

Report of	Meeting	Date
Head of Public Space Services (Introduced by the Executive Member for Traffic & Transportation)	Executive Cabinet	29 September 2005

LANCASHIRE HIGHWAYS PARTNERSHIP

PURPOSE OF REPORT

- To update Members on the consultation process subsequent to the County Council Cabinet's decision to consider determination of the Lancashire Highways Partnership.

CORPORATE PRIORITIES

- The services provided through the Partnership have a direct bearing on the Council's corporate objective in respect of providing a cleaner, greener, safer Chorley.

RISK ISSUES

- The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy	✓	Information	
Reputation	✓	Regulatory/Legal	
Financial	✓	Operational	✓
People	✓	Other	

BACKGROUND

- The Lancashire Highways Partnership was established through an agreement between the districts involved and the County Council, effectively as a more modern agency arrangement. The agreement makes provision for District Councils to withdraw during the period of the Partnership and, although there is no specific means by which the County Council may terminate the Partnership, it is clear from the agreement that the Partnership has an end date of 30 June 2006.
- The County Council's Executive Cabinet considered a report on 1 September 2005 that set out the options for the future of the Partnership. The County Council's Cabinet resolved to consult District Councils on "the County Council becoming responsible for the delivery of the County Council's client highway functions directly". The County Council Cabinet proposes to consider the results of consultations at its next meeting on 6 October 2005. In order to meet the deadline for the inclusion of comments in the County Council's Cabinet report officers have made a provisional response available from this Council to officers of the County Council's Environment Directorate.

ARRANGEMENTS FOR TERMINATION

7. A copy of the County Council Cabinet report considered on 1 September 2005 was attached to the previous report on this issue. No significant additional information has become available since this Cabinet last considered the issue on 8 September 2005.
8. At the present time, therefore, we must continue with the following assumptions:
 - that TUPE will apply to staff transfers as in previous terminations of Partnership arrangements;
 - that the majority of staff transferred will be redeployed to one of the County Council's area offices (yet to be established);
 - that some form of minor residual agreement will be established in order to facilitate those functions of the County and District Councils that require the discharge of statutory powers and the implementation of which would be cumbersome without some form of agreement.
9. Public Space Services and Finance officers have made initial assessments and have identified options for future service delivery. These initial assessments will be updated and Members will be provided with further information as the County Council makes available information on the details of the termination and residual arrangements.
10. Officers continue to press the County Council for indications of the form and extent of any residual agreements. Officers are also seeking to make progress in discussions with the County Council on the various arrangements that would have to be put in place subsequent to termination.
11. There have been discussions between District Council Leaders and Chief Executives and also between District Engineers since the last meeting of this Executive Cabinet. There has also been a meeting of the Lancashire Highways Partnership Client Officers. Any progress made at these meetings in terms of information or negotiations will be reported verbally to Members.

ISSUES

12. At its meeting on 8 September 2005 this Cabinet resolved:
 - “1. That the report be noted.
 2. That the decision by the County Council be opposed.
 3. That officers be authorised to enter into discussions with the County Council officers on the County Council's proposal.
 4. That a further report be submitted to the Executive Cabinet meeting on 29 September 2005 for consideration of a formal response to the County Council.
 5. That the Lancashire County Council Cabinet be requested to delay any decision on this issue for a period of four months to allow meaningful consultations with District Councils”.
13. The response sent to the County Council by the Chief Executive is attached as an appendix.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

14. There are no HR related comments on this report due to lack of information.

COMMENTS OF THE DIRECTOR OF FINANCE

15. The report highlights the fact that it is unclear what the scope of any residual arrangement might be. Until this is resolved it is not possible to fully quantify the financial impact. However, based upon the information we have to date and taking the likely TUPE transfers into account, we estimate that the impact on the bottom line of the Council would be somewhere around £100k per annum. The increase in cost to the Council is predominantly because there are some overheads that remain fixed in the short term and under the current partnership arrangements the income received from the partnership contributes to these overheads.

RECOMMENDATION(S)

16. It is recommended that Members confirm the resolution approved at the meeting of the Executive Cabinet on 8 September 2005 and that the Executive Cabinet approves the draft response set out in the Appendix to this report.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

17. The recommendations are consistent with the previous decision of the Executive Cabinet and the advice of Officers on the implications of the termination of the Partnership.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

18. None.

KEITH ALLEN
HEAD OF PUBLIC SPACE SERVICES

There are no background papers to this report.

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