

Subject: Lancashire Local Rossendale
- Consultation

Status: For Publication

Report to: The Cabinet

Date: 22nd October 2008

Report of: Executive Director – Business

Portfolio

Holder: Finance and Resources

Key Decision: No

Forward Plan

General Exception

Special Urgency

1. PURPOSE OF REPORT

- 1.1 To inform the Cabinet about a consultation being undertaken by Lancashire County Council regarding Lancashire Local meetings.

2. CORPORATE PRIORITIES

- 2.1 The matters discussed in this report impact directly on the following corporate priorities and associated corporate objective.

- Delivering Quality Services to Customers (Customers, Improvement)
- Delivering Regeneration across the Borough (Economy, Housing)
- Keeping Our Borough Clean and Green (Environment)
- Promoting Rossendale as a cracking place to live and visit (Economy)
- Improving health and well being across the Borough (Health, Housing)
- Well Managed Council (Improvement, Community Network)

3. RISK ASSESSMENT IMPLICATIONS

- 3.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

- Lancashire Local – Rossendale provides an opportunity for joint working in relation to delivery of local government services. A potential risk to not engaging would be a failure to maximise the impact of joint working and not achieving the best possible outcomes for local people.

4. BACKGROUND AND OPTIONS

- 4.1 At its meeting on 23rd February 2006 the Council supported the Lancashire Local – Rossendale on a joint committee model which enables County Council and District Council functions to be discharged jointly within the area of the Committee; to date Rossendale Borough Council has not delegated any functions to the Lancashire Local - Rossendale.
- 4.2 The Constitution of the Lancashire Local was formally adopted by Rossendale Borough Council as part of its Constitution on 7th November 2007.
- 4.3 Lancashire County Council issued a consultation document on 29th September 2008 to further develop Lancashire Locals to ensure that the framework within which they operate maximises local councillors' community advocacy role.
- 4.4 The County Council has started to look at its own services to identify whether it is in a position to delegate further powers to this local level. For the process to be robust, they are keen to seek views on how Lancashire Locals could tailor a wider range of local government services.
- 4.5 The development proposals comprise two elements:
- The first, is the review of the constitution, to ensure that it offers as wide a range of local government service delegations as possible at this moment in time, without undermining the quality of those services. In acknowledging that two of the biggest issues that face local councillors are highways/streetscene issues together with provision for young people, the County Council are now building on the existing delegations around highways and traffic issues by proposing significant responsibilities for the Lancashire Locals in relation to the Young People's Service.
 - The second element is about strengthening the Lancashire Locals' approach to supporting the delivery of focused local priorities, in particular those for which the County Council has responsibility. This builds on existing good work with Locality Plans, the Elevate Added Value Plans, and Town Centre Plans.
- 4.6 Following the consultation it is proposed that the draft constitution will be adopted by the County Council on 11th December. Each participating District Council will then be asked to adopt the constitution and enable the Lancashire Local to start working on the new service areas.

COMMENTS FROM STATUTORY OFFICERS:

5. SECTION 151 OFFICER

- 5.1 There are no financial implications arising from the report.

6. MONITORING OFFICER

6.1 As set out in the report.

7. HEAD OF PEOPLE AND ORGANISATIONAL DEVELOPMENT (ON BEHALF OF THE HEAD OF PAID SERVICE)

7.1 There are no Human Resources implications arising from the report. The Constitution ensures that the needs of vulnerable minority groups will be considered.

8. CONCLUSION

8.1 It is important to consider the proposed amendments to the Constitution of Lancashire Local Rossendale as they provide an opportunity for joint working in relation to delivery of local government services.

9. RECOMMENDATION

9.1 The comments of Members are sought so that a response can be sent to the County Council.

10. CONSULTATION CARRIED OUT

10.1 The consultation document has been sent to all Elected Members. Members have been invited to the Cabinet meeting to put forward comments.

11. EQUALITY IMPACT ASSESSMENT

Is an Equality Impact Assessment required No

Is an Equality Impact Assessment attached No

12. BIODIVERSITY IMPACT ASSESSMENT

Is a Biodiversity Impact Assessment required No

Is a Biodiversity Impact Assessment attached No

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**A CONSULTATION PAPER ON
DEVELOPING THE
LANCASHIRE LOCALS**

Introduction

Lancashire Locals have been in operation in some districts for four years and in all districts for two years. During this time, all County Councillors and an equal number of District Councillors have had the opportunity to use their detailed local knowledge to determine, or shape, the delivery of local government services in their locality. They have played a vital role in addressing local government service issues, such as the location of local safety schemes and prioritisation of local highways maintenance. The Local committees have also sought to tailor the delivery of many other services including adult social services and adult education to better meet the needs of their local communities.

The County Council remains committed to supporting and developing the Lancashire Locals and is keen to ensure that the framework that they operate within is regularly reviewed, so that it can maximise local councillors' community advocacy role within the context of service developments. Accordingly, the constitution of the Lancashire Locals has been revisited to identify whether there is scope to expand their remit and strengthen their impact through a sharper focus based around recognised local priorities.

The County Council has started to look at its own services to identify whether it is in a position to delegate further powers to this local level. For this process to be robust, we are keen to seek the views of our partners on how Lancashire Locals could tailor a wider range of local government services in their district, and how they can support them in doing this. This is particularly important if we are to enable the Lancashire Locals to play a pivotal role alongside the Local Strategic Partnerships, in addressing the barriers to the delivery of local priorities in relation to local government services. This consultation seeks ways to work better together to respond positively to these local priorities.

Developing the Lancashire Locals

Currently, 11 of the 12 Lancashire Locals operate within the same broad enabling framework of a Joint Committee, that is prescribed through the constitution. The 12th district, Hyndburn, currently works as an Area Committee of the County Council. How Joint Committees are implemented locally, differs from district to district, with some harnessing a local problem solving approach and others concentrating on their delegated powers over local service delivery. It is absolutely right that the Lancashire Locals should, and will, operate differently, but it is important that their approach is very focused on local priorities and targeted on the needs of their individual communities, if they are to be successful in making a difference locally. The Lancashire Locals, with their directly elected mandate, detailed local knowledge of their communities, and their inclusion of the district council (in 11 out of 12 areas), means that they are in a strong position to determine and shape the delivery of local government services in their district, and more

effectively complement the work of the wider Local Strategic Partnerships in addressing local priorities for partnership working. With this approach in mind, the development proposals comprise two elements.

The first, is the review of the constitution, to ensure that it offers as wide a range of local government service delegations as possible at this moment in time, without undermining the quality of those services. In acknowledging that two of the biggest issues that face local councillors are highways/streetscene issues together with provision for young people, we are now building on the existing extensive delegations around highways and traffic issues by proposing significant responsibilities for the Lancashire Locals in relation to the Young People's Service

The second element is about strengthening the Lancashire Locals' approach to supporting the delivery of focused local priorities, in particular those for which the County Council has responsibility. This builds on existing good work with Locality Plans, the Elevate Added Value Plans, and Town Centre Plans.

In addition, with the ongoing development of Team Lancashire and the "Working Better Together" concordat, it is hoped that the Lancashire Locals will make further progress in joining up the delivery of local government services between the County and District, particularly in relation to community based services such as youth and leisure services; and adult learning and neighbourhood management services.

Constitutional Amendments

In addressing the first element of these proposals, the County Council has started to consider how far there is scope to devolve additional functions and budgets to the Lancashire Locals. The attached draft constitution sets out the areas added/amended and they have been highlighted in red for ease of reference. To date the following additions have been identified:-

- An additional £5m of highways money delegated to the Locals (already announced)
- Elements of the Lancashire Young People's Service including:-
 - determination of the annual priorities for the district
 - determination of the resource allocation to each element of the service within a given district Commissioning and Delivery Plan and budget, including the priorities for what is funded and what is delivered each year
 - determination of the opening hours of young peoples provision within the service within the budget and statutory requirements
 - determination of the allocation of the Playbuilders' Funding
- Approval of highways gating orders and determination of the construction of cycle tracks in the place of footways.

- Approval and monitoring the proposals and priorities of the County's Corporate Face to Face Access strategy

In order to support the Council's commitment to the ongoing development of the Lancashire Locals, it is proposed that a new provision be added to the constitution which allows additions to be made to the powers of the Lancashire Locals on an ongoing basis, without the need for consultation. This would enable further delegations to be made, with relative ease

It is proposed that this consultation leads to a revised constitution being adopted in December. Any wider proposals for service delegation received during this consultation that require further discussion beyond December, can be incorporated via this new enabling provision. Further additions can then be considered on an ongoing basis. This will be particularly important as new Government guidance is received on issues such as Community engagement and empowerment for example.

The respective committee secretaries would be responsible for keeping a list of additions and circulating it to members.

Strengthening the Focus of the Lancashire Locals

The second element of these development proposals looks at how Lancashire Locals are able to shape and influence all County Council Services delivered in their area. However, for this role to be effective locally, the decision on which services to be selected for influence by each Lancashire Local must be informed by local priorities and aspirations. This would mean that the twelve Lancashire Locals will be concentrating on different elements of County Council services at any given time, depending on the local priorities in that area, in that year.

This is different from the current situation where Lancashire Locals sometimes seek to play a role in the delivery of all County services because they are able to, through their constitution, whatever local priorities are.

These proposals contend that by really focussing in on local priorities and high profile community issues, the Lancashire Locals have the potential to support the work of the Local Strategic Partnership in delivering the Sustainable Community Strategy and Local Area Agreement. This role would be furthered enhanced if the Lancashire Locals were in a position to comment on complementary district services such as leisure services alongside youth provision etc.

Developing this sort of approach, requires the commitment of County and District members to work together on a narrower, but more targeted range of services relevant to that district, at any given time. It also requires strong links to exist between the Lancashire Locals and district based partnerships such as the Local Strategic Partnership, Community Safety Partnerships and Local Children's Trusts.

A single model across the county is clearly neither appropriate nor workable, so these proposals encourage each Lancashire Local to work with its district Local Strategic Partnership to consider how they can best achieve these links, perhaps by establishing strong communication links between the two. Lancashire Locals have the potential to complement the Local Strategic Partnership by overcoming barriers to solving local issues relating to local government services. In harnessing this opportunity, the Local Strategic Partnership could refer matters to the Lancashire Local which require it to bring about local service improvements through greater joining up, avoiding duplication and working on complementary projects.

Process and Timescales

The County Council is keen to empower the Lancashire locals at the earliest opportunity. However, it also recognises the importance of partnership and joint working and so would invite your comments on the proposals outlined in this paper. In responding to these proposals, it would be useful if you also gave some thought as to how your organisation may support and enable this strengthened role to be implemented.

It is proposed that the draft constitution (including any amendments following on from the consultation process) will be adopted by the County Council on 11th December.

Each participating District Council will then be asked to adopt the constitution and enable the Lancashire Local to start working on the new service areas, such as the Lancashire Young's People's Service, and considering how it can deliver on local priorities more effectively.

The proposals in this paper offer some immediate developments for the Lancashire Locals. Nevertheless, the County Council remains committed to developing the Lancashire Locals over the longer term, in line with the latest government thinking, local policy direction and community level priorities. The new provision to add to the constitution on an ongoing basis, enables this to happen and facilitates the inclusion of additional delegations after the December deadline.

How can I make my views known?

You can write to Sarah Parry, Senior Policy Officer, Lancashire County Council, Policy Unit, Christchurch Precinct, Preston, Lancashire, PR1 8XJ. Alternatively you can send your comments by email to sarah.parry@lancashire.gov.uk. **Please note that the closing date for comments is 1st November 2008.**

Lancashire Local – *****

Constitution

JOINT COMMITTEE

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Section 1 – Context and Purpose

Lancashire Local ***** is a Joint Committee of the County Council and ***** Borough Council. The impact of Lancashire Local ***** needs to be focused, visible and transparent.

As Lancashire Local committees bed down across Lancashire, their purpose has crystallised. Lancashire Locals are the County Council's key vehicle for empowering local county councillors to :-

[1] Determine the design and delivery of local government services through its delegated powers

[2] Influence the shape of our services at a local level by working closely with officers and their Cabinet / Executive Members in their respective councils.

The Local committee provides a forum through which the County Council can prioritise its resources to best meet local needs and aspirations. Meetings of the Lancashire Local are generally open to the press and public. Local people interested in specific agenda items are able to have their say before decisions are taken.

Firstly, the Lancashire Local committee has a strong role to play as a County Council problem solving body for *****. Local problem solving is a key role for councillors as community advocates, and Lancashire Local ***** can significantly enhance this role. The County and Borough Councillors on the Lancashire Local have the detailed local knowledge that is needed to find realistic solutions to neighbourhood and district community concerns relating to County Council services in *****.

Secondly, the involvement of [x] Borough Council representatives on the Lancashire Local provides the opportunity to identify local solutions and service improvements for ***** Council services also, working alongside County Council services. The committee can thus seek to jointly deliver local government service improvements for the residents, businesses and visitors to *****. This means both councils being proactive in bringing service issues to the committee and seeking to deliver local priorities together.

The Lancashire Local will concentrate on the agreed local priorities and targets in the ***** Local Strategic Partnership's Sustainable Community Strategy [and the Joint County / Borough Locality Plan] – as far as they involve Lancashire County Council services or closer working between the County and the Borough.

Lancashire Local ***** will work with the ***** Local Strategic Partnership to agree how best it can support the Partnership and will rely on a regular dialogue confirming that relationship. The role and responsibilities of the Lancashire Local committee sits at arms length from the Local Strategic Partnership, but supports the Sustainable Community Strategy for *****.

Lancashire Local ***** will deliver focused, visible, and transparent outcomes for the residents, businesses, and visitors to *****. In accordance with local priorities and targets relating to local government services

Section 2 - Functions

The scope and overall purpose of the Lancashire Local is as set out in Section 1. The general remit of the Lancashire Locals is set out below and the more specific delegated functions are outlined in later sections.

(A) General Remit

The general remit of the Lancashire Local is:-

- (1) To exercise those functions delegated to it by the County Council andCouncil
- (2) To seek solutions to local concerns relating to County Council services
- (3) To express views on policy, strategy or other matters specifically referred to it by the County Council or ***** Council including where appropriate the co-ordination of consultation with local stakeholders and communities
- (4) To monitor the delivery of the locality plan where one exists, and explore opportunities for joint working between the County Council and the ***** Council on complementary service delivery where this would bring benefits to local people.
- (5) To advise the County Council, the ***** Council and other public bodies as appropriate on issues of local interest or concern which are brought to its attention by members, ***** Councils' Area Committees, other bodies and members of the public.
- (6) To assist the County Council in its response to Government policy in relation to neighbourhoods.
- (7) Lancashire Localhas the remit to shape and influence any matter relating to any local County Council service in the district of....., and to discuss any opportunities for a closer alignment of county and borough services in the district.
When exercising this function, Lancashire Locals are encouraged to select those services for shaping/influencing that are relevant for addressing local issues/priorities specific to the district, as outlined in the Sustainable Community Strategy, and other evidence based data/plans. These local government priorities will be incorporated into the joint locality plan where one is to be produced. The Appendix attached suggests some of the services that Lancashire Local *** may want to consider where their Local Strategic Partnership priorities identify council services as a local priority. This list is not comprehensive and is intended only as a guide.**

(B) Delegated Powers

The services identified below are delegated by the County Council or ***** Council as indicated, for decision making by the Lancashire Local, in accordance with the relevant legislation.

In discharging the delegated powers, the Lancashire Local must act at all times within the approved policies, budgets and financial regulations of the Council delegating the functions, and in accordance with Standing Orders at Section 3 of this Constitution.

There is set out below a list of the functions that are currently delegated to Lancashire Local Additional functions and matters for determination may be delegated to the Local in the future by Lancashire County Council andBorough Council, which will form part of this Constitution. The Secretary to the Local will maintain a list of all of the delegated functions including those set out below and any additional functions, which will be circulated to members of the Local at each meeting. Any additions to the delegated functions will be reported to the Local at the next meeting after they take place.

	Delegated by LCC or BC
Highways	
<ul style="list-style-type: none">Budget Allocation <p>To exercise discretion for the provision of highway authority functions (except winter maintenance) within an annual countywide allocation (currently £437,750 pa) to be apportioned to each Lancashire Local in accordance with road lengths in their area.</p>	LCC
<ul style="list-style-type: none">Street lighting special maintenance schemes. <p>To determine the priority of street lighting special maintenance schemes within the County Council's allocated budget.</p>	LCC
<ul style="list-style-type: none">Local Safety Schemes <p>To determine the priority of local safety schemes including walking and cycling proposals where there is more than one such scheme for the District in an approved programme.</p> <p>To determine specific schemes where objections or representations have been received.</p>	LCC
<ul style="list-style-type: none">Crime reduction street lighting schemes <p>To determine the priority of crime reduction street lighting schemes where there is more than one such scheme in the District in the approved programme.</p>	LCC

- Retaining Walls Strengthening Programmes LCC

To determine the priority of retaining wall strengthening schemes where there is more than one such scheme in the District, in the approved Strengthening Programme.

- **Gating Orders** LCC

To approve the making of Gating Orders under Section 129A of the Highways Act 1980 pursuant to the Highways Act 1980 (Gating Orders) (England) Regulations 2006, where objections or adverse comments have been received and after any public inquiry has been held.

- **Removal of Footways and construction of Cycle Tracks** LCC

To decide not to provide a footway under Section 66 of the Highways Act 1980 but instead to approve the construction of a cycle track with a right of way on foot under Section 65 of the Highways Act 1980.

- Pavement Cafes LCC

To approve applications for licences for pavement cafes.

- Residents parking schemes LCC

To determine specific schemes where objections or representations have been received.

- Traffic Regulation Orders/Speed Limit Orders LCC

To approve the making of Traffic Regulation Orders and Speed Limit Orders where objections or representations have been received.

- Road Humps LCC

To determine the establishment of road humps under Section 90A of the Highways Act 1980 where objections or representations have been received.

**Delegated
by LCC or
BC**

- School Crossing Patrols LCC

To review and determine the continuation of a School Crossing Patrol when the current Patrol Officer leaves the service.

- **Car parking** LCC

Out of any monies which are declared by the County Council both to be surplus in the on street parking account and also available generally to the Lancashire Locals for the purpose of highway improvement projects under s.55(4)(ii) of the Road Traffic Regulation Act 1984 as amended, to determine the propriety of measures within that purpose. Such monies will be distributed amongst all the Locals, not just to the Locals for those districts where such funds have been collected.

- Pedestrian Crossings LCC

To determine the priority for pedestrian crossings where there is more than one in an approved programme for the district.

To approve specific proposals where objections or representations have been received.

- Bus Shelters LCC

To determine the locations of bus shelters within the County Council's responsibility (e.g. on Quality Bus Routes).

- 20mph Zones LCC

To determine the priority of 20mph zones where there is more than one scheme in the approved programme for the district.

To approve the making of schemes for such zones where objections or representations have been received.

Waste

- To determine the location of household waste recycling centres where there are viable alternative site options. LCC

Lancashire Locals Climate Change Fund

- From funds made available by the County Council to LCC

consider for approval projects submitted by community and voluntary groups, or Parish Councils, to support local climate change in accordance with the criteria laid down by the County Council.

Libraries

LCC

- To determine following consultation the pattern of library opening hours together with other appropriate local developments within existing resources.

Museums and Heritage

LCC

- To determine following consultation the pattern of opening hours for the County Museums Service within existing resources.

Lancashire Young People’s Service

LCC

- **To determine and approve, in consultation with young people, the priorities and deployment of youth provision within the resources as set out in an Annual ***** District Commissioning and Delivery Plan for the County Council’s Young People’s Service, encompassing :-**

- **Determination of the annual priorities for the ***** District Commissioning and Delivery Plan for the Lancashire Young People’s Service, including the priorities for what is funded and what is delivered each year.**

- **Determination of the resource allocation to each element of the service within the service budget and within statutory requirements in *****.**

LCC

- **Determination of the opening hours of young people’s provision within the service budget and within statutory requirements in order to:-**

- **best meet the needs of the neighbourhoods,**
- **best meet the needs of minority groups**
- **best meet the needs of vulnerable young people across ***** District.**

LCC

- **To determine the allocation of the Playbuilders’ Funding for ***** district, requesting from the local**

Children's Trust Partnership, a view on the opportunities for partners outside local government to deliver local priorities for play,

- **To monitor the delivery of the Annual ***** District Commissioning and Delivery Plan through :-** LCC

- **A six month review of delivery of the Plan**
- **Ongoing local problem-solving with the service**
- **Ongoing identification of opportunities for closer working between the Young People's Service and complementary Borough Council service activities [eg – Leisure, Cultural and Arts Services]**

To establish a close working relationship with the Lancashire Young People's Service in order to make effective, the committee's problem-solving / opportunity seeking remit. The Young People's Service in ** will recognise its responsibility to fully engage with the Lancashire Local in exercising its ongoing problem-solving / opportunity seeking function.** LCC

- **To approve small grants to youth organisations in accordance with guidelines issued by the County Council, following consultation with young people.** LCC

- **To work with young people in ***** to establish and monitor a ***** Protocol on engagement with young people, encompassing the allocation of small grants to youth organisations and local youth issues generally.** LCC

Links with Local Children's Trust Partnership

- **To establish a close working relationship with the Local ***** Children's Trust Partnership, as outlined in Section 1, in order to ensure that both the Local Trust Partnership and the Lancashire Local play a clear and complementary role in delivering quality local services across all functions delivered by the Children & Young People's Directorate.** LCC

Customer Access

- **To approve and monitor the proposals and priorities of the County's Corporate Face to Face Access strategy,** LCC

**Delegated
by LCC or
BC**

in relation to it's work in the *** District.**

Local Grants Scheme

- From funds made available by the County Council, to consider for approval recommendations from County Councillors for grants to support local groups in accordance with criteria laid down by the County Council. LCC

Local Gateway Grants

- From funds made available by the County Council, to consider for approval applications for Local Gateway funding in accordance with the criteria laid down by the County Council. LCC

DRAFT

Section 3 - Standing Orders

Membership

1. (i) Membership of Lancashire Local **** shall be all local County Councillors with electoral divisions in *****, and an equivalent number of Councillors appointed by ***** Borough Council. At least one ***** Borough Council member shall be a member of that Council's Executive. District Council representatives shall be appointed in accordance with the political balance rules as they are applied to their authority by the Local Government and Housing Act 1989.
- (ii) A person shall cease to be a member if he/she ceases to be a member of the County Council or a member representing an electoral division in *****, or in the case of a member of the Borough Council ceases to be a member of that Council or resigns from the Lancashire Local.
- (iii) Prior to the meeting, the Secretary must be notified of substitutions for District Council Members made in accordance with that Council's normal procedures.

Parish and Town Councils

2. (i) Lancashire Local ***** shall, in consultation with Parish and Town Councils in its area, draw up a Protocol to ensure that Parish and Town Councils can engage effectively with the Lancashire Local.
- (ii) A representative of a Parish or Town Council may participate at Lancashire Locals when items are discussed which are specifically concerned with their area.

Appointment of Chair and Deputy Chair

3. (i) The Chair, who shall be a County Councillor, shall be elected at the annual meeting of the Lancashire Local.
- (ii) The Deputy Chair, who shall be of a different political group to the Chair, shall be elected at the annual meeting of the Lancashire Local and, wherever possible, shall be a member of the ***** Borough Council.
- (iii) Existing office holders are eligible for re-election.
- (iv) The Chair and Deputy Chair shall, unless he or she resigns the office or ceases to be a member of the Lancashire Local, continue in office until a successor is appointed.
- (v) The Chair shall not preside at the election of his or her successor if he or she is a candidate at that election. In those circumstances, the Deputy Chair continuing in office under (iv) above shall preside **or if there is no such deputy, a Chair shall be appointed by the Local for the purposes of conducting the election.**

4. A nominated representative of the Chief Executive of the County Council shall act as Secretary to Lancashire Local ***** and shall be responsible for preparing and circulating agendas for meetings, advising on constitutional matters and for producing the minutes.

Meetings

5. (i) Meetings shall be held in public other than in the circumstances set out in Standing Order 27.
- (ii) Meetings shall be held on a six or eight weekly cycle to be determined along with venues, by the Lancashire Local.
- (iii) The meeting held in June each year, or if there is no scheduled meeting that month the first meeting after June, shall be the Annual Meeting of the Lancashire Local *****.
- (iv) The Chair or in his/her absence the Deputy Chair may call a special meeting of the Lancashire Local ***** to consider a matter that falls within its remit but cannot await the next scheduled meeting, provided at least 10 clear working days notice in writing is given to the Secretary.
- (v) The Lancashire Local may prepare a protocol to facilitate the opportunity for other members of the ***** Borough Council to participate at Lancashire Locals, but not vote, when items are discussed which are specifically concerned with their ward.

Delegated Powers

6. The delegated powers mean those powers to be discharged by the Lancashire Local as set out in Section 2(B) of this Constitution.
7. The Lancashire Local **** shall discharge the delegated powers, within the budgetary and policy framework set by the County Council in the case of County functions or by the ***** Council in the case of its functions.
8. When discharging the delegated powers the Lancashire Local shall take decisions only after taking into account advice given in writing or orally from relevant officers of the County Council or of the ***** Council as appropriate, including legal, financial and policy advice.

Executive and Key Executive Decisions

There are particular requirements to be met when the Lancashire Local is exercising delegated powers in respect of executive and key executive decisions, and these are set out below:

9. An executive decision means a decision by the Lancashire Local that has been delegated to it by the Executive (or Cabinet) of the County Council or of the ***** Council.

10. For the purposes of provisions for key executive decisions in the Local Government Act 2000 as reflected in paragraphs (i) to (viii) below, the definition of a 'key executive decision' may vary between local authorities. For the purposes of the Lancashire Local, a "key executive decision" shall be as defined in the constitution of the County Council in the case of a County Council function and the constitution of the *****Borough Council in the case of a District Council function

Consideration of Key Executive Decisions

- (i) A meeting of the Lancashire Local shall be held in public if a decision to be made at that meeting will be a Key Executive Decision.
- (ii) A Key Executive Decision shall not be taken by the Lancashire Local unless the report which it intends to take into consideration has been made available for inspection by the public for five clear working days prior to the meeting.
- (iii) Any Key Executive Decision to be taken by the Lancashire Local shall be included in the monthly Forward Plan of the County Council or of the ***** Council as appropriate.
- (iv) Where the inclusion of a matter in the Forward Plan is impracticable and the matter would be a Key Executive Decision, that decision shall only be made where:
 - (a) the Chair of the relevant Overview and Scrutiny Committee of the County Council or ***** Council as appropriate, has been informed in writing of the matter about which the decision is to be made;
 - (b) the provisions of paragraph (ii) above are complied with
- (v) Where the date by which an urgent Key Executive Decision must be made makes compliance with paragraph (ii) above impracticable, the decision shall only be made where the Chair of the relevant Overview and Scrutiny Committee of the County Council or the ***** Council as appropriate, agrees that the making of the decision is urgent and cannot reasonably be deferred.
- (vi) The Secretary shall ensure that a copy of a report referred to at paragraph (ii) above shall, as soon as is reasonably practicable, be sent to the Chair of the relevant Overview and Scrutiny Committee of the County Council or of the ***** Council as appropriate.
- (vii) A report referred to in paragraph (ii) above shall include a list of background papers, and the Secretary shall make available for public inspection a copy of each of the documents on the list of background papers.
- (viii) Where an Executive Decision by the Lancashire Local was not treated as being a Key Executive Decision and the relevant Overview and Scrutiny Committee of the County Council or the Borough Council as appropriate, is of the opinion that the decision should have been so treated the relevant Committee may require the Lancashire Local to submit a report to the County Council's or the Borough Council's Full Council setting out the

reasons why the Lancashire Local was of the opinion that the decision was not a Key Executive Decision

Overview and Scrutiny

11. Executive decisions made by the Lancashire Local are subject to scrutiny by either the County Council's or the ***** Council's relevant Overview and Scrutiny Committee (depending on which authority delegated the particular function), including an Overview and Scrutiny Committee's right under the Local Government Act 2000 to request that an Executive Decision made but not implemented be reconsidered by the decision-taker (often referred to as 'call-in').
12. The processes and procedures for the exercise by the relevant Overview and Scrutiny Committee of their 'call-in' function shall be in accordance with the Constitutions of the County Council or the ***** Council depending on which Authority delegated the executive decision in question.
13. An Overview and Scrutiny Committee shall not exercise the 'call-in' function in respect of an executive decision by the Lancashire Local where that decision has been designated by the Lancashire Local as being urgent in that any delay in its implementation could adversely affect the efficient execution of their responsibilities on behalf of the County Council or the ***** Council, and provided that the designation and the reasons for it are recorded in the Minutes.
14. Executive decisions made by the Lancashire Local shall be implemented by the County Council or the ***** Council as appropriate, in accordance with their respective Constitutions.

The following general provisions apply to the consideration of all matters within the Lancashire Local's remit.

Chairing of Meetings

15. In the absence of the Chair, the Deputy Chair shall preside at the meeting. In the absence of both, the members present shall, as the first item of business, appoint one of their number who is a member of the County Council to be Chair of the meeting.

Access to Information

16. Items of business may not be considered at a meeting of the Lancashire Local unless a copy of the item has been open to inspection by members of the public for at least five working days before the meeting (or where the meeting is convened at shorter notice, from the time the meeting is convened). However an item that has not been open to inspection may be considered where, by reason of special circumstances which shall be specified in the Minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

Agendas and Minutes

17. Agendas for meetings of the Lancashire Local shall be dispatched by the Secretary five clear working days in advance of a meeting, and copies will be made available for public inspection at the designated County and District Council offices, libraries, other local public information points and on the Democratic Information System on the County Council's Website.
18. Agendas will identify separately matters which are for decision by the Lancashire Local under delegated powers, and which of those are executive or non-executive decisions.
19. The ***** Council and any Member of the Lancashire Local may suggest items for inclusion in the Agenda within its remit provided such requests are received by the Secretary at least 10 clear working days in advance of the meeting. It shall then be for the Lancashire Local to determine whether it wishes to receive a report on the matter at a future meeting.

Where, in the opinion of the Secretary, the matter requires a more immediate response, it shall be for the Chair and Deputy Chair to determine whether the Lancashire Local should receive a full report at its next meeting

20. The minutes of a meeting shall be published on the Democratic Information System as soon as is reasonably practicable, and wherever possible within three clear working days after a meeting at which an executive decision has been made.

Quorum

21. The quorum for any meeting shall be a quarter of the membership (rounded up) but not less than 4 members with at least one Member from each authority. If there is not a quorum of Members, the meeting shall stand adjourned for 15 minutes. If after that time there is still no quorum the meeting shall stand adjourned until a date and time to be fixed by the Chair.

Members Code of Conduct

22. Members are bound by the Code of Conduct of the authority which appointed them to the Lancashire Local and should particularly observe the provisions of their respective Codes concerning the declaration of personal and prejudicial interests when attending meetings of Lancashire Locals.

Declaration of Neutrality

23. A Member will be required to declare a position of neutrality when the Lancashire Local considers formulating a recommendation which will fall to that Member to decide upon in their capacity as a Cabinet Member of the County Council or the ***** Borough Council.

24. A declaration of neutrality will permit the Member to advise the meeting on any policy background or other general issues that might assist discussion but he/she shall refrain from indicating his or her intended position on the issue and shall abstain from voting.

Voting

25. All members are entitled to vote and voting shall be by show of hands, and in the case of an equality of votes the Chair of the meeting shall have a second or casting vote.

Members of the public

26. The Lancashire Local will have the flexibility to determine what the mechanisms should be for the public to participate at meetings including the need to avoid undue influence by a vocal minority. Unless other mechanisms are adopted by the Lancashire Local the following process shall be applied:-

A member of the public will be allowed to speak for up to 3 minutes on issues relevant to an item on the agenda. This period for public participation will be for 30 minutes at the beginning of the meeting, although the Chair will have the discretion to extend it.

The Lancashire Local will be requested to periodically review their arrangements for public participation, to ensure they remain effective.

Exclusion of the Press and Public

27. The Lancashire Local may, by resolution, exclude the press and public from a meeting during an item of business wherever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure of Exempt or Confidential information as defined by the Local Government Act 1972 and the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000.

Urgent Business Procedure

28. The County Secretary and Solicitor may in consultation with the ***** Borough Council, and with the Chair and Deputy Chair of the Lancashire Local, deal with matters of urgency which cannot await the next meeting and which do not in the view of the Chair and Deputy Chair warrant a special meeting being convened.

Sub-Committees and Working Groups

29. The Lancashire Local may appoint
 - (i) Sub-Committees with power to act to discharge any of its functions, provided:

- they comprise an equal number of Members of the County Council and of ***** Council,
 - at least one quarter of the Sub-Committee is present at the meeting.
- (ii) Working Groups **which cannot make decisions but may** consider specific matters and report back to a future meeting of the Lancashire Local.

Conduct at Meetings

30. The conduct of meetings and the interpretation of these Standing Orders are at all times a matter for the Chair of the meeting whose ruling is final.

DRAFT

APPENDIX

EXAMPLES OF USE OF GENERAL REMIT

The Lancashire Local's General Remit includes a responsibility to shape and influence any matter relating to any local County Council service in the district of....., and to discuss any opportunities for a closer alignment of local authority services in the district.

This will enable the Lancashire Local to help influence County Council activity generally in ***.**

The list below is not comprehensive, and offers examples only, which may serve to prompt Lancashire Local *** to explore the potential for local service improvement and closer alignment of local authority services in **** district.**

The local priorities in the district's Sustainable Community Strategy will be the key determinant of the focus of the Lancashire Local's attention and as such will form the basis of a joint locality plan where one is to be developed. In many cases this will involve shaping and influencing County Council services not included in the examples below.

Eg – Highways

- Highway Authority Functions – examples

Consider and express views on matters relating to the exercise of Highway Authority Functions within the ***** area, including performance monitoring, contributing to policy development and assisting in the development of Best Practice.

Consider and express views for changes in highway policies and standards.

- Local Transport Plan – example

Consider and express views on all matters in relation to the LTP, especially social inclusion matters.

- Highway special maintenance schemes – example

Consider and express views on locations where it is considered that resurfacing or reconstruction of carriageways and/or footways should be included in future programmes of work.

- Safety Cameras – example

Comment on proposals for 'community concern' sites put forward by the local Community Safety Partnership and the locations for proposed fixed camera sites.

- **Street Scene – example**

Consider and express views around rationalising the street scene, including road signs, road markings, street furniture, lighting, seats, bins, street cleaning, fly posting, graffiti etc, and in particular to influence proposals for traffic management/signing schemes.

Traffic Regulation Orders and Speed Limit Orders – example

- Make suggestions for future Traffic Regulation Orders and Speed Limit Orders.

20 mph Zones – example

- Make suggestions for future 20 mph zones.

IT Public Enquiry Manager (PEM) System – example

- Consider reports on the IT Public Enquiry Manager system (e.g. highway defect faults) and express views on changes and/or improvements.

Public Transport – example

- Consider and express views on local bus networks and proposed changes in provision (subject to statutory timescales)
- Consider and express views on local priorities for public transport in terms of Quality Bus Routes and subsidised bus routes.
- Facilitate closer joint working between the County and the District Council on sharing information and marketing in respect of public transport.
- Facilitate effective joint liaison arrangements linking the District Council's regeneration initiatives to improving access to public transport.
- Consider and express views on local community transport needs.

School Travel Plans – example

- To review annual programmes of School Transport Plans, to monitor progress on their implementation and encourage local schools to pursue such plans.

Environmental Projects – example

Consider and express views on:

- The promotion of initiatives to improve the environment of the District, under the Green Partnership Awards.
- Opportunities for removing derelict, underused and neglected land and to consider projects that might be supported under the Small Sites Reclamation Programme within Reclamation and Management of Derelict Land in Lancashire (REMADE).
- Proposals for the after-use of major land reclamation schemes under the Reclamation and Management of Derelict Land initiative, managed by the North West Regional Development Agency.

Waste – example

- Consider and express views on proposed sites for future waste facilities, as part of the Lancashire Waste Management Strategy.

Countryside Service – example

- Consider and express views on
 - Future Public Rights of Way Improvement Plan
 - The Public Rights of Way Network
 - The County Council's Countryside and Recreation Policy

Eg - Adult Social Services

The Lancashire Local ***** will have the opportunity to receive annual reports on the following service areas to keep local councillors informed and provide an opportunity to examine and influence services.

- Partnership Boards - example
 - Learning/Disability Partnership Board.
 - Physical Disability/Sensory Impairment Partnership Board
 - Older People Partnership Board
- Locality Commissioning Plans - example

The Commissioning Plans for each Adult Social Services client group, i.e. mental health, learning disabilities, physical disabilities and older people.

The annual report will contain the plans for expanding existing services, developing new services and decommissioning services over a three year period. Commissioning plans will be reviewed and updated

annually. The services typically commissioned are day care, respite care, home care, rehabilitation, residential and nursing home care, and home care support to very sheltered housing.

- Supporting People - example

The work of the Supporting People Team on activities in the District, including performance information and information on service development and delivery.

Adult Education – example

- Consider and express views on the development of Community learning provision, especially in areas of deprivation

Eg - Children and Young People

- Consider and express views on
 - the development of District based links for the Every Child Matters Agenda
 - School Organisation Reviews/School Place Planning

Eg - Museums Services

- Consider and express views on local management arrangements.

Eg - Asset Management

- Consider and express views on the development of joint County and District Council asset management and shared facilities, particularly one-stop shops.

Eg - Community Strategies

- Monitor and express views on County Council actions identified in local community strategies.

Eg - Lancashire Local Area Agreement

- Monitor County Council performance at the District level towards relevant targets in the Lancashire Local Area Agreement.