in full as this provided greater context and therefore understanding. CC Liz Oades agreed that this was the case.

CC David Westley requested the relevant documentation from Andrew Mullaney in order to chase up his district's response.

The Chair thanked CC Liz Oades and Andrew Mullaney for the report, and asked Democratic Services Officers to compile a list of questions and comments that

were voiced in order to avoid the same questions being asked at the next committee meeting where the full report would be presented.

Resolved: That;

- I. The report be noted
- II. The recommendations be noted
- III. A list of questions and comments be provided to the Committee from the meeting

6. Work Plan and Task Group Update

Resolved: That;
The work plan and task group update be noted.

7. Urgent Business

There was no urgent business.

8. Date of Next Meeting

The next meeting of the Scrutiny Committee will take place 8 April, 2016 at 10.00 in Cabinet Room B (The Diamond Jubilee Room) at the County Hall, Preston

I Young
Director of Governance, Finance
and Public Services

County Hall
Preston