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County Offices  
Newland  
Lincoln  
LN1 1YL

18 September 2014

## Council

A meeting of the Council will be held on **Friday, 26 September 2014 in the Council Chamber, County Offices, Newland, Lincoln LN1 1YL, commencing at 10.30 am** for the transaction of the business set out on the attached Agenda. The attendance of all Councillors is requested.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Tony McArdle', written over a horizontal line.

Tony McArdle  
Chief Executive

## Membership of the Council (77 Members of the Council)

Councillors W J Aron (Chairman), W S Webb (Vice-Chairman), B Adams, M G Allan, A M Austin, Mrs V C Ayling, J W Beaver, Mrs P A Bradwell, D Brailsford, C J T H Brewis, A Bridges, Mrs J Brockway, M Brookes, J P Churchill, K J Clarke, C J Davie, R G Davies, P M Dilks, S R Dodds, G J Ellis, R G Fairman, I G Fleetwood, A G Hagues, J R Hicks, M J Hill OBE (Leader of the Council), J D Hough, D C Hoyes MBE, D M Hunter-Clarke, R J Hunter-Clarke, N I Jackson, A J Jesson, M S Jones, B W Keimach, Ms T Keywood-Wainwright, S F Kinch, R C Kirk, C E D Mair, C E H Marfleet, J R Marriott, R A H McAuley, D McNally, D C Morgan, N M Murray, Mrs A M Newton, P J O'Connor, Mrs M J Overton MBE, C R Oxby, C Pain, S L W Palmer, R B Parker, N H Pepper, R J Phillips, Mrs H N J Powell, Miss E L Ransome, Miss F E E Ransome, Mrs S Ransome, Mrs S Rawlins, Mrs J M Renshaw, R A Renshaw, Mrs A E Reynolds, P A Robinson, Mrs L A Rollings, R A Shore, Mrs N J Smith, Mrs E J Sneath, C L Strange, Mrs C A Talbot, T M Trollope-Bellew, A H Turner MBE JP, S M Tweedale, P Wood, Mrs S Woolley, L Wootten, R Wootten, C N Worth, Mrs S M Wray and B Young



**COUNCIL AGENDA  
FRIDAY, 26 SEPTEMBER 2014**

| <b>Item</b> | <b>Title</b>  | <b>Pages</b> |
|-------------|---|--------------|
| 1           | Apologies for Absence   |              |
| 2           | Declarations of Councillors' Interests  |              |
| 3           | Minutes of the meeting of the Council held on 16 May 2014   | 5 - 16       |
| 4           | Submission of Petitions   |              |
| 5           | Chairman's Announcements  |              |
| 6           | Statements/Announcements by the Leader and Members of the Executive                                     | 17 - 58      |
| 7           | Questions to the Chairman, the Leader, Executive Councillors, Chairman of Committees and Sub-Committees |              |
| 8           | Lincolnshire Standing Advisory Council on Religious Education - Membership                              | 59 - 64      |
| 9           | Annual Report 2013/14   | 65 - 124     |
| 10          | Financial Update  | 125 - 134    |
| 11          | Review of Constitution  | 135 - 238    |
| 12          | Minutes of the Council's Committees:  |              |
| 12a         | Audit Committee - 23 June 2014  | 239 - 248    |
| 12b         | Audit Committee - 21 July 2014  | 249 - 256    |
| 12c         | Pensions Committee - 29 May 2014  | 257 - 260    |
| 12d         | Pensions Committee - 24 July 2014   | 261 - 268    |
| 12e         | Planning and Regulation - 7 July 2014   | 269 - 274    |
| 12f         | Planning and Regulation - 28 July 2014  | 275 - 282    |
| 12g         | Planning and Regulation - 8 September 2014  | 283 - 290    |
| 13          | Motions for Debate (if any)   |              |

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**Please note:** for more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting

- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details set out above.

**Please note:** This meeting will be broadcast live on the internet and access can be sought by accessing <http://www.lincolnshire.public-i.tv>

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[www.lincolnshire.gov.uk/committeerecords](http://www.lincolnshire.gov.uk/committeerecords)



**COUNCIL  
16 MAY 2014**

**PRESENT: COUNCILLOR W J ARON (CHAIRMAN)**

Councillors R Wootten, B Adams, M G Allan, A M Austin, Mrs V C Ayling, Mrs P A Bradwell, C J T H Brewis, Mrs J Brockway, M Brookes, J P Churchill, K J Clarke, C J Davie, R G Davies, S R Dodds, G J Ellis, R G Fairman, I G Fleetwood, A G Hagues, M J Hill OBE, J D Hough, D C Hoyes MBE, D M Hunter-Clarke, R J Hunter-Clarke, N I Jackson, A J Jesson, M S Jones, B W Keimach, Ms T Keywood-Wainwright, S F Kinch, R C Kirk, C E D Mair, C E H Marfleet, J R Marriott, R A H McAuley, D McNally, N M Murray, Mrs A M Newton, P J O'Connor, Mrs M J Overton MBE, C R Oxby, C Pain, S L W Palmer, R B Parker, N H Pepper, R J Phillips, Mrs H N J Powell, Miss E L Ransome, Miss F E E Ransome, Mrs S Ransome, Mrs S Rawlins, Mrs J M Renshaw, R A Renshaw, P A Robinson, Mrs L A Rollings, R A Shore, Mrs N J Smith, Mrs E J Sneath, C L Strange, Mrs C A Talbot, T M Trollope-Bellew, A H Turner MBE JP, S M Tweedale, W S Webb (Vice-Chairman), P Wood, Mrs S Woolley, L Wootten, C N Worth, Mrs S M Wray and B Young

1 TO ELECT THE CHAIRMAN OF THE COUNTY COUNCIL FOR THE ENSUING YEAR

On the nomination of Councillor M J Hill OBE, seconded by Councillor Mrs P A Bradwell, and being no other nominations, it was

RESOLVED

That Councillor W J Aron be elected as Chairman of the County Council for the year 2014/15.

Councillor Aron signed the declaration of acceptance of office, was invested with the Chain of Office by the immediate past Chairman, took the Chair and thanked the Council for electing him.

**COUNCILLOR W J ARON IN THE CHAIR**

CHAIRMAN'S LADY

Ms A Job was invested with the Chairman's Lady's Chain of Office.

**2**  
**COUNCIL**  
**16 MAY 2014**

IMMEDIATE PAST CHAIRMAN

The Chairman presented a past Chairman's Badge to Councillor R Wootten. Members of the County Council paid tribute to Councillor Wootten's service to the County Council.

**2**     TO ELECT THE VICE-CHAIRMAN OF THE COUNTY COUNCIL FOR THE ENSUING YEAR

On the nomination of Councillor C J T H Brewis, seconded by Councillor Mrs M J Overton MBE, and there being no other nominations, it was

RESOLVED

That Councillor W S Webb be elected Vice-Chairman of the County Council for the year 2014/15.

Councillor Webb signed the declaration of acceptance of office, was invested with the Vice-Chairman's Chain of Office and thanked the Council for electing him.

**3**     APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J W Beaver, D Brailsford, A Bridges, P M Dilks, J R Hicks, D C Morgan and Mrs A E Reynolds.

**4**     DECLARATIONS OF COUNCILLORS' INTERESTS

There were no declarations of interest at this point in the meeting.

**5**     MINUTES OF THE MEETING OF THE COUNCIL HELD ON 21 FEBRUARY 2014

RESOLVED

That the minutes of the meeting of the County Council held on 21 February 2014 be approved as a correct record and signed by the Chairman.

**6**     SUBMISSION OF PETITIONS

(a) Petition seeking support for the demands that 1) Market Rasen Ambulance Station remains open; and that 2) A minimum of two ambulances be based at Market Rasen Ambulance Station with standby located within the LN7 and LN8 postcode areas.

In accordance with the Councils Petitions Scheme, Mr Guy Grainger spoke for not more than five minutes in explanation of the petition 'seeking support for the demands that 1) Market Rasen Ambulance Station remains open; and that 2) A minimum of two ambulances be based at Market Rasen Ambulance Station with standby located within the LN7 and LN8 postcode areas'.

As this petition had surpassed the threshold number of signatures required to trigger a debate, a debate lasting 15 minutes took place. Councillors were invited to debate the petition.

(Councillor S L W Palmer declared a non-pecuniary interest as a LIVES volunteer)

During debate, the following motion was proposed and seconded:

"That the Council notes the concerns expressed by the residents in Market Rasen and Horncastle areas about ambulance response times, it has been debated at length by the Health Scrutiny Committee for Lincolnshire and refers the petition to EMAS for its consideration"

Following debate, the above motion was withdrawn following an amendment which was proposed and seconded as follows:

"That the Council supports the concerns expressed by residents in the Market Rasen and Horncastle areas about ambulance response times and refers the petition to the East Midlands Ambulance Service (EMAS) for its considerations."

This became the substantive motion and following a vote, the motion was carried.

(b) Petition which asks the Council to reconsider the closure of Hawthorn Road as part of the A15 Lincoln Bypass Scheme

In accordance with the Council's Petition Scheme, Mrs Louise Carder spoke for not more than five minutes in explanation of the petition asking the 'Council to reconsider the closure of Hawthorn Road as part of the A15 Lincoln Bypass Scheme'.

As this petition had also surpassed the threshold number of signatures required to trigger a debate, a debate lasting 15 minutes took place. Councillors were invited to debate the petition.

During debate, the following motion was proposed and seconded:

"That the Council note the concerns expressed by the petitioners, but in view of the fact that the arguments put forward have been raised at a public enquiry, resolves that we note the petition".

An amendment was proposed and seconded which stated:

"That the Council note the concerns expressed by the petitioner and refers the petition to the executive Councillor for Highways, Transport and IT to review following the decision of the Public Enquiry"

A vote was taken on the amendment, which was lost. The vote reverted back to the original motion, and upon being put to the vote the motion was carried.

**4**  
**COUNCIL**  
**16 MAY 2014**

7     CHAIRMAN TO SIGNIFY THE APPOINTMENT OF CHAIRMAN'S  
          CHAPLAIN

The Chairman informed the Council that the Reverend Priscilla Smith had kindly agreed to act as Chaplain during his term of office.

8     CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed Members that it was 40 years since the County Council was formed. He invited Members to join him in the quad at the end of the meeting to witness a short ceremony to mark the 40<sup>th</sup> anniversary of the authority.

Members of the Council were advised that this year's Lincolnshire Show would be held at the Lincolnshire Showground on Wednesday 18<sup>th</sup> and Thursday 19<sup>th</sup> June 2014. It was hoped that as many members of the Council as possible would be able to attend what was always an enjoyable event. Members should have received an email from the Civic Officer inviting them to take part in "Meet Your Councillor" which gave members of the public the opportunity to meet and talk to their local member. The Marquee for this would be located at the front of the County Council stand. Members were reminded that entrance tickets for the Lincolnshire Show would only be issued to those members taking part.

The County Service of Dedication would be held in Lincoln Cathedral, and would commence at 3.30 pm, on Sunday 13<sup>th</sup> July 2014. Members of the Council would be invited to attend the Service and be given the opportunity to nominate two people from their area whom they would wish to attend the Service.

The Chairman advised that a list of civic engagements relating to the immediate past Chairman and Vice-Chairman were available for inspection in the Members' Foyer.

9     THE LEADER TO REPORT ON EXECUTIVE PORTFOLIOS AND  
          APPOINTMENTS TO THE EXECUTIVE AND APPOINTMENTS OF  
          EXECUTIVE SUPPORT COUNCILLORS

In accordance with Article 5.02, the Leader notified the Council of the appointments to the Executive and for the purposes of Part 3 (Responsibilities for Functions) the responsibilities of each Portfolio Holder. The Leader also notified the Council of the Executive Support Councillors he had appointed in accordance with Article 5.07, as set out in Appendix A of these minutes.

10    STATEMENTS/ANNOUNCEMENTS BY THE LEADER AND MEMBERS OF  
          THE EXECUTIVE

Statements by the Leader and Members of the Executive had been circulated with the agenda.



A copy of the Leader's Annual Statement had been circulated prior to the start of the meeting.

11     QUESTIONS TO THE CHAIRMAN, THE LEADER, EXECUTIVE  
          COUNCILLORS, CHAIRMAN OF COMMITTEES AND SUB-COMMITTEES

Questions pursuant to Council Procedure Rule 10.3 were asked and answered as follows:

| <u>Questions By</u>     | <u>Answered By</u> | <u>Subject</u>                                      |
|-------------------------|--------------------|---|
| (a) R Wootten           | R G Davies         | Community Speedwatch scheme                         |
| (b) R B Parker          | M J Hill OBE       | Projected underspend from 2013/14 budget            |
| (c) Mrs M J Overton MBE | P A Robinson       | Provision of ambulance services by the Fire Service |
| (d) C E D Mair          | Mrs P A Bradwell   | School transport routes                             |
| (e) C J T H Brewis      | M J Hill OBE       | Recorded votes at council meetings                  |
| (f) S R Dodds           | Mrs P A Bradwell   | School Improvement Service                          |
| (g) S L W Palmer        | C J Davie          | Mis-use of car terraces                             |
| (h) C Pain              | R G Davies         | Sponsorship of roundabouts                          |
| (i) C L Strange         | C J Davie          | Launch of the Wolds Walking Festival                |
| (j) J D Hough           | M J Hill OBE       | Children's Centres                                  |
| (k) Mrs V C Ayling      | R G Davies         | Damage to roads by heavy vehicles                   |
| (l) Mrs C A Talbot      | R G Davies         | Access LN6 update                                   |
| (m) Mrs A M Austin      | C J Davie          | Applications for 'fracking'                         |
| (n) G J Ellis           | R G Davies         | Displaying of cars on grass verges                  |

**6  
COUNCIL  
16 MAY 2014**

|                      |                  |   |
|----------------------|------------------|---|
| (o) M Brookes        | C J Davie        | Potential sale of the Cattle Market in Louth                      |
| (p) R C Kirk         | Mrs S Woolley    | Better Care Fund  |
| (q) Mrs H N J Powell | Mrs P A Bradwell | Support for young people in sport                                 |
| (r) P J O'Connor     | Mrs P A Bradwell | Wellbeing agenda and the reinstatement of wardens                 |
| (s) P Wood           | C N Worth        | Anticipated costs of the judicial review in relation to libraries |
| (t) R A Renshaw      | Mrs P A Bradwell | Future provision of primary school places                         |
| (u) K J Clarke       | P A Robinson     | Potential cuts to Lincolnshire Fire and Rescue Service            |
| (v) J R Marriott     | Mrs P A Bradwell | Provision of free school meals                                    |
| (w) N I Jackson      | B Young          | Pay and reward review   |
| (x) R J Phillips     | R G Davies       | Speed enforcement in rural areas                                  |

12 PARENT GOVERNOR REPRESENTATION

A report by the Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

1. That the number of Parent Governor Representatives (PGR's) required to sit on the Children and Young People Scrutiny Committee and the Overview and Scrutiny Management Committee be reduced from three to two;
2. That the Constitution be amended accordingly.

13     COMMITTEE STRUCTURE, POLITICAL BALANCE ON COMMITTEES  
AND SUB-COMMITTEES AND ALLOCATION OF PLACES

A report by the Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

1. That the change in the political makeup of the Council be noted; and
2. That following the approved reduction of parent governor representatives on the Children and Young People Scrutiny Committee and the Overview and Scrutiny Management Committee from three to two, Appendix A of Schedule 2, as set out in the Order of Proceedings, be adopted as the amended political balance of committees, sub committees and outside bodies.

14     APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES  
AND SUB-COMMITTEES (EXCEPT THE LINCOLNSHIRE HEALTH AND  
WELLBEING BOARD AND THE HEALTH SCRUTINY COMMITTEE FOR  
LINCOLNSHIRE)

A report by the Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

That the appointment of Chairmen and Vice-Chairmen to Committees and Sub-Committees be considered and approved.

15     CHIEF OFFICER STRUCTURE - DELEGATED POWERS

A report by the Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

1. That the designation of the posts set out in Table 1 of the report as Chief Officers for the purposes of Article 9 of the Constitution be approved;
2. That the posts designated as statutory posts set out in Table 1 of the report be noted;
3. That the amendment of Article 9 of the Constitution to reflect paragraphs 1 and 2 above, be approved;
4. That the insertion of pages 1-29 inclusive of Appendix B of the report into the Constitution to replace the sections relating to the delegated powers of Chief

**8  
COUNCIL  
16 MAY 2014**

Officers in part 3 of the Council's Constitution, subject to a change to B1 to delete clause (b) and re-letter clause (c) as clause (b), be approved;

5. That the insertion of the Management Structure at page 30 of Appendix B to the report into the Constitution to replace Part 7 of the Constitution be approved;
6. That the Commissioning Strategies that had been allocated to Chief Officers as listed in Appendix A of the report be noted.

16 OVERVIEW AND SCRUTINY ANNUAL REPORT 2013-14

A report by the Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

That the Overview and Scrutiny Annual Report for 2013/14 be approved.

17 CALENDAR OF MEETINGS 2014/15

A report by the Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

That the calendar of meeting dates for 2014/15, as shown in Appendix A of the report, be approved, with the addition of a meeting of the Adults Scrutiny Committee at 2.00pm on 24 July 2014 and Executive at 1.30pm on 29 July 2014.

18 APPOINTMENT OF INDEPENDENT PERSON

A report by the Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

1. That the position regarding the appointment of an Independent Person be noted;
2. That Council delegate to the Monitoring Officer, in consultation with Group Leaders, the appointment of an Independent Person and reserve (such appointment to be for a period of four years from 1 June 2014);

3. That Council delegate to the Monitoring Officer, in consultation with Group Leaders, the appointment of an Independent Person and reserve should any vacancy arise during the above four year term.

19 TO RECEIVE THE MINUTES OF THE COUNCIL'S COMMITTEES AS FOLLOWS:

- (a) Planning and Regulation Committee - 17 February 2014

RESOLVED

That the minutes of the Planning and Regulation Committee held on 17 February 2014 be received.

- (b) Planning and Regulation Committee - 17 March 2014

RESOLVED

That the minutes of the Planning and Regulation Committee held on 17 March 2014 be received.

- (c) Planning and Regulation Committee - 7 April 2014

RESOLVED

That the minutes of the Planning and Regulation Committee held on 7 April 2014 be received.

- (d) Audit Committee - 31 March 2014

RESOLVED

That the minutes of the Audit Committee held on 31 March 2014 be received.

20 MOTIONS FOR DEBATE

A vote took place to allow suspension of Procedure Rule 13.6 to allow one debate to take place in relation to the Motions by Councillor C Pain and Councillor R A McAuley.

Motion by Councillor C Pain

It was moved, and seconded that:-

"The motion states that Lincolnshire County Council puts forward a plan, to government ministers, pushing the case for increased funding for the county and the Eastern side of the country, for improved road and rail networks. This proposal will state the benefit for massive investment and business potential that will come into the area with the improved road and rail network.

We will get our officers to draw plans that can be implemented at short notice across the county, for several stretches of dual carriageways and triple lane roads. These

**10  
COUNCIL  
16 MAY 2014**

could be used, if the government make available monies for deliverable schemes, prior to the next General Election.

We will not be negative towards the Department of Transport if they plan to extend the M11 up to the Humber Bridge in their 2020 plans. Currently the DFT are producing a uniform set of strategies for the entire network. These will include the possibility of extending the M11 as part of the London to Leeds East Region.

LCC will address the park and ride situation for Lincoln.

We will open up negotiations with Hull trains for a London - Hull train link"

Motion by Councillor R A McAuley

It was moved, and seconded that:-

"The government have stated that they are considering part of the funding in 2020 to be used to extend the M11 from Cambridge to Grimsby. Lincolnshire's economy is held back by lack of infrastructure.

I am sure we all agree that this Council needs to be active in encouraging the government to invest in Lincolnshire. We need to give the positive message that Lincolnshire is open for business and we would welcome this investment.

I move that this Council now sends a very clear message to the Government, that we welcome this major investment into the County's roads and reinvigorate a dialogue for improving and upgrading our supporting A roads to dual carriageways to benefit the economy."

An amendment was proposed and seconded in relation to the motion by Councillor C Pain as follows:

"To delete paragraph one, two and three and keep the wording as shown below.

LCC will address the park and ride situation for Lincoln.

We will open up negotiations with Hull Trains for a London – Hull train Link"

Upon being put to the vote, the amendment was supported. This became the substantive motion, and upon being put to the vote the motion was carried.

A vote took place in relation to the motion by Councillor R A McAuley, and upon being put to the vote, the motion was lost.

Motion by Councillor R B Parker

It was moved, and seconded that:-

"Lincoln Castle Revealed is a key project for Lincolnshire County Council. So too is the commemoration on the 15 June 2015 of the 800<sup>th</sup> Anniversary of the sealing of the Magna Carta.

A report to Economic Scrutiny Committee in January 2014 made a number of points:

- The castle is the largest regeneration project currently taking place in the East Midlands and will gather much regional visitor interest, similarly our marketing effort will lead to greater numbers of national and international visitors
- It is estimated that the refurbishment of Lincoln Castle might reasonably be expected to ultimately unlock a major – between 29-55% - increase in the overall value of tourism to Lincoln, thereby acting to transform the visitor appeal of Lincoln as a historic destination. On the basis of current value of Lincoln's tourism sector, then this would equate to £26-68m in terms of economic impact and some 600-1,100 additional FTE jobs (ECOTEC 2009).
- An internal workshop held in September 2013 felt that 'the availability of sufficient parking is a concern'.

Recent forecasts from the Highways Directorate of the expected level of visitors by car to Lincoln from June 2015 onwards suggests that there will be a shortage of around 800 car parking spaces in the peak month of June in uphill Lincoln, although there will be spaces available in other parts of the city. Currently there are no plans in place or budget available for a Park and Ride site in or around Lincoln, to handle commuter, tourist or shopping car parking.

The Council resolves:

- a) to add £1.57 million to the 2014/15 – 2015/16 capital budget in order to construct a Park and Ride Facility in time for the Magna Carta commemoration in June 2015;
- b) to add a sum of £500,000 in the 2015/16 revenue budget, funded from underspending in the 2013-14 budget, to assist with the operation of the park and ride for the first year;
- c) to recommend to the Executive that it provide such a facility within the budget allocated; and
- d) request that the Executive considers this as an initial investment towards the longer term investment for Park & Ride envisaged in the approved Greater Lincoln Transport Strategy."

An amendment was proposed and seconded as follows:

"To delete paragraphs a) and b) of the original motion and amend the remainder to read as follows:

The Council Resolves:

- a) To note that the provision of an East-West Link and an Eastern By-pass are integral to the successful implementation of a Lincoln Park and Ride. Funding and plans are in place to deliver the road schemes by 2017-18;
- b) To recommend to the Executive that it works with partners to ensure that there will be appropriate parking arrangements for next year's Magna Carta celebrations and the required funding will be made available to provide such facilities; and
- c) To request that the Executive considers further development towards the longer term investment for Park & Ride envisaged in the approved Greater Lincoln Transport Strategy."

The amendment was put to the vote and was supported. This then became the substantive motion, and upon being put to the vote, the motion was carried.

Motion by Councillor M S Jones

It was moved, and seconded that:-

"On the [18th September 2014](#) the residents of Scotland will be voting in a referendum to decide not only if Scotland should become an independent country but whether the United Kingdom as we know it should cease to exist.

This monumental decision will effect the lives of every citizen within the United Kingdom including the residents and businesses of Lincolnshire. This Council should speak to the people of Scotland to ensure that the collective voice of Lincolnshire's representatives are heard when that decision is taken.

This Council believes that the future of the people of Scotland, England and the whole United Kingdom is best served by Scotland remaining within the United Kingdom. Council will write to the Leaders of all the main Political Parties in Scotland and England to make clear our support for a United Kingdom of England, Scotland, Wales and Northern Ireland."

The motion, upon being put to the vote, was carried.

(Councillor R B Parker requested that it be noted that he did not support this motion)

The meeting closed at 4.00 pm



## COUNTY COUNCIL MEETING – 26 SEPTEMBER 2014

**Statement from: Councillor M J Hill OBE – Leader and Executive Councillor for Governance, Communications and Commissioning**

### **Commissioning**

The creation of the new Commissioning team is well underway, within the Information and Commissioning area, bringing together the skills across Procurement Lincolnshire, Performance & Programmes and the Lincolnshire Research Observatory to create a single team to support Lincolnshire County Council (and its partners) in all aspects of the commissioning cycle; analyse, plan, do, review.

The Commissioning unit will enable and support commissioning activity across the Council to ensure that commissioning activity is carried out in the most effective way to deliver benefits for all Council activities:

- Consistently making decisions based on evidence of needs and political priorities
- Working with partners to get the best results
- Focusing on outcomes for people and places
- Using the best means of delivering those outcomes, whether that is inside or outside the Council
- Holding all service providers to account with appropriate rigour.

The team have delivered commissioning training to staff and members and are currently supporting commissioning across the council including carers, ICES, CSF and AC residential placements.

Good progress is being made in delivering the FDSS programme to ensure the Council has continued services with improved efficiencies and reduced costs following the end of the Mouchel contract.

- The work with Serco to deliver service transformation ready for April 2015 is on schedule with the designs for the new Agresso and customer services systems completed on time and the build of these systems now well underway, working closely with the new case management programme (CMPP).
- The new Property supplier has been approved and the contract is close to completion.
- The Agreement has been signed with West Yorkshire Pension Service for the new shared pension service and planning for transition is making good progress.
- Following successful completion of the Accountancy and Property client insourcing good progress is now being made to prepare for the insourcing of the Health and Safety team from 1 April 2015.

The new contract management arrangements for such contracts will be put in place through the next stage of restructure taking place this year.

## **Procurement Lincolnshire (shared service)**

### **Lincolnshire Category Analysis Tool, (LCAT) East Midland implementation**

The LCAT tool project (used to identify and analyse supplier expenditure), has now been licensed to eight Authorities and a further 9 are enquiring about using it.

### **Savings**

The shared procurement service delivered £7.3 million cashable savings for the partnership by the end of the financial year ended March 2014. The cumulative savings, calculated from when the shared service started in 2008 to date, total in the region of £26 million.

### **Staff**

Three members of staff in the Procurement Lincolnshire Team have been trained by the Cabinet Office to deliver training about new EU Procurement Regulations to other public sector organisations in the East Midland region.

## **COUNTY COUNCIL MEETING – 26 SEPTEMBER 2014**

**Statement from: Councillor Mrs P A Bradwell, Deputy Leader and Executive Councillor for Adult Care and Health Services, Children's Services**

### **CHILDREN'S SERVICES**

#### **A Record Year for DofE**

The Duke of Edinburgh's (DofE) Award announced record-breaking figures for 2013/14 as awards topped the 100,000 mark for the first time with 108,288 young people achieving their Bronze, Silver or Gold Awards, whilst new starters peaked at 240,796, both up by 10% on the previous year. To support this growth, more organisations, including Local Authorities, secured a licence to run the DofE, increasing a phenomenal 33%. As the DofE approaches its 60th anniversary, its growth in popularity is testament to its relevance to young people today. The employability benefits of the programme have never been so valuable as more young people compete to secure a job. DofE Award holders stand out from the crowd as they can demonstrate skills beyond academic results that are sought-after in the workplace, such as communication, team-working, commitment and drive. The DofE is on course to realise its ambition of 300,000 young people starting their DofE each year by 2016. Continued expansion of licensed organisations and centres, and the recruitment of volunteers to sustain this, will positively shape the futures of more young people, support local communities and contribute to a better society at large.

#### **Early years settings celebrate achieving Inclusion Quality Mark (IQM)**

On 8th July the Birth to Five Service hosted a celebration event for early years settings which have achieved the Inclusion Quality Mark (IQM). The IQM award provides a summative validation of current practice and the settings who have achieved the IQM award have a strong commitment to maintaining and improving their inclusive practice. The early years award was piloted in Lincolnshire and runs alongside the national school's award. The Birth to Five Service hopes that this is the start of a working relationship with IQM as the early years award is extended across the country. Settings who have achieved the award are:- Building Blocks Kindergarten, Bourne, Great Wood Farm Early Years Centre, Grantham, Little Treasures Day Nursery, Skegness, Maple Leaf Day Care, Digby, Mulberry Bush, Stamford, Swineshead Preschool, Boston, Kidzone Preschool, RAF Cranwell and The Bluecoat School Nursery and Stamford. Five Birth to Five Service Consultants participated as IQM Early Years Assessors: Sarah Lane, Paula Parker, Kate Powell, Janice Reid and Louise Whitwell.

#### **Lincolnshire Media Education Awards**

The Lincolnshire Media Education Awards were launched to celebrate and recognise pupils and students from schools across the county including nursery, primary and secondary schools. Lincolnshire County Council's Children's Services is sponsoring

the awards, organised by the Lincolnshire Echo. The winners were announced on 2<sup>nd</sup> July.

### **Leaving Care**

Lincolnshire County Council has a corporate parenting responsibility for children who leave care (Care Leavers). The purpose of a Leaving Care Service is to ensure that Care Leavers are provided with comprehensive personal support so that they can achieve their potential as they make their transition to adulthood. Two of our main priorities for Care Leavers are to ensure they find, and remain in, suitable accommodation and to engage them in employment, education or training opportunities. The Lincolnshire Leaving Care Service has been contracted out to Barnardo's since 01/04/2007. The contract could not legally be extended beyond 01/04/2015 without the risk of challenge, therefore an extensive commissioning review was undertaken. A decision to re-tender for the Leaving Care Service combined with two other care leaver related services, the Work Preparation Programme and provision of Supported Lodgings, was approved by the Executive on 01/04/2014. The outcome of the tender process was a successful bid by Barnardo's to continue providing the service from 01/04/2015 for a further 3 years, with an option to extend for a further 2 years if required.

### **OfSTED Update**

#### **Primary**

At the end of July 2014, although it had been anticipated that the focus on schools judged satisfactory or requiring improvement would be challenging for our schools, 85% of Lincolnshire primary schools are now judged to be good or better, with 12% judged outstanding. The percentage of good or better primary schools has risen since the end of the autumn term 2013 when this figure was 81%. When compared with the national figure (latest data available 30/06/14) of 81% good or better and East Midlands' figure of 80%, this demonstrates a strong level of success in inspection outcomes for Lincolnshire schools. However, we do recognise the need to now focus on supporting and challenging good schools in their move to outstanding.

In the summer term there have been 16 inspections; 2 schools have been judged outstanding, 1 of these retaining the outstanding judgement from May 2007, the other moving from requiring improvement. 10 schools have been judged good with 6 of these improving from requiring improvement or satisfactory, and 1 improving from special measures. 4 schools were judged to require improvement; of these, 3 remained requiring improvement with one moving from good.

There are currently still 4 primary schools in a category of concern, 3 in Special Measures and 1 with Serious Weaknesses. A sponsored Academy solution has been arranged for all of these schools; the school with Serious Weaknesses converted on September 1<sup>st</sup>, two in special measures will convert on October 1<sup>st</sup> with one further planned for January 1<sup>st</sup> 2015. CfBT will continue their close monitoring and support role with each of these schools until conversion has been finalised.

## **Secondary**

The last inspection in Lincolnshire secondary schools took place in May 2014. In 2014, four of our secondary schools were inspected up to May 2014. Three of the inspections were graded as good and the fourth graded as requires improvement. This equates to 70% of schools being good or better compared to a national figure of 72%, which for a selective authority is a good result. Projections for the coming year indicate that this figure could be at least equalled and possibly surpassed.

Currently, all of Lincolnshire's maintained grammar schools are graded as outstanding. Six of the selective area schools are graded as requiring improvement and one is still graded as inadequate. Recent HMI visits to these schools have provided favourable reports that they are making progress towards becoming good schools.

We continue to support and challenge the 15 schools that are graded requiring improvement or inadequate in terms of OFSTED, but it should be noted that 13/15 of these schools have below average attainment on entry. This is the most significant factor leading to the down grading of our schools and/or the seeming inertia in schools moving from requiring improvement to good. In terms of Lincolnshire academies, 35/44 are graded as good or better.

## **Special**

Two special schools were subject to parallel inspections during the Summer Term. Both were judged "good" - on paper the same judgement as previously, but special schools have been subject to significantly raised Ofsted expectations in terms of performance over the past year. There was only one Lincolnshire special school not graded as either "good" or "outstanding" ("requires improvement"). The school's HMI monitoring has indicated good progress against its action plan. Inspection is expected now in the Autumn Term and monitoring confirms the fast rate of progress judged by the link HMI.

## **GCSE Results**

Despite warnings of a national dip in performance levels from the government's qualifications watchdog, OfQUAL, GCSE results in Lincolnshire have held up this year. With two schools yet to declare their results, exactly 59.1% of students have achieved 5A\*-C grades including English and maths. The early reported results in terms of Children Looked After is 13.2% 5ACEM

A total 14 schools achieved in excess of 90%. In Lincolnshire's grammar schools, 48.9% achieved 5 or more A\* or A grades, an decrease of 0.3% on last year.

The government has been keen to emphasise the importance of as many students as possible achieving A\*-C grades in a broad range of academic subjects. The percentage of students achieving the English Baccalaureate across Lincolnshire is currently showing as 29.9% for 2014 compared to 27.2% last year: an increase of 2.7%.

Overall, though, it is very difficult to compare this year's results with last year's because the government has made so many changes and there are more to come next year. This year's changes include:

- where a student has had two attempts at an exam, only the first result will count in the government's performance tables, even if the student gets a better grade second time around. The student can rightfully declare the higher grade when applying to colleges and for jobs
- there has been a shift from short tests on individual modules to an end of course exam on everything the student has learned
- less coursework can count towards the final grade
- in English, speaking and listening tests no longer count towards the final grade

### **A-Level Results**

Provisional A-level results from 37 out of 38 sixth forms show an increase in higher level passes and twelve schools with a 100% pass rate.

Despite a first drop in the national pass rate for 32 years, provisional indications from Lincolnshire schools are that there were 98.6% of A-levels passes, beating the national figure by 0.6%. The highest grade of A\* was achieved in 7.8% of entries, an increase of 0.7% on last year. This compares to a national figure of 8.2% (an increase of 0.6% on last year) showing that Lincolnshire continues to close the gap. Thirteen Lincolnshire schools achieved a % of A\* Grades greater than the national figure of 8.2%, with 8 of those achieving more than 10% for the percentage of A\* grades. Twelve Lincolnshire schools achieved an outstanding 100% of pass grades.

Many students in Lincolnshire also follow courses that are equivalent to A-levels alongside their traditional A-levels or as an alternative to them. Although no national comparators are available at this time, initial reports from schools show that the overall pass rate has increased by 0.7% when these results are added in, with one school achieving 57.5% at grades A\* or A or equivalent.

## **ADULT CARE**

### **Learning Disabilities**

#### **Response to Winterbourne View**

Winterbourne View was a scandal that shocked everyone from the general public to professionals working with people with a Learning Disability. Following the review a full programme of work was required to ensure changes were made to ensure that there was no one with a Learning Disability living inappropriately in a hospital and that those who required inpatient services had a clear care plan and discharge plan. The Department of Health Winterbourne View Review Concordat: A Programme for Action was published in December 2012 and formed the foundations of the work to be undertaken by Lincolnshire.

Adult Care Learning Disabilities leads on this work on behalf of the four CCG's as part of the joint commissioning arrangements in Lincolnshire. We developed a joint action plan which is currently being reviewed and have a comprehensive register of all those in inpatient care which is updated weekly and the information reported to NHS England in a comprehensive format quarterly and in over view monthly.

One of the main actions required by Norman Lamb the Minister of State for Care and Support was to ensure that all individuals who had been in in-patient care for a long period of time who were no longer appropriately placed, for example their treatment had been completed, should be discharged into a community based service by June 2014. In Lincolnshire this timeframe was met and we do not have any individuals inappropriately placed in hospital.

### **Adult Care Performance**

Demand for services continues to grow, with 14,000 clients currently accessing services, all of which are accessing a personal budget as appropriate. This is an increase of 1,000 clients compared to the same time last year, and the vast majority of these are older people who continue to live in the community. Admissions to permanent residential care for younger adults remains low and stable. Despite relative stability of just over 1,000 admissions for older people in the last 2 years, the authority's admission rate per 100,000 population is slightly higher than the national average. The pressure will continue because by 2021, the number of people aged 75 and above living in Lincolnshire is projected to grow by 37%, compared to the national average of 27%.

The uptake of services would be much greater if our front door offering wasn't as effective as it is. Almost a third of contacts for new clients are dealt with at the point of contact and offered information and advice and are being signposted appropriately instead of progressing down the funded care route. With regard to the reablement service, over 50% of people accessing the intensive service have regained their independence and require no ongoing support from Adult Care. Also, the percentage of clients admitted to hospital after reablement has reduced to 18%, which further demonstrates the effectiveness of the intervention and reduces the pressure on acute care.

For people who have been in hospital, Adult Care has worked closely with health colleagues to reduce unnecessary delays. For two consecutive years, Lincolnshire has been one of the best performing authorities in respect of delayed transfers of care with an average of 8.5 delayed patients per 100,000 population, and 1.4 delayed patients per 100,000 where the delay was caused by Adult Care. In the last 4 months, the number of delays has reduced further still.

Operational efficiency continues to be very good with over 86% of assessments completed within 28 days. People are receiving services more efficiently with 93% of home support packages brokered within seven days of referral. Adult Care have reviewed 80% of people in the year, maintaining an excellent level of performance for the second year running, and ensuring people have the most appropriate support services to meet their needs and keep them safe. Other improvements have been

made in the department to speed up processes. This year, people have received their direct payments much quicker than they have done in previous years. 96% of direct payments provided in quarter 1 of 2014/15 have been paid within 14 days. Also, against the backdrop of an increasing number of carers requesting support, waiting times for carers' assessments have vastly reduced following extra investment in the Carers Service Team. 6,000 carers are currently supported by the authority.

People are generally happy with the care and support they receive, with 92% of clients responding to the 2014 Adult Care Experience Survey saying they were at least quite satisfied. 84% of people responding to the survey also said that the care and support services they received made them feel safe and secure. The low level of complaints received by Adult Care this year (142 compared to 211 in 2012/13 and 340 in 2011/12), also suggests that the service is improving.

Notwithstanding the consistent improvements I have already mentioned, the level of budget pressure against increased demand will mean that it will be a challenge to retain good or excellent performance in the future. This is a national phenomenon.

### **Health and Care Success**

Lincolnshire Health and Care community entered the Health Service Journal's Value in Healthcare Award, for the work it has undertaken to reduce the number of acute admissions to United Lincolnshire Hospitals NHS Trust. The award covers redesign of Acute Care including changing culture and new ways of working.

These new ways of working comprise:

- Contact Centre
- Rapid Response
- Independent Living Teams
- Ambulatory Care

Whilst these schemes are still in their infancy, they are recognised as the forerunners to work being undertaken in the Health and Care community.

Lynne Bucknell, Adult Care's senior leader for these schemes, has confirmed Lincolnshire health and care community has been shortlisted for the award. Congratulations to all Health and Care staff who are responsible for the schemes' successes to date. The results were announced on 23 September.

### **Budget Update**

Adult Care is currently forecasting outturn expenditure will be in line with the budget of £145.036m. There are budget pressures around:

- Continuing high cost pressures for Learning Disabilities from Children's Services as transition cases
- Ongoing discussions around the supported living provision rates



- Possible high cost pressures for Physical Disabilities from Children's Services as transition cases
- Growing pressures as a result of the Cheshire West Judgement in relation to the Deprivation of Liberty Safeguards. Work to identify the cost of this pressure both this year and into future years is currently being undertaken and more detail will be available in budget monitoring reports presented to the Executive during the Autumn
- Whilst the cost of implementing the Care Act will be a 2015/16 and future year commitment, a great deal of work is being undertaken to understand the likely costs to be incurred. We are also examining the funding options proposed by Central Government to ensure we support (through the various pressure groups) a funding settlement on the Care Act that accurately reflects the costs that we in Lincolnshire will incur in future years. I am pleased to report that the Department of Health are actually modelling costs on the Care Act using modelling techniques developed within Adult Care here in Lincolnshire.

### **Developing and updating new strategies**

My officers have been busy on the development of a number of new strategy documents that are either required by Government such as a strategy for people with autism in association with colleagues from Children's Services or require updating such as a strategy for Carers, again in association with Children's Services or for those with a dementia. All of these are coproduced which means that the people who have such conditions and their families and organisations that represent them are part of the group producing the document and/or have been consulted throughout their production. Additionally it is important to know that all of these strategies are joint with health colleagues. These will be subsumed into the four commissioning strategies that Adult Care are responsible for in due course. These are:

- Adult Specialities (including Mental Health, Learning Disabilities and Autism)
- Carers
- Adult Frailty, Long-term Conditions and Physical Disability
- Safeguarding Adults

## **PUBLIC HEALTH**

### **The Market Kitchen**

The Market Kitchen launched on Monday 28 July. The response to the launch was very positive and the event was attended by Councillors, partners and representatives from both the County and City Councils. Representatives from some of the groups who are interested in using the facilities also attended. It is a joint initiative with City of Lincoln Council. Lincolnshire Co-op has provided £870.00 vouchers to purchase food for the cooking sessions. The project is teaching people to shop, prepare and cook healthy, nutritious meals on a budget using fresh

seasonal food from the Market. The Market Kitchen is providing a venue for our partner agencies to promote health and wellbeing projects and provide information. Cooking sessions have already been provided for:

- Busy Days: People with learning and physical difficulties
- LEAP: Lincolnshire Employment Accommodation Project for 16 -21 year olds who have experienced social exclusion and have high support needs.
- REACH: Employability Project
- The Cedars NACRO - Crime Reduction
- EPOC are using the facility first Friday of every month to provide information and advice on the early presentation of cancer.
- Smoke Free Alliance is using the facility for two" Stoptober" events in September

The following groups have requested to use the Market Kitchen and staff are facilitating this:

- Family's Working Together
- Carers Service
- Bumps and Beyond for pregnant women with BMI over 34.
- Abbey Access getting people back into employment.
- Community Larder for those struggling to afford food.

There has been positive press coverage from Lincolnshire Echo on line and The Lincolnite. We had a feature article in Your Lincoln featured the Market Kitchen in one of its articles. Staff were interviewed live on BBC Radio Lincolnshire at the Market Kitchen during a cooking session.

### **The Universal Infant Free School Meal Offer**

The introduction of free school meals for all infant school children from September 2014 is a government policy sourced from the National School Food Plan. The roll out of the Universal Free Infant School Meal Project has been logistically challenging for all local authorities nationwide.

School food is widely believed to hold the potential to positively influence the eating patterns of school children towards healthier diets, thereby reducing the risk of obesity and overweight, and contributing to the achievement of better long-term health. Not only does good school food offer greater health benefits for children and young people, it also increases attention in class and attainment throughout the academic year. Socially, free food in school offers parents a potential financial saving of up to £400 per child per year.

Whilst the Universal Free Infant School Meal Project is proving challenging to deliver, we are confident that 100 per cent of primary schools in Lincolnshire will have provision in line with the national offer. We have worked closely with schools and caterers over the past six months, building relationships and finding joint solutions in order to meet this important but challenging offer.

Support is available to schools to deliver this new responsibility from a range of sources including: transitional revenue funding; capital funding and practical support

and services from nationally commissioned organisations as well as the in-house Food in Schools team.

### **Healthy Schools Celebration event 26 June 2014**

Healthy Schools continue to work across Lincolnshire schools to promote the health and wellbeing of pupils and staff through a well-planned curriculum in a physical and emotional environment that promotes learning and healthy lifestyle choices.

This interactive celebration event was supported by all the Healthy Schools Team, including the Assistant Director of Public Health Tony McGinty, who presented the 35 awards throughout both morning and afternoon sessions. Awards included: PSHE Accreditation Award, Young Carer Friendly School Award, School Council Awards (Bronze, Silver), Reaccreditation of Healthy Schools Status and Healthy Schools Enhancement.

Many school teachers, pupils and staff presented on the day to share their good practice and, more importantly, what significance these awards had on improving outcomes for their children and young people.

The Government supports the Healthy Schools initiative, recognising the importance of local programmes supporting schools to deliver on a range of local Public Health topics that can narrow the gap in health inequalities for children and young people.

### **Wellbeing Service**

The Wellbeing Service has recently completed its first quarter of delivery. The Wellbeing Service providers, along with our Wellbeing Service Team, have worked hard to support clients in this period of transition.

The Wellbeing Service Partners are showing commendable commitment to meeting the increasing, and often complex, demands of the service.

Initially Wellbeing resources have been mainly directed towards reassessing existing service users to ensure a smooth transition into the Wellbeing Service. For the first quarter there were over 2500 assessments completed.

We have seen 886 new referrals for Wellbeing in this period. Following referral, an eligibility check for the service is made by assessing the individual against a number of triggers including bereavement, history of falls, hospitalisation and medication. Hitting four or more of these triggers leads to a face to face assessment from the Wellbeing Service provider. Of these 886 new referrals, only 43 did not meet the triggers and were subsequently signposted either directly to the Wellbeing Service Partners for the self-funding route, or to a more appropriate agency.

Prior to the Wellbeing service, this would have been 886 people signposted; we are now much better equipped to deliver services when people need them.

With the reassessments coming to an end, there will be a real push to promote the service to increase awareness of the service to the public and professionals, resulting in more referrals being made for the vital support the Wellbeing Service has to offer.

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## **COUNTY COUNCIL MEETING – 26 SEPTEMBER 2014**

**Statement from: Councillor C J Davie, Executive Councillor for  
Economic Development, Environment, Planning, Tourism**

### **Economic Development & Tourism**

In my last statement I explained how I have been working with my LEP board members to promote schemes for government funding. Since that statement, just over £60m of funding has been awarded to the Greater Lincolnshire LEP for schemes that we support as a council which will bring about transport improvements new economic infrastructure, education, technology, business support, and housing projects across the county. The Greater Lincolnshire LEP might only be the 25<sup>th</sup> biggest LEP in the country but it has secured the 12<sup>th</sup> biggest allocation of funding. A good example of Lincolnshire punching above its weight!

With funding now confirmed through the GLLEP we have begun making significant progress on projects such as the Skegness Relief road and Business Park and the Grantham Southern Relief Road and growth quarter. My officers will be heavily committed to managing the delivery of these projects over the next 24 months.

In addition, officers also remain tasked to deliver the replacement building at the Corner of High Street and Tentercroft Street, Lincoln (a fundamental part of the East West Link Road Scheme), the new visitor facilities at Gibraltar Point and Chapel Point, the Sutton Bridge Marina and other Waterways Projects such as that recently completed at Hubbards Bridge. All told this represents well over £100m capital investment into the county's infrastructure.

These projects will make a major contribution to the economy of Lincolnshire by creating new business opportunities for the private sector.

Looking to the future and recognising the need for a pipeline of strategic economic investments, I expect another round of funding for LEPs to be announced during the autumn. We will be working hard to submit schemes that attract funding once more, with proposals including a mixed use urban extension of Holbeach, and new visitor attractions at Scampton and Willingham Woods.

As I drive into Lincoln for meetings it is interesting to spot the signs of new economic activity within the county. Nowhere is this more evident than in the city itself where the signs of new construction seem to be everywhere with new flats being built off Tritton Road, continued redevelopment within the Brayford Enterprise Park, Refurbishment of Danesgate House and continued activity around the Castle.

The City of Lincoln Council has submitted a £20M bid to the Single Local Growth Fund to provide an integrated transport hub based around Lincoln Central Station. The main elements of the proposal include a new bus station, a new multi storey car park, and a new footbridge over the railway connecting to the proposed East/West Link Road and the Sincil Bank area. The bid, which was supported by ourselves and the LEP has achieved provisional approval, subject to the submission of more information. A planning application is expected to be lodged with the City Council later this year, with the hope that this scheme can begin construction by summer 2016.

We must always remember however that Lincolnshire's rural communities and businesses provide excellent opportunities for economic growth too. We have some world-leading businesses tucked away in our villages and market towns. Our regular employer survey has just been completed, and it is showing that confidence amongst our businesses is improving. A high proportion of those businesses state that they believe Lincolnshire is a great place to be based and to do business. A number of these businesses have approached my officers seeking support to overcome particular barriers to growth and we are working closely with these firms to seek successful intervention. A number of opportunities for joint working on significant projects such as a mixed use development in the A15 corridor are also currently being explored, as are sector focused products such as a major foodpark. I look forward to providing more detail on these projects in the future months.

In order to maintain the confidence of our local businesses, we have submitted four bids for EU funding. If they are successful, they will provide grants of around £8m for small businesses and rural communities to access. The four bids will cover the whole of the county, but I would particularly like to thank my Executive Support Councillor, Jo Churchill, for leading the work on a bid for the Kestevens area. The area has not often been able to attract EU funding, so it would be good if this one were to be successful.

On the subject of businesses, the team continue to meet and support a wide variety of businesses. We are actively working with several companies on assisting with their expansion plans, and we have recently launched a supply chain development programme too. That programme will help more than 50 Lincolnshire companies to win additional business. Again, this is an example of how we as a council directly support businesses alongside the wide range of other services we provide that support economic growth.

Finally, I have been working with my colleague Cllr Nick Worth, Executive Councillor for Heritage and Culture, on the Historic Lincoln programme. Nick will explain about the progress on the Lincoln Castle Revealed scheme, but I would just like to give one example of how businesses from across the county can benefit from the opportunities that 2015 brings. Bateman's Brewery will be producing a special Magna Carta Ale which will be available widely; I look forward to sharing a glass with Nick.

### **Environment**

The Chalk Streams project has been hosted by the Wolds AONB partnership and the Council since 2005. It has won awards for its work to restore the chalk stream habitats rising in the Wolds, and has now achieved a £214,000 grant from WREN to extend its work with schools and local communities into 2017.

Following a very well supported Wolds Walking Festival in May this year, work is in progress to build on its success for the future. At the same time the Wolds AONB partnership is hosting the community-based 'Down your Wold' heritage project, improving local access to the heritage of the AONB.

The completion of the Coastal Grazing Marshes project has also opened up the potential to take a broader, strategic view of the economic and tourism potential of Lincolnshire's coast, embracing the Coastal Country Park in a vision for

Lincolnshire's 'wild coast'. This in turn will support the economic opportunities being developed through a co-ordinated coastal vision covering coastal flood risk and environmental management alongside the emerging Growth Strategy of the Lincolnshire LEP.

In the interests of this wider strategic approach, the Council continues to support the development of the Greater Lincolnshire Nature Partnership, which is currently defining a set of brief and clear position statements articulating the position of partner authorities in relation to a number of key themes, such as planning and agriculture. The purpose of this is to make best use of opportunities to work across sectors, and support a more joined up delivery of environmental improvement in the interests of society and the economy.

### **Flood Risk Management**

In June, Owen Paterson MP, Secretary of State, paid a second visit to Lincolnshire, visiting the flood risk partnership stand and the County Council's stands at the Lincolnshire Show. Government has been encouraging other areas to learn from Lincolnshire's partnership arrangements, and officers are currently liaising with their counterparts in other areas to explore how this can most effectively be achieved.

Following the Cabinet reshuffle, the new Secretary of State Elizabeth Truss will be visiting Lincolnshire in the near future, and we anticipate establishing a close rapport with her.

Defra has officially announced a delay to the implementation of the legislation establishing the Council as SuDS Approving Body (SAB). A firm date for implementation has not yet been announced. Although in some respects this creates difficulties for developers and our colleagues in Local Planning Authorities, we believe it will allow time for Defra to reconsider its options with respect to the way SABs might charge for ongoing maintenance of SuDS features. There is therefore an opportunity in the longer term for a more sustainable regime to be established.

The Environment Agency is developing Flood Risk Management Plans covering England. These cover river basins, and are designed to link flood risk management and water quality management at a strategic level. As such they will need to link with the local priorities established in our own Joint Flood Risk Management Strategy. Council officers have been working closely with national and local Environment agency teams to support them in developing a public consultation version of the Plans. These were scheduled to be released on 22 September.

The Council continues to promote joint working through the GLLEP to integrate flood risk management with economic development, in the interests of achieving a mutually supportive approach. The LEP's Growth Strategy is an important channel for undertaking this work, and has been developed in liaison with the Humber LEP to ensure that shared issues are addressed in a co-ordinated manner.

### **Planning**

The first draft of a new Central Lincolnshire Local Plan to guide the location and development of housing, jobs, shops and schools over the next 20 years will be available for public comment shortly. As one of the earliest stages in setting out the forward vision for growth in Central Lincolnshire through to 2036, this initial

consultation is an essential opportunity for residents, businesses and organisations to comment on the overarching methodology behind the policies which will guide the way planning applications are considered by the councils covering North Kesteven, West Lindsey and the City of Lincoln.

Growth is required to accommodate an increased need for homes as people live longer, are more likely to live alone or in smaller family units and move around more, attracted to the area for work, retirement, education and quality of life. The framework within which the policies for growth will be shaped includes:

- A settlement hierarchy targeting most growth in and around Lincoln, Sleaford and Gainsborough, with named villages and market towns further down the list.
- No specific allocation of sites suited to fewer than 25 homes.
- A pro-growth plan, with protection for sensitive landscape, heritage and conservation areas.
- Infrastructure delivery of roads, schools, shops, utilities, healthcare etc supporting major housing and employment development.
- No delineated village boundaries.

People can review the draft Local Plan and formally write and email their comments to guide the plan's ongoing development. This will be the first of three rounds of consultation. The Central Lincolnshire Joint Strategic Planning Committee is developing the joint plan to co-ordinate where, when, how and to what extent growth takes place across the three areas and how this will be supported by new and improved infrastructure. Members of the Central Lincolnshire committee met on 1 September 2014 to consider the initial draft Local Plan, and it will be made public for consultation from 1 October to 11 November 2014. It will be available to view at each partner authority – North Kesteven District Council, West Lindsey District Council, City of Lincoln Council and Lincolnshire County Council from 1 October and also on their websites. Comments will be welcomed in writing and online.

County officers have been fully involved in the preparation of this document, especially in the areas of infrastructure, funding, demographics, housing, renewable energy and water management.



## **COUNTY COUNCIL MEETING - 26 SEPTEMBER 2014**

**Statement from: Councillor R G Davies, Executive Councillor for  
Highways, Transport, IT**

### **LINCOLN EASTERN BYPASS**

On 8 July the Secretary of State issued his decision to not confirm the Compulsory Purchase and Side Road as a result of concerns over a non-motorised user (NMU) crossing of Hawthorn Road, and its proximity to the bypass. As a result, the Council have reviewed provision in this area and have decided to relocate the NMU bridge to the south of Hawthorn Road in order to address this concern. A revised planning application was submitted on 26 August, and is due to be considered by the Planning and Regulation Committee at its meeting on 6 October. Subject to these Orders being successfully processed, it is hoped to start construction in 2015. Discussions are ongoing with DfT regarding funding of the scheme.

### **LINCOLN EAST WEST LINK**

The final elements of the tender assessment are being completed, and pre contract award meetings are being arranged. Much of the work in respect of land assembly, relocation of business and other agreements have been completed, and the construction phase is due to start in November – a welcome culmination to some eight years of hard work.

### **WHISBY ROAD SCHEME**

With the scheme now nearing completion, cyclists are already putting to good use the new links to Teal Park and Kingsley Way employment areas. In addition, the Access LN6 project has secured additional funding for a footway /cycleway link along Station Road from North Hykeham to join up with the new facilities on Whisby Road. Construction on this link should commence soon, significantly improving the accessibility of North Hykeham to these employment sites.

### **CANWICK ROAD SOUTH PARK TO HALL DRIVE (LOCAL PINCHPOINT FUND)**

The proposed scheme from South Park Avenue to Hall Drive will provide for a four lane carriageway on the B1188, with an improved off slip from Canwick Road on to South Park Avenue, two lanes extending from the tidal flow through South Park Avenue junction, as well as a revised junction at Washingborough Road. Given the impact that these works will have on those approaching the city from the south, the works are programmed for completion by May 2015 in order to avoid disruption to major planned events in Lincoln next year. To achieve this, a start date in October/early November is required.

## **BRAYFORD WHARF EAST FOOTBRIDGE**

Due to significant cost escalation, Network Rail (NR) has had to postpone these works whilst they investigate ways of reducing costs. NR is currently negotiating with individual stakeholders to see what is achievable through alternative designs, construction materials and value engineering. We have been informed that NR is still committed to the delivery of this scheme to improve accessibility and remove the risks to pedestrians in relation to the operation of the level crossing.

## **COMMUNICATIONS STRATEGY**

Following a very successful workshop with key stakeholders back in July, a communications strategy has been developed to deal with the consequences of the forthcoming works and events programmes.

In summary, the programme of works and events planned over the next few years will present a significant challenge for all who seek to deliver them, and for those whose daily life will be affected by them. Therefore, it is essential that an effective communication network is set up and maintained throughout the duration of these works. These measures need to be flexible and adaptable to meet the frequent situation changes that will inevitably occur throughout the programme. The provision of clear, concise and accurate information to the wider community is essential if we are to minimise the impacts of the construction phases on the normal routine functioning of the City.

In order to achieve this, sufficient resources must be made available and all parties must be committed to delivering first rate information and data. We will encourage as many organisations and individuals as possible to register with us in order to receive the information direct via a range of digital formats.

People will be informed and encouraged to consider alternative travel and / or work patterns in order to reduce 'normal' traffic levels to enable those with essential journeys to be able to travel in and around the City with the minimum of disruption.

## **SKEGNESS COUNTRYSIDE BUSINESS PARK ACCESS**

Securing £4M funding from the Greater Lincolnshire LEP has enabled preparatory design work to commence for a new roundabout on the A52. This new roundabout will allow direct access from A52 into the proposed Countryside Business Park, and provide the connection point for a future western relief road for Skegness.

## **GRANTHAM SOUTHERN RELIEF ROAD (GSRR)**

### **Grantham - Southern Quadrant Link Road (SQLR)**

Design work on the SQLR is progressing, incorporating the changes as a result of the Design Review. The Judicial Review challenge over granting permission continues, and the Appeal Court Hearing is set for 30/31 October 2014.

### **Grantham - SQLR link to A1**

The landowner/developer for the A1 distribution park (KING31) has secured his planning permission by satisfying the pre-commencement conditions. LCC has been requested to act on their behalf to progress the design and procurement of the link road, together with its connection to the A1. Discussions have commenced with Highways Alliance to ensure the best plan is developed with regard to cost effectiveness and delivery timescale.

### **SPALDING WESTERN RELIEF ROAD**

Work seeking to identify potential routes for Phases 2 and 3 is continuing to ensure they will support the requirements of the emerging South East Lincolnshire Local Plan. Public Consultation for route options for Phase 2 and 3 of the relief road is anticipated late 2014, in parallel with the South East Lincolnshire Local Plan consultation.

### **SPALDING TRANSPORT STRATEGY**

Development of the Spalding Transport Strategy is nearing completion following stakeholder and public consultation in July 2014. The final strategy document will be put forward for consideration and adoption by the county and district councils later this year.

### **EXTRA MONEY**

The Council has received two additional grants: £3.3M additional S31 grant, and £5.4M pot hole grant. These grants will be used to carry out a combination of patching, resurfacing and recycling works. This is in addition to the £6.451M grant received for 2013/14 and 2014/15, which we supplemented with £2M of additional council funding. Almost £7M of this original funding was spent last year carrying out much needed repairs to potholes and damaged roads.

### **WINTER MAINTENANCE**

The county has 23,000 tonnes of salt in stock, following the average winter last year. A new contract is now in place with NGS Sustainable Salt Solutions, based in Southampton, who will be providing a further 12,000 tonnes of salt initially, with further top ups as the winter progresses. We have 44 front line gritters, serviced and prepared, ready for the new winter season.

### **HIGHWAYS PERFORMANCE DASHBOARD**

We have developed a new Highways Performance Dashboard which will supplement our existing performance management activity. This is externally focused and includes details of our road network condition, on street parking enforcement, safety, finance, contractor performance and customer activity. The performance of the Highways Alliance continues to improve.

## **ACCESS LN6**

This project continues to deliver successful travel initiatives across the LN6 area, and was recently given an extra £350,000 – this was approximately one third of the total extra money available across the country.

## **RAIL SERVICES**

Together with other authorities and LEPs, we have agreed to contribute £50,000 towards improved rail services between Nottingham and Lincoln.

## **LINCOLNSHIRE ROAD SAFETY PARTNERSHIP (LRSP)**

I am pleased to inform you that it was agreed to roll out the community speed watch programme on a countywide basis. All councillors should have received details, but I would take this opportunity to emphasise that the scheme is open to all community groups that wish to participate.

It gives me pleasure to report the number of fatal casualties on our roads continues to fall – 19 to the end of August, compared to 23 for the corresponding period last year. This is very good news indeed, as councillors will recall that last year's figure was the lowest ever recorded

The number of killed or serious injury casualties recorded to the end of July is slightly higher than for the corresponding period last year, but is on track to be below the target set for 2014.

LRSP is in the process of inviting tenders to upgrade 10 safety cameras from wet film to digital. This is the first of a programme of planned upgrades that should ultimately future proof all cameras as wet film cameras and parts become obsolete. The tender will also include the provision of an average camera system on a 3.5 km section of the A15 at Metheringham Heath between Greenman Wood and Dunston Pillar junctions. This will be jointly funded from the County Council's Local Safety Scheme budget since it should reduce the number of collisions that continue to occur despite numerous engineering interventions.

Finally, councillors should be aware that the overhead costs required to run the LRSP are currently funded by contributions from the organisations that make up the Partnership, which includes the County Council. However, the LRSP is currently developing a business model to become self-financing over the next three years. This is a very welcome development particularly in this period of economic restraint.

## **IT**

A new IMT strategy is currently being developed that underpins initiatives across the council, as a key enabler, supporting commissioning strategies by ensuring that the Council can get the right data, to the right people, in the right place at the right time.

This approach reduces administrative activities and streamlines interaction between service areas, as well as rationalising the systems that are in place and improving

the way we work with third party organisations – ultimately, doing more for less whilst delivering service improvements to the citizens of Lincolnshire.

### **Working with Serco**

The council signed a new contract with Serco in April 2014 which includes the delivery of IMT Services. The timetable for the transfer to Serco includes a transition year prior to service take-on, allowing for a number of transformational projects to be developed prior to April 2015.

### **Improving services to our citizens**

As part of the improvements to support the Customer Service Centre, Serco will be implementing new customer relationship management software which will provide significant benefits to the citizens of Lincolnshire. This system will be linked to the new case management system (Mosaic) to ensure joined up information for citizens. The high level designs for this supporting technology have been signed-off and the detailed level technical designs are now underway to support the improved business processes being developed.

### **Working more efficiently**

Serco are introducing 'Agresso' on 1 April 2015 to replace SAP, providing the opportunity to standardise and simplify our existing business processes. Agresso will be linked to the new case management system (Mosaic) to improve efficiency for managing the provision of care packages.

The move to Mosaic is a key part of the Council implementing the Care Act 2014, and will be operational from April 2015. Careful joint working on these projects will ensure that all three systems share information seamlessly improving efficiency for staff and citizens.

The use of new technologies to provide mobile computing, without compromising security, is in development to make it easier for staff to be productive when working away from the office. This reduces the burden of office provision, supporting the Council's Property Rationalisation Strategy, but also allows staff to be sited where they are needed. Changes to core infrastructure have commenced and high level plans for the security model have been completed.

### **Business intelligence**

Providing a corporate Business Intelligence solution will enable the Council to leverage the wealth of data it holds to support informed decision making and break down internal silos, supporting the restructure of the Council and development of commissioning strategies. Improved analysis will enable the Council to focus budgets on targeted problem areas, and accurately assess the impact of the initiatives undertaken. High level designs have been completed with Serco, and detailed plans are now being prepared to include the migration of existing systems and the development of a support function.

### **Secure information sharing**

The implementation of an improved identity management solution will allow the Council to improve the way it securely interacts with the public and third party

organisations – supporting the Commissioning Council agenda. The ability to securely share data and systems is a key objective to working with other organisations, including district councils and the NHS - this will help drive the move towards the sharing of public buildings with partner organisations. High level plans for the necessary technology have been completed with Serco, and detailed level design work is currently underway.

#### **Data centre relocation**

The new contract with Serco includes moving to off-site data centres. This will provide improved resilience, whilst significantly reducing the capital investment costs that were originally anticipated. Benefits received from improvements to the Council's IT resilience and capacity management will ensure better availability of key systems. Discovery work is underway, and a plan is currently being developed to ensure minimal impact to services whilst this work is carried out.

### **LINCOLNSHIRE BROADBAND PROGRAMME**

The main BT project has now delivered 150 upgraded roadside cabinets, which is 27% of the overall project total and passed 36,369 premises. This excellent progress is a direct result of the good work of BT and the invaluable and ongoing assistance of Highways and District planners and coordinators.

The ERDF funded 'Fixed Wireless Project' being delivered by AB Internet, a Lincoln based company, is now complete and over 12,500 premises are able to take advantage of the faster broadband this scheme has successfully delivered.

Secondary funding under the Government's 'Phase 2' delivery programme has now been formally agreed with BDUK. Lincolnshire has been allocated a further £2.35M and this will be match funded by LCC and other EU funding sources, and utilised to push fibre based broadband coverage to at least 95% of Lincolnshire's premises, in line with the Government's 2017 target.

Overall, we remain confident that the programme will hit the delivery targets and that Lincolnshire's businesses and residents will continue to benefit from the improvements being delivered.

## **COUNTY COUNCIL MEETING – 26 SEPTEMBER 2014**

**Statement from: Councillor M S Jones – Executive Councillor for Finance and Property**

### **Finance Matters**

#### **Outturn of Accounts and Financial Statements for year ended 31<sup>st</sup> March 2014**

The financial statements of the Council for the year ended 31<sup>st</sup> March 2014 were approved by the Audit Committee on 22<sup>nd</sup> September and received a positive report from the Council's external auditors, KPMG, with no material issues arising. There is a separate paper on the agenda for today's meeting seeking approval to a range of decisions arising from the budget outturn from 2013/14. Members will be well aware that there was a significant underspend on revenue budgets for last year of around £41m, excluding schools. The financial pressures the Council will experience over the next few financial years are very significant on the back of known and expected reductions in direct government funding. It is therefore prudent to maintain reserves at a healthy level to allow for a smooth transition of services to revised levels, reflecting the reduced funding available.

#### **Fundamental Budget Review**

Members will be aware that an exercise is underway to undertake a fundamental review of the Council's service priorities and underlying budgets in light of the above mentioned sustained reduction in government funding over the medium term. The Council will shortly consult external stakeholders on its future priorities, with all Members receiving information on this exercise in due course. In early 2015 there will be a further consultation on the detailed budget proposals necessary to balance the budget of the Council over the medium term. In early December 2014 a finance briefing will be held for all Members to outline the current issues in local government finance and the financial standing of the County Council. All detailed budget proposals will go through the relevant scrutiny committees in January 2015. This will follow the 6<sup>th</sup> January meeting of the Executive which is expected to approve a provisional budget as a basis for consultation.

#### **Future Delivery of Support Services Programme – Replacement of SAP**

The award of the contract for corporate support services, including finance, to Serco also includes the replacement, from April 2015, of the Council's corporate finance and people management system SAP with a new system called Agresso. The implementation project is well underway using resources from the Council, Serco and the system supplier, a company called Unit 4. System redesign work has been completed for finance and people management processes on time and the Agresso system is now being built to reflect our requirements. An extensive testing and training programme will then follow over the autumn and winter. The system will be made available to all non-academy schools on a buy-back basis. The move to Agresso will result in significant transformation of the business processes used by the Council and will require a significant element of cultural change in the way users

interface with the system as new processes incorporate significant elements of self-service.

### **Independent Commission on Local Government Finance**

An independent commission on local government finance, chaired by Darra Singh, has been set up by the LGA and Cipfa to impartially examine:

- The current position of the local government finance system;
- A potential new system that enables better public services and encourages economic growth;
- Practical options for changing the system that could be implemented by an incoming government.

The Commission is presently at the evidence gathering stage and the County Council has contributed to a collective response submitted by the Society of County Treasurers. An interim report will be produced this autumn and a final report in early 2015 in order to be available to the incoming government in May 2015.

### **Corporate Property Rationalisation Programme**

The reduction of office accommodation continues with the relinquishing of the lease on City Hall, Lincoln, which the Council will have vacated by June 2015. This will achieve savings in the region of £500k in year 2016/2017 and will contribute significantly towards the Fundamental Budget Review savings required to be met by the service.

Corporate Property is working with services to plan the relocation of staff to other properties.

### **Future Delivery of Support Services Programme – Delivery of Property Services**

In July the Executive approved the recommendation to award a contract for the delivery of property services to VINCIMouchel. The contract will start in April 2015 and in September resources from the Council's Corporate Property service, Vinci and Mouchel will commence work on the transition and mobilisation plan.



## **COUNTY COUNCIL MEETING – 26 SEPTEMBER 2014**

**Statement from: Councillor P A Robinson – Executive Councillor for Fire & Rescue, Emergency Planning, Trading Standards, Equality and Diversity**

### **Fire and Rescue**

Lincolnshire Fire and Rescue continues to be one of the most cost effective Fire and Rescue services in the UK, continuing to deliver a high quality service to the communities of Lincolnshire with high satisfaction reported by service users.

### **Retained Firefighters**

The Fire Service relies heavily on retained duty system firefighters to deliver the service in Lincolnshire. These are public spirited men and women who make themselves available to respond to fires and other emergencies from their primary work place or home when they are needed. This allows the service to deliver an efficient and appropriate level of fire cover across the county. It is pleasing to report that there has been a record number of people recruited to fulfil this vital role over recent months.

### **New Fire Engines**

The Service is just completing the roll out of the latest replacement fire engines to the county's fire stations. These, along with the two new high reach vehicles for Lincoln and Boston, ensure that our firefighters have effective and fit for purpose equipment to protect our communities.

### **Fire Control**

Our collaboration with Humberside, Norfolk and Hertfordshire Fire Authorities is moving along well and earlier this year saw the first upgrade of new technology in the Lincoln Control Room for a number of years. There will be further upgrades over the coming months to all of the control rooms (including a further improvement in Lincoln) which will result in a fully integrated and resilient control system across the four Fire and Rescue services.

### **Fire Deaths**

The number of fires and other incidents has followed the national trend and continued to reduce. The number of people killed and seriously injured by fire in Lincolnshire is thankfully low; however the majority of those who do lose their lives in a fire in the county have been as a result of carelessly discarded smoking materials. Fire and Rescue, in partnership with Trading Standards, have run a media campaign to highlight the dangers of smoking in bed and the increased risks associated with, if you do choose to smoke, smoking unregulated counterfeit and illegal cigarettes.

## **Prince's Trust**

The Fire and Rescue Service continues to be the local delivery partner for the Prince's Trust, with 12 team programmes run across the county. The programme is delivered in partnership with many other agencies from both within the County Council and external, such as the Royal Air Force, and continues to deliver outstanding results for the young people who attend the 12 week programme. At the end of the event the vast majority have either gained employment or have entered into a further training or education programme.

## **Emergency Planning**

Emergency Planning is also taking the opportunity presented by Exercise Cygnus to promote business continuity planning to local small businesses. Supported by the Local Enterprise partnership, Chamber of Commerce and Federation of Small Businesses, Emergency Planning will be holding a series of events (including a 'breakfast club' hosted by Siemens and an engagement event for local health & social care providers) to encourage businesses to think about plans to deal with emergencies, or staff absences caused by pandemics, ensuring they get back up and running as soon as possible.

## **Trading Standards**

During the early part of the summer season, Trading Standards have been working with organisations on the east coast to ensure consumer products on sale do not pose a danger to children and adults. This work includes regular visits to markets and car boot sales.

We have maximised social media to warn consumers of the latest product safety issues and current scams. Recent scams have included "slimming pills" and phone banking, and lottery scams are still prevalent. We are working to ensure vulnerable adults are protected from specific targeting of these crimes.

Working closely with Police and District Council colleagues, Trading Standards have used powers available to them to tackle the growing problems with the supply of novel psychoactive substances (legal highs) across the county.

## **COUNTY COUNCIL MEETING – 26 SEPTEMBER 2014**

**Statement from: Councillor R A Shore, Executive Councillor for Waste, Recycling**

### **PRESENT SITUATION**

- The Energy from Waste facility continues to operate efficiently and effectively. An opening ceremony is being arranged.
- The five Waste Transfer Stations continue to provide a seamless service for the districts, as do the 13 Household Waste Recycling Centres (HWRC).

### **CHALLENGES**

- Great progress has been made with the new recycling contract. The District Chief Executives have realised accord over their counter proposal of recycling credit payments: the issue of contract risk appointment is still to be resolved. The invitation to tender documents for the countywide contract will be published by the end of September.
- A second fire at a waste transfer station in the last two months, caused by wastes arriving from a household waste recycling centre, has prompted a review of the control of material being placed in residual bins at HWRC sites. In both instances, the emergency procedures in place worked effectively and damage was kept to a minimum, allowing sites to be operational on the next working day.
- A countywide communications campaign, regarding the contamination of dry recyclables, continues to be progressed with the districts to reduce costs and maximise income. This issue will be an integral part of the new countywide recycling contract, with the aim of maximising quality and income for all partners, and for the benefit of residents.

### **SUCSESSES**

- Agreement was reached on the principles of new arrangements for a countywide mixed dry recyclables contract covering the whole of Lincolnshire from 1 April 2015. This is a very significant move forward for all the authorities involved, and should promote greater competition from the private sector for this material, which should produce higher levels of income. The contract is expected to be awarded early in the New Year.
- A process of support payments for some districts facing a loss of income they currently receive has been agreed. The contract will be for a period of three years, with the option of up to two year's extension. This will allow time for the development of a new countywide waste strategy that will include the best,

and most cost-effective, way to deal with these and other waste streams in the future.

- The contract for a new HWRC in Gainsborough on the Corringham Road Industrial Estate has been awarded to GF Tomlinson, with an expected start on site late September, and operational in April 2015.
- Income continues to be received from HW Martin for the bulking and onward transportation of recyclates from North Kesteven District Council via the Sleaford Waste Transfer Station.
- The confirmation of income from the solar panels electricity production is expected imminently, with carbon production of all the waste services operations being neutrally offset.

## **FUTURE AMBITIONS/CONSIDERATIONS**

Relevant updates on the various issues:

- A detailed business case for a Materials Recycling Facility in Lincolnshire to take the county's dry recyclables has been commissioned, following the feasibility report which considered the outline technical, financial and operational requirements. The business case will include detailed costings of building, equipping and operating such a facility, as well as estimates of the income that might be achieved from the sale of materials. This will inform the decision on whether this is a practical option for Lincolnshire.
- The agreement on a mixed dry recycling contract should now open the way for work to re-commence on the development of a countywide waste strategy and for the work done by leSE to be considered by Chief Executives.
- Some district councils are considering the introduction of a trade waste service, to provide a more comprehensive service for businesses - Boston Borough Council is already operating such a system. It is envisaged that our Waste Transfer network will help support these initiatives.
- Assessing potential sources of income from the waste resources presented at HWRCs is to be reviewed as part of the commissioning council consideration of the service.
- The Task & Finish group have completed their review of the textile service and it was considered at the September meeting of the Environmental Scrutiny Committee.
- The contracts for the Household Waste Recycling Centres operational services and waste streams have been extended for a year to align operations, and allow consideration of the waste service in a commissioning council.
- Partnership working with neighbouring authorities continues to progress to ensure that any opportunities for joint waste services provision are realised.

- We are undergoing a joint feasibility investigation with Economic Regeneration into a Heat Recovery Scheme that could give opportunities for reduced energy costs from the heat generated at the Energy from Waste facility.

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## **COUNTY COUNCIL MEETING – 26 SEPTEMBER 2014**

**Statement from: Councillor Mrs Sue Woolley, Executive Councillor for  
NHS Liaison, Community Engagement**

### **Lincolnshire Health and Wellbeing Board**

The Board continues to consider the proposals for the Better Care Fund and Lincolnshire Health and Care. Following the initial submission for the Better Care Fund in April, the Department of Health issued further guidance asking for additional work to be done on the applications. The proposals were resubmitted on 19<sup>th</sup> September.

Work also continues to provide the Board with assurance that progress is being made to deliver the outcomes identified in the Joint Health and Wellbeing Strategy. Two partnership workshops have been held and the first Annual Assurance Report will be submitted to the Board at its meeting on 30<sup>th</sup> September. In addition, over the coming months the Board will also seek to clarify the complementary roles and responsibilities between it and other bodies including Healthwatch Lincolnshire, Health Scrutiny Committee and the Safeguarding Boards, in order to strengthen effective working relationships and avoid duplication of effort.

### **The Better Care Fund (BCF)**

#### **Background**

The approach taken in Lincolnshire to obtain consensus regarding the use of the Better Care Fund (BCF) in 2015/16 followed a route laid down by Government which was intended to see local submissions sign-off by Ministers in June 2014.

The original submission document (BCF Part 1 and 2) was approved by the Health and Wellbeing Board on 25 March 2014 along with the agreed allocations in 2014/15 which were also detailed for the Health and Wellbeing Board on 10 December 2013. Both documents were also endorsed by the Executive of the County Council and the four Clinical Commissioning Groups.

The policy direction nationally for 2015/16 was changed however, in direct consequence of NHS concerns related to the allocation of funding (notably the NHS element of the £3.8bn) and whether this would deliver improvements and efficiencies required, notably in the acute sector. Subsequently, all CCGs were contacted direct by NHS England on 4 June requiring them to resubmit their 2 year plans, by 27 June, in light of concerns raised.

This meant that Ministers were not prepared to sign off BCF submissions in June and announcements were made to the effect that new BCF submissions would be required and a new deadline established. Revised guidance was issued on 25 July and the indicative deadline for resubmission of the BCF has been changed several times. On 28 July the Government advised Health and Wellbeing Boards that they were required to re-approve and re-submit BCF documents against a substantially changed BCF template by 19 September. The new deadline is expected to coincide with Minister's need to sign off agreed submissions by early October 2014.

The new template was issued by the Government on 4 August with some further amendments – notably to Part 2 up to the end of the month. This new document shifts the emphasis from pooled budget arrangements towards service developments that will deliver a substantial reduction in emergency admissions at acute hospital sites. The 'pay-for-performance' element which was originally part of the BCF was withdrawn and then re-introduced but only in relation to the performance expectations around emergency admissions. The performance measure also changed from 'avoidable' emergency admissions to emergency admissions, this materially increased the challenge for health and social care communities.

As with the previous BCF submission the 'early implementers' are unchanged although more have been added such as Child and Adolescent Mental Health Services: Neighbourhood Teams, Intermediate Care, 7 day working and 'Wellbeing'/prevention remain vitally important and form a strong link with the wider Lincolnshire Health and Care programme (LHAC). These are referred to as 'Schemes' in the new submission document.

In addition the new BCF template required a section to be completed by the Chief Executive (CEO) of the local Acute Trust to say they recognise and agree the expectations and performance targets set out in the BCF submission. Whilst the Acute Trust CEO is required to complete a section of the BCF it is the four CCGs and the County Council that remain the signatories along with the Chairman of the Health and Wellbeing Board.

We have recognised that there are considerably greater risks to this revised approach. Not least of these is that failure to achieve the desired performance against emergency admissions runs a risk that (on the expectations of officers) £3.75M of the £48M for Lincolnshire being redirected towards the acute sector if emergency admission targets are not met. This would reduce the ability of the BCF to support Adult Care, deliver against the requirements of the Care Act and, potentially undermine the shift of care from acute to primary/community as envisaged in (LHAC).

## **Governance**

Officers from the four CCGs and Adult Care, largely constituted from the previous group that produced the first BCF submission, developed the new submission. The new submission was discussed and agreed by the Executive of the County Council on 2 September and presented to the Health and Wellbeing Board on 11 September in time for submission on 19 September.

## **Lincolnshire Health and Care (LHAC)**

Intensive work has taken place over the last 6 months through the LHAC programme to develop proposals which will improve the whole system of health and care in Lincolnshire. Commissioners and providers have come together with patient and carer representatives to work on the detailed design of a new model of health and care for Lincolnshire. This work was presented to over 200 people at a Care Summit in May and since then, further work has been ongoing to refine the various options and look in detail at various elements such as the IT, workforce and transport requirements. Over this period, the programme has engaged with over 12,000 people, which includes the staff, general public and those with a specific interest or



areas of expertise. This has ensured that the developing model reflects and responds to what people are saying they want and expect from services in the future.

The scope of the LHAC programme is both innovative and wide-ranging and our approach to whole system change is unique across the country. For this reason, a decision was taken by the Programme Board, which includes 14 health and care organisations in Lincolnshire, to test out the foundation of the new model, Neighbourhood Teams, through four early implementer sites. This will allow a greater understanding of the impact integrated community teams can have on health outcomes and, in particular, hospital admissions. This will provide the evidence to support proposals for any changes to hospital services which will require a full public consultation, likely to be some time next year.

The work to establish the early implementer Neighbourhood Teams in Skegness, Stamford, Sleaford and Lincoln City South is progressing well. These teams include professionals from a wide range of services – from social care and community nurses to GPs and therapists – who will work together with the voluntary sector and others in the local community to provide an integrated service that supports local people. These teams will come together to identify people with high level health and care needs and agree how their care can best be managed. The focus will be on ensuring that the right services are delivered at the right time and patients are supported to manage their own conditions.

The Neighbourhood Teams are already beginning to review individual health and care plans, as well as agreeing operational arrangements for working together effectively. In time, the teams will develop into seven day a week services for everyone in the community.

The latest developments in the programme, including feedback from the extensive engagement activity and a special area focusing on the progress of Neighbourhood Teams, are available to view on the website [www.lincolnshirehealthandcare.org](http://www.lincolnshirehealthandcare.org)

### **Lincolnshire Community Assistance Scheme (LCAS)**

The Lincolnshire Community Assistance Scheme (LCAS), which was previously delivered by the Department of Work and Pensions (DWP), has the overall purpose and scope to:

1. Provide assistance to Lincolnshire residents to manage unexpected problems that will affect their health and wellbeing if they are not urgently addressed.
2. Put Lincolnshire residents who request assistance from the Scheme into contact with on-going support organisations to improve their resilience to unexpected problems in future.

The scheme works closely with partners including: Learning Communities, Citizens Advice Bureaux, Lincolnshire Credit Union and third sector organisations. By the end of June 2014 the scheme had received

- over 11,000 eligible applications.
- 8,000 claims for food parcels.
- The majority of LCAS applications have been made due to issues around Benefits

- 167 LCAS customers have found work after receiving help and guidance through LCAS.
- 1,575 LCAS customers have had their benefit issues resolved as part of their application.

### **Universal Credit**

Lincolnshire has been successful in an application to be one of only 11 trialling sites for the preparation for Universal Credits. The partnership bid was developed with West Lindsey District Council, City of Lincoln Council, North Kesteven District Council and Lincolnshire County Council. This is the only successful two tier bid.

The trial began on 1 September 2014 for 12 months and will focus on developing a triage system to move people into or closer to work; digital access; personal budgeting support; partnership working; data sharing and co-location. The trial will be closely evaluated locally and nationally, to help inform national roll out later. There is an expectation that 2,000 claimants will be supported.

### **The Big Society Fund**

Allocation of grants for The Big Society Fund started well this financial year, slowing down recently during the summer break. To date, councillors have made 103 awards to a variety of community projects such as - installation of a community defibrillator; an event to celebrate 100 years of Brownies and a wheelchair for an indoor bowling club. Amongst the small amendments made to improve the processing of awards, councillors are now contacted to let them know when an award has been processed and how much they have remaining.

Total budget - £154,000

Amount Allocated - £42,815

Amount remaining - £111,185

### **Lincolnshire Armed Forces Community Covenant – Partnership & Grant funding**

The Lincolnshire Armed Forces Community Covenant Partnership held its annual event in July attended by a variety of partner organisations such as Town, Parish and District Councils, Armed Forces Charities, voluntary sector organisations, Councillors and representatives from all three armed forces.

A presentation delivered at the event by the regional MOD Armed Forces Community Covenant Grant Scheme lead, recognised Lincolnshire as an 'exemplar' partnership due to the strength of the partnership; the establishment of sub groups covering Housing, Veterans and Families; and the great success of applications to the grant scheme which had secured £600,000 of MOD funds for 25 community focused projects being delivered across Lincolnshire. Endorsed by the local Partnership, these successful projects have levered in a further £425,000 in match-funding, bringing the total amount of funding brought in to Lincolnshire to £1,025,000. The variety of projects such as play parks, community films and support for an RAF Heritage centre all contribute towards the aims of the Armed Forces Community Covenant bringing local communities and armed forces communities together.

## **Lincolnshire Sports Partnership (LSP)**

### **2012 Legacy Projects**

**LEAP** – the Lincolnshire Elite Athlete Programme, is now recruiting for the next cohort of athletes for the 2015 programme. Applications went out in July and the application process will close on the 10<sup>th</sup> of October. There are 35 elite athletes on the programme for 2014 and the project is funded by LCC and various other commercial and local partners.

### **Children & Young People**

**The Lincolnshire Summer School Games** took place on 9 July at the Castle Academy and Yarborough Leisure Centre. There were 750 participants from 90 schools. The event also utilised 150 young leaders and ambassadors.

**The Lincolnshire Show** in June featured a 'come and try' session in the Sports Zone and saw over 4,500 participants, mainly children, try a new sport. They were also given information on their local community clubs.

**Physical Activity - Exercise Referral** - 101 out of 103 GP practices referred into the scheme in 2013/14 (up from 86 in 2012) with 4,664 referrals made last year. Completion rates have reached a record high of 70%.

Two **Village Games** pilot sessions were held at North Scarle and Witham St Hugh's in July. The local community were able to try a number of different sports. Approximately 75 people took part at North Scarle and 140 at Witham St Hugh's. We hope to use this as a model to engage communities all over the county next year, we are looking for funding.

### **Funding success**

- The Sports Partnership is working with a number of other partners to secure both activity and facility funding. They have been successful in an application to Macmillan Cancer Support for £223,000 for a two year pilot project to support cancer patients' recovery using physical activity across Lincolnshire.
- Through Sport England School Spaces they achieved 7 successful applications amounting to £210,000.
- They have applied for £9.5K for pre-feasibility funding for Sudbrooke Drive CC from Social Investment Business/Locality. The next stage is to plan the £100K application for feasibility funding. The Partnership is also working with Lincolnshire Community Foundation to secure £1m for the refurbishment of the facility, and will then be applying to Sport England for £500,000.
- There have been two rounds of Access LN6 grants – Kit it grants awarded £2,019; Community Grants awarded a total of £7,248.
- LSP supported Lincoln City Council with developing project management procedures to manage the £249K Community Sport Activation Fund project.

They are also working with Active West Lindsey Group to develop a physical activity bid for Gainsborough of £250,000.

- Inspired Facilities bid on behalf on North Hykeham Town Council for the development of a community sports pavilion

## **COUNTY COUNCIL MEETING – 26 SEPTEMBER 2014**

**Statement from: Councillor C N Worth, Executive Councillor for  
Libraries, Heritage, Culture, Registration and Coroners  
Service**

### **Libraries**

Members will be aware of the very detailed work we have undertaken to move the library service in Lincolnshire to a modern and sustainable footing – and to make its contribution to the savings the Council must make to balance its books over the coming years of austerity in public finances. You will also be aware that certain elements of the Council's approach to these changes, in particular some flaws in the way we engaged with communities and organisations, have been highlighted by the High Court following a local citizen's request for a judicial review of our decisions on the library service.

Officers of the Council have now had the opportunity to properly reflect on the judgement. The primary steps will see Council re-engaging with the public and organisations to set out the minimum standard of service we want for local people and hear ideas and proposals for how these can be delivered within the budget set.

Additionally, we are working with Greenwich Leisure Ltd (GLL) in the expectation that they will resubmit the expression of interest originally submitted and that this will be considered through our established 'Right to Challenge' process. All of this activity will shape a new decision of the Executive on the future model for the service, as well as a decision on how this future shape should be secured by the Council – in clear understanding that acceptance of a valid expression of interest under the provisions of the 2011 Localism Act during this re-engagement would, by law, trigger competition for library services.

I hope members will use the opportunities for further involvement that will be available in the autumn to contribute to this debate on the future of these essential services.

### **Lincoln Castle Revealed**

Lincoln Castle Revealed has been ten years in the planning, fundraising and delivery. I am proud to report that that we are on schedule, if tightly, to deliver the project on timetable and on budget, to open on 1 April, 2015 with an Official Opening in the June. We have had setbacks along the way, but I think we should take some satisfaction that as heritage projects were collapsing across the country due to the downturn, the County Council pressed on, securing £12m from Heritage Lottery Fund, to turn what was the most enormous liability for Lincolnshire into an asset which will transform our tourism offer.

Timing is critical because the Castle is still a building site, but plans are in place to promote Lincoln Castle Revealed internationally, nationally and regionally. Journalists from around the world are already booked in throughout the autumn and early spring to fit their particular deadlines but it is vital that locally, our own tourist industry and all those who have a front line role with visitors are fully briefed and can explain Lincoln Castle Revealed to their guests and customers. Throughout the January-March 2015 period they will visit the Castle for familiarisation visits, but we

kicked off on 23 September, 2014 with a very successful Countdown to Lincoln Castle Revealed event that with a combination of presentations and workshops upped the excitement levels and helped businesses to understand the opportunities for their own business.

### **Heritage Service Awards**

The Heritage Service has secured a number of awards recently. During the summer, Trip Advisor commended the quality of the visitor experience at The Collection, Museum of Lincolnshire Life, Gainsborough Old Hall and the Battle of Britain Memorial Flight Visitor Centre.

At the Lincolnshire Heritage Awards in July, The Best Exhibition Award was awarded to the recent Joseph Banks a Great Endeavour exhibition, and Gainsborough Old Hall was awarded the Inspiration Award for its Wall Painting Interpretation and Access Project. Later in the month the quality of the education programme at the Old Hall was recognised by the Sandford Heritage Education Trust, which means that the site has maintained this level of quality since 1988.

### **Archives Accreditation**

Talking of Accreditation, the National Archives reviewed Lincolnshire Archives during the spring of 2014 and granted the service Full Accreditation under a newly revised national Accreditation Scheme. The Accreditation Panel commented that Lincolnshire Archives 'is both strong and comprehensive across the Accreditation standard and its elements'. They noted the progress on digital records as especially pleasing and of wider interest in the sector. The work on volunteering and on developing learning events and partnership working to broaden audiences are important areas and where the service has made significant progress and will develop further.

### **Funding Secured**

Unsurprisingly, all this success has also translated into financial reward with The Collection securing over £210,000 from Arts Council England's National Portfolio for its contemporary visual arts programme for 2015-2018.

Lincolnshire Archives has also been successful in securing £98,100 from the Heritage Lottery Fund for the digitisation of the Siemens/Ruston and Hornsby Archive. This will enable up to 150,000 photographic negatives, 150 reels of cine film and the recorded memories of former workers are all to be digitised, catalogued and made available online in a project of national significance.

### **Battle of Britain Memorial Flight Visitor Centre**

During August and September, RAF Coningsby has been home to the last two fully operational Lancaster bombers with the arrival of the Canadian Warplane Heritage Museum's aircraft. Even though the Visitor Centre staff and volunteer guides have been working seven days a week for the duration of the visit, it has still been necessary to introduce a pre-booked ticketing system for hanger tours. However, for those who have been unable to obtain a ticket the two iconic aircraft have been flying together for a series of historic displays this summer.

## **Registration & Celebratory**

There was a fantastic response to the Registrars display at the Lincolnshire Show, celebrating marriage in the war years. This generated some evocative memories and also highlighted the changes to the choices couples make when planning their special day. The service is working with the Lincolnshire Archives team on exciting new proposals for new premises linked to The Collection. Although this is in the very early stages, we are keen to be involved in design options which may facilitate a move of the Register Office in the future.

A new celebratory brochure is due to be launched in the new few weeks. This publication is used as a marketing tool to promote the full range of ceremonies across over 100 venues in Lincolnshire.

The annual customer satisfaction survey took place in the month of August.

The date for the first conversions of Civil Partnerships to Marriage has been announced by the government as 10 December and we have had a number of enquires and bookings from same sex couples.

## **Coroners**

The Chief Coroner (for England and Wales) visited Lincolnshire on 29 July and met with the Leader, Chief Executive of the Council together with the Director of Public Health and other senior colleagues. This gave the Chief Coroner an opportunity to share his vision of coronial services.

Following a comprehensive audit of the Coroners Service, an action plan based on the recommendations has been completed and is work in progress and will be shared with the Audit Committee on 22 September.

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## **COUNTY COUNCIL MEETING – 26 SEPTEMBER 2014**

**Statement from: Councillor B Young, Executive Councillor for  
Crime Reduction, People Management, Legal**

### **CRIME REDUCTION**

Crimes reported to Lincolnshire Police continue to fall in line with national trends. In the first quarter of this year (April-June 2014/15) 8955 crimes were reported. Compared to the similar period in 2013/14, this is a 2.1% decrease (9143 for the period April-June 2013/14). A new measure has been introduced in place of the detection rate and this now measures resolution outcome – currently, 32.4% of crimes are recorded as having a resolution.

Partners continue to focus on the priority crime areas of domestic abuse, anti-social behaviour and the issues around drug and alcohol misuse, including an increased focus on novel psychoactive substances (legal highs). A collaborative approach is being taken with partners, including the new Community Rehabilitation Company and the National Probation Service, to address prolific offenders in the county.

### **YOUTH OFFENDING SERVICE**

Lincolnshire Youth Offending Service performance data against the three key measures remains positive, with reductions in custody, re-offending and first time entrants in the last quarter.

The new ASB Police and Crime Act 2014 will be implemented shortly, and this places a statutory duty on key agencies to consult with the YOS when taking measures to address anti-social behaviour by young people. The Act also requires the PCC to publically consult and create a Community Remedy document to provide a response to minor crime and anti-social behaviour across the county. The service is exploring how the current delivery of Reparation could be extended to support Community Remedy, which will extend the number of restorative justice disposals within the county. A countywide Restorative Justice Conference is scheduled for Friday, 3 October 2014 which will highlight the restorative initiatives work with children and young people and the support offered to victims of crime.

Funding has been secured from partners to provide the service with a dedicated Clinical Forensic Psychologist for a period of 12 months to work with high risk behaviours, and will focus on the critical area of youth to adult transition. It is hoped that this will commence in October 2014.

### **PEOPLE MANAGEMENT**

#### **Pay and Reward**

Discussions have been ongoing with Trade Unions to modify the Council's terms and conditions of employment. In these tough economic times, the council has to look at all ways possible to make the most of our resources. We believe that modernising our terms and conditions in line with local circumstances, whilst at the same time promoting the importance of good staff performance, will make us a more effective

organisation.

There has been extensive consultation, including trade unions and all employees -17 employee consultation briefings have been held around the county, attended by 970 employees. The consultation feedback influenced the Council's final offer. However, it has not been possible to secure a collective agreement with the Trade Unions on the proposed changes to terms and conditions. A Collective Dispute has been registered by the Trade Unions over the proposed changes, and all efforts are being made to resolve the Dispute before the end of September 2015.

### **Managing Sickness Absence**

A key measure within the Council Business Plan is the reduction of sickness absence, which remains a high priority for the People Management Service and all Directors. This measure impacts not only the employee well-being of those absent due to sickness through effective management and investment in Occupational Health services, but also on those employees in the workplace who provide cover when colleagues are absent. Moreover, additional costs are being incurred by using agency staff to provide cover in some service areas.

The corporate target to reduce sickness absence to 8 days per employee in 2013-14 will continue as the corporate target for 2014 -15. However, this will now incorporate differential target setting per service area as this will allow more realistic targets to be set for the reduction of sickness absence within each service, based on their current performance, in line with the Council's absence management policy.

The Corporate Management Board is in the process of setting sickness absence targets within each service area, which will be supported by a planned programme of targeted measures to reduce sickness absence in each service area. The aim to achieve the corporate target of 8 days per employee is equivalent to a 5 % reduction in sickness absence, compared with actual days lost per full time employee which was 8.45 days in 2013-14. This is a realistic target for the council, which continues to drive improved performance, and is reflected year on year since 2011:

|                            |                                     |
|----------------------------|-------------------------------------|
| 2011/12 - Target 9 days:   | actual = <b>12.04 days</b> per fte. |
| 2012/13 - Target 8.5 days: | actual = <b>10.38 days</b> per fte  |
| 2013/14 - Target 8 days:   | actual = <b>8.45 days</b> per fte   |

### **Managing Workforce Change**

The People Management Service has provided HR support with the Senior Management Review, including job evaluation of all roles in the structure. The new structure was implemented on 1 September 2014, and the People Management Service is now assisting managers to plan for further changes in line with director area commissioning decisions, council budget pressures and Elected Member priorities. While there is not a re-shaping of the whole council at once, as in 2010/11, the Corporate Management Board is looking for opportunities to combine services where there are overlaps within our commissioning strategies, or where functions are duplicated.

**Open Report on behalf of Richard Wills, Executive Director for Environment and Economy**

|            |   |
|------------|---|
| Report to: | <b>County Council</b>   |
| Date:      | <b>26 September 2014</b>  |
| Subject:   | <b>Lincolnshire Standing Advisory Council on Religious Education - Membership</b> |

**Summary:**

This report provides the County Council with an opportunity to consider approving three nominations to fill vacancies on the Lincolnshire Standing Advisory Council on Religious Education (SACRE).

**Recommendation(s):**

The County Council is requested to:

- (a) approve the nomination of Dr Tanweer Ahmed (Islamic Association) to serve on Lincolnshire SACRE under Group A, Christian and other Religious Denominations, of its membership.
- (b) amend Part 4 (Representative Members), Group C, of the Lincolnshire SACRE Constitution as set out in Appendix A; and
- (c) subject to the confirmation of (b) above, approve the nominations of Mrs Sarah Thornton and Mrs Elizabeth Moore to serve on Lincolnshire SACRE under Group C, The Teachers Panel, of its membership.

**1. Background**

In accordance with the Education Act 1996, a Standing Advisory Council on Religious Education has been constituted by the County Council.

The membership of SACRE consists of four Groups, as follows:

- **Group A** – ten representatives of Christian and other religious denominations which, in the opinion of the Council, appropriately reflect the principal religious traditions in Lincolnshire, the nominations of which would be drawn from the following:
  - Seven representatives of Christian denominations

- One representative of the Muslim community
  - One representative of the Jewish community
  - One representative of the Hindu community.
- **Group B** – three representatives of the Church of England.
  - **Group C** – three representatives from Associations representing teachers whom, in the opinion of the Council, ought to be represented. At present this is specified in the SACRE Constitution to be (i) a head teacher, (ii) a secondary religious education specialist and (iii) a primary religious education specialist.
  - **Group D** – three Elected Members of the County Council.

Dr Tanweer Ahmed has been nominated to represent the Islamic Association in Group A, which currently has a vacancy.

Mrs Sarah Thornton and Mrs Elizabeth Moore have been nominated to represent the Teachers Panel in Group C, which currently has two vacancies. Whilst both nominees represent the primary education sector, both have already been contributing very well to the work of SACRE. It is, therefore, recommended that Part 4 of the Constitution of SACRE be amended, as set out in Appendix A, to enable their appointment in this instance (whilst keeping the preference of the Council in principle for representation from the groups referred to in that part of the Constitution).

## 2. Conclusion

The Council is invited to approve nominations to fill vacant positions within Groups A and C of the SACRE membership.

### 3. Legal Comments:

It is within the remit of the County Council to make appointments to the Lincolnshire Standing Advisory Council on Religious Education.

### 4. Resource Comments:

There are no material financial implications from accepting the recommendations in this report.

## 5. Consultation

### a) Has Local Member Been Consulted?

n/a

**b) Has Executive Councillor Been Consulted?**

Yes

**c) Scrutiny Comments**

n/a

**d) Policy Proofing Actions Required**

n/a

**6. Appendices**

|   |                        |
|---|------------------------|
| These are listed below and attached at the back of the report |                        |
| Appendix A  | Representative Members |

**7. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Judith Gilbert, who can be contacted on 01522 552109 or [judith.gilbert@lincolnshire.gov.uk](mailto:judith.gilbert@lincolnshire.gov.uk).

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**REPRESENTATIVE MEMBERS**

4. (1) The number of representative members shall be determined from time to time by the Council and the individual appointments shall be made by the Council after taking all reasonable steps to assure itself that the individual is representative of the denomination or association concerned.
- (2) There shall be four groups of representative members ("the representative groups") as follows:-

Group A

Ten representatives of such Christian and other religious denominations which in the opinion of the Council appropriately reflect the principal religious traditions in Lincolnshire and such nominations will be drawn from the following:-

- (a) seven representatives of Christian denominations;
- (b) one representative of the Muslim community;
- (c) one representative of the Jewish community;
- (d) one representative of the Hindu community.

Group B

Three representatives of the Church of England.

Group C

Three representatives from associations representing teachers who, in the opinion of the Council, ought to be represented and, for the time being, the suitable representative areas are determined as (i) a head teacher, (ii) a secondary religious education specialist, (iii) a primary religious education specialist **provided that, if in the view of the Council suitable representation within Group C is provided by representatives of Associations representing teachers other than one head teacher, one secondary specialist and one primary specialist, the Council may appoint any Group C representatives it sees fit to appoint.**

Group D

Three representatives of the Council.

- (3) No representative group shall be entitled to co-opt additional members.
- (4) The representative members shall hold office for the period expiring on the date of the County Council quadrennial election, and thereafter reappointments will be for a period of four years or to the next quadrennial elections, whichever occurs first.

- (5) Any representative member appointed to fill a casual vacancy shall hold office only for the unexpired period of office of the member in whose place he was appointed.
- (6) An individual representative member may be removed from membership by the Council if, in the opinion of the Council, he ceased to be representative, as the case may be, of the denomination or associations which he was appointed to represent or the Council.
- (7) Any individual representative member who has failed to attend the meetings of the SACRE for a continuous period of twelve months beginning with the date of a meeting shall, on the expiry of that period, be deemed to be no longer representative and shall therefore cease to hold office forthwith, but may be reappointed.

September 2014



**Open Report on behalf of Judith Hetherington Smith, Chief Information and Commissioning Officer**

Report to:

**County Council**

Date:

**26 September 2014**

Subject:

**Annual Report 2013/2014**

**Summary:**

This report presents the Council's Final Draft Annual Report 2013/2014.

**Recommendation(s):**

Council approve the Final Draft Annual Report 2013/2014.

## **1. Background**

- 1.1 The intention of our Annual Report is to highlight achievements for residents, summarise how we spent our budget and what cost savings were made and briefly outline our plans for 2014/15. The Annual Report is primarily a look back over 2013/14, further details of our plans for 2014/15 have already been published in our Council Business Plan which was approved by Council in February 2014.
- 1.2 Publication of the report will primarily be through a web based document available on the County Council website, with minimum paper copies printed on request.
- 1.3 The accounts section is based on unaudited financial information. Audited information will be available at the end of September and the report will be updated at that time.

## **2. Conclusion**

- 2.1 The Final Draft Annual Report highlights key achievements, summarises our financial accounts and savings made and outlines our plans for the future. Publication will primarily be through the Council's website.

## **3. Legal Comments:**

The Council is able but is not obliged to publish the Annual Report referred to in the Report. The decision whether to do so is within the remit of the full Council.

#### 4. Resource Comments:

There are no material financial consequences arising from acceptance of the recommendations in this report.

#### 5. Consultation

##### a) Has Local Member Been Consulted?

Not applicable

##### b) Has Executive Councillor Been Consulted?

Yes

##### c) Scrutiny Comments

The draft Annual Report was presented to Overview and Scrutiny Management Committee on 24<sup>th</sup> July. Committee made the following comments:-

- Foreword – would be improved by highlighting achievements.
- Add hyperlinks to further information.
- Reflect recent events such as the judicial review in libraries and Lincoln Eastern Bypass so that the report is current.
- Group related bullet points so that the report flows.
- Imbalance between the number of achievements against areas for improvement. Information about areas for improvement is descriptive and would benefit from the inclusion of data.

Where ever possible these suggestions have been included in the Final Draft Annual report. Hyperlinks will be added before the Annual Report is published on the website.

##### d) Policy Proofing Actions Required

There are no actions required.

#### 6. Appendices

|   |   |
|---|---|
| These are listed below and attached at the back of the report |   |
| Appendix A  | Annual Report 2013/14<br><i>(PLEASE NOTE: due to the size of the size of the appendix, it has only been circulated electronically and is available at <a href="http://www.lincolnshire.gov.uk/committeerecords">www.lincolnshire.gov.uk/committeerecords</a>)</i> |

#### 7. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Jasmine Sodhi, who can be contacted on 01522 552124 or [jasmine.sodhi@lincolnshire.gov.uk](mailto:jasmine.sodhi@lincolnshire.gov.uk).

# Annual report | 2013 / 2014



## Contents

|  |    |
|--|----|
| Foreward   | 3  |
| Welcome to Lincolnshire  | 4  |
| Your county council  | 4  |
| Your Executive Councillors   | 5  |
| Our vision and purpose   | 6  |
| Our performance  | 9  |
| Invest in infrastructure and the provision of services   | 9  |
| Commission for outcomes based on our communities needs   | 23 |
| Promote community wellbeing and resilience   | 35 |
| Influence, co-ordinate and support other organisations that contribute to the life of Lincolnshire | 44 |
| Make the best use of all of our resources  | 46 |
| Commissioning council  | 49 |
| Equality and diversity   | 51 |
| Summary of 2013/2014 accounts  | 53 |
| Contact us   | 56 |

## Foreword

Welcome to our annual report for 2013/2014. We can rightfully look back with pride at what we have accomplished for our residents, local businesses and visitors, especially when facing severe financial challenges.

Our achievements have included the new Energy from Waste facility in North Hykeham. At 75 metres tall, it's one of the most extraordinary buildings ever constructed in Lincolnshire and is one of the most modern facilities in the country. This state of the art facility uses most of what isn't recycled to generate enough electricity for 15,000 homes.

Significant progress has been made with the ambitious £22 million Lincoln Castle Revealed project, to restore this building dating from 1068. We intend to reveal the restored Lincoln Castle in time to celebrate Magna Carta's 800th anniversary in 2015.

We continue to have amazing exam results at our schools with GCSE grades above the national average. To meet the need for more school places we awarded £3.3 million for the new Lincoln Carlton Academy which opened its doors for the first time to primary aged children.

We planned for major infrastructure projects such as the Grantham Southern Relief Road and superfast broadband to benefit even more households and businesses. This is all part of our aim to support our local economy.

We realise that many residents are still having a tough time financially so we took the unprecedented step of freezing our share of council tax for the third consecutive year. We have one of the lowest council tax rates in country. We achieved this while making over £27 million in savings and still funding vital front line services, which are important for public safety such as: child protection; fire and rescue; and road maintenance. We are also on track to meet our initial target of £125 million savings by 2015.

Although our plans for the coming year are also summarised in this report, you can find more details in our business plan. The challenge ahead, in economic times that will continue to be difficult, is to get value for every pound we spend. Looking ahead to the four years after 2015, we expect to have to find another £90 million of savings. This has been, and will continue to be, a major challenge. However, it is one that we believe we are meeting successfully, thanks to the efforts of all our councillors and staff.

We are reorganising the way we do business and have now agreed 17 areas of activity which we will review as future commissioning strategies. These are a new way of delivering our activities, focusing on outcomes for our residents, businesses and visitors, flexibly and efficiently.



**Leader of the Council**  
Cllr Martin Hill OBE



**Chief Executive**  
Tony McArdle

## Welcome to Lincolnshire

Lincolnshire is England's fourth largest county. Lincolnshire County Council was created as part of the local government reorganisation of 1974. As such, we have now celebrated our fortieth birthday, as the new county council first met in May 1974.

The council's area boasts the bustling centres of Lincoln, Boston and Grantham. It also serves towns such as Spalding, Sleaford, Gainsborough, Skegness, Louth and Stamford.

Often described by local people as England's best-kept secret, Lincolnshire has one of the fastest-growing county populations as people move here from other parts of the UK and overseas. The population boom means that Lincolnshire now has 724,500 residents (the 2013 mid-year estimates) a 1.51% increase on the 713,700 residents recorded in the 2011 Census.

The 2011 Census showed that 51% of residents were female and 49% male. 21% were aged 65 or over and 22% aged 19 or under.<sup>1</sup>

Our Organisational Strategy summarises the challenges and influences for the council.

## Your county council

We provide vital services to our residents through a budget of £906 million a year.

- There are 102,000 children in 356 schools, and around 600 children and young people in local authority care.<sup>2</sup>
- We provide 13 household waste recycling centres, including a brand new one in Sleaford, to help increase recycling. Alongside our new Energy from Waste facility, these have dramatically reduced the amount of waste which needs to be disposed of by landfill.
- We look after about 5,512 miles of roads, 2,589 miles of footways (including pavements) and 2,481 miles of other public rights of way, and work with other organisations to keep all road users safe, to help reduce accidents.
- We provide school transport for approximately 21,111 students and pupils each day.
- We support some of the most vulnerable people in our society through Adult Care. Of these 1,060 people have mental health needs, 1,760 have profound learning disabilities, 13,440 are older people with multiple needs, 2,115 are adults with physical disabilities.
- We currently offer learning, culture and entertainment through 52 libraries. 44 directly run by the county council and we support the remaining eight libraries. We also have nine mobile libraries and six museum and heritage sites.
- We have 38 fire stations across the county and continually aim to improve fire safety in the home.
- We work with other organisations to tackle crime and disorder, antisocial behaviour and substance misuse. We provided funding to Lincolnshire Police, to support neighbourhood policing and to help fund Police Community Support Officers.

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<sup>1</sup> All data in this section provided by the Lincolnshire Research Observatory  
<http://shared.research-lincs.org.uk/UI/Pages/Home.aspx>

<sup>2</sup> The figure is for all schools in Lincolnshire, including academies and special schools as well as those we maintain ourselves.

## Your Executive Councillors

Lincolnshire County Council is made up of 77 councillors.

Ten councillors, including the Leader of the Council, form the Executive. The 2013/2014 Executive is shown below. It is responsible for making decisions about our priorities and how we spend our money.



**Cllr Martin Hill OBE**  
(Leader of the council)

Governance,  
Communications and  
Commissioning



**Cllr Mrs Patricia Bradwell**

(Deputy group leader)

Adult Care and Health  
Services, Children's  
Services



**Cllr Colin Davie**

Economic Development,  
Environment, Planning,  
Tourism



**Cllr Richard Davies**

Highways, Transport, IT



**Cllr Marc Jones**

Finance, Property



**Cllr Peter Robinson**

Fire and Rescue,  
Emergency Planning,  
Trading Standards, Equality  
and Diversity



**Cllr Reg Shore**

Waste, Recycling



**Cllr Mrs Sue Woolley**

NHS Liaison, Community  
Engagement



**Cllr Nick Worth**

Libraries, Heritage,  
Culture, Registration and  
Coroners Service



**Cllr Barry Young**

Crime Reduction, People  
Management, Legal

## Our vision and purpose

Our vision and purpose reflects the changing world in which we operate. This is set out below.

### Our vision

Lincolnshire County Council – working for a better future

- Building on our strengths
- Protecting your lifestyle
- Ambitious for the future

### Our purpose

- Investing in infrastructure and the provision of services
- Commissioning for outcomes based on our communities' needs
- Promoting community wellbeing and resilience
- Influencing, coordinating and supporting other organisations that contribute to the life of Lincolnshire
- Making the best use of all of our resources

Daffodil field in Cowbit





## What it means for you

If you live in Lincolnshire, we want our county to give you the lifestyle and opportunities you need.

If you are a visitor, we want to welcome you to relax and share the environment and lifestyle that our residents enjoy.

If you are a business person, we want to make Lincolnshire a good place to do business.

If you are a community leader, we want to encourage you to get involved in your communities and recognise the role you play.

## Some of our achievements

By managing our performance we have continued to improve our services despite the economic challenges we have faced. Our achievements include the following.

- 61.8% of pupils achieved five or more GCSEs at grades A\* to C, including English and maths. This is above the national average.
- Lincolnshire is 4.2% above national figures for the percentage of pupils achieving A\* to C in all English Baccalaureate subjects (Lincolnshire 27.2% and national 23%).
- 82% of students achieved at least three A level passes, compared to a national figure of 79%.
- Lincolnshire's Key Stage 1 results were at the highest level for three years. In 2013 Level 2+ performance in writing and maths were 1% above the national average for the first time in three years.
- Level 4+ reading and writing at Key Stage 2 has maintained its 2012 position: above the national average this year by 1%.
- The Duke of Edinburgh's Award in Lincolnshire has recently received congratulations from the central England regional office, as the first authority to pass the 3,000 mark for new entrants. A total of 3,035 new participants registered between 1 April 2013 and 31 March 2014. This was a 5.75% increase on the previous year.
- The number of primary fires reduced to 991 from 1,020 in 2012/2013. (Primary fires are fires in buildings, vehicles and outdoor structures, fires including casualties or rescues, or fires attended by five or more fire engines.)
- We have worked within the Lincolnshire Community Safety Partnership to help reduce crime. This is part of our commitment to improve community safety in Lincolnshire, making sure the county remains a safe, low-crime area. In the last year all recorded crime reduced by 4% compared with 2012/2013, accounting for 1,600 fewer crimes and fewer victims of crime.
- Our gritting teams routinely treated 34% of our very large road network: in total we gritted 1,869 miles of our roads (all the main routes) out of the 5,512 across the county. This has helped to provide good connections for transport in Lincolnshire.
- There was a 10% increase in visits to attractions such as the Usher Art Gallery, Museum of Lincolnshire Life and Lincoln Castle. That's 413,700 visitors, about 37,600 more than in the previous year.
- Approximately 265,000 passenger journeys were made via CallConnect, which provides public and community transport, especially to those in more isolated areas, across the county. This is an increase of 4.6% on the previous year. School children and young people facing the summer holiday away from their friends, things to do and places to go, were able to travel for free every Monday.

- We issued around 28,758 concessionary bus passes in 2013/2014. There are well over 100,000 concessionary pass holders in the county. We now support 63 of the 102 bus routes on the county bus map and have agreed a two-year deal for concessionary fares with the county's bus operators.

Our future plans are set out in our Council Business Plan 2012 – 2015, which we revisited and updated in February 2014.

### **Feedback from our customers**

Customer satisfaction remains high, at 94%. We received a total of 615 compliments, 206 more than the 409 we received in 2012/2013. The number of comments we received also increased by 384, from 93 in 2012/2013 to 477 in 2013/2014.

We also received almost 5% fewer complaints in 2013/14 than last year, with a total of 835. This is 42 fewer than the 877 in the previous year.

In 2014/15 we are introducing more meaningful measures to tell us about customers experience when they contact us and their experience when they receive services.

## Our Performance

### Invest in infrastructure and the provision of services

This means we will invest to make sure that services and facilities in Lincolnshire work effectively. We recognise the impact of our spending power on the local economy and support local business where we can.

#### Corporate: Superfast broadband

##### What we said we would do

- The internet is transforming our lives, at home, at work and at school. However many parts of the county are still missing out on all that digital technology has to offer because of poor broadband speed. So we led on the onlincolnshire project to help the business community understand how to make the best use of the opportunities that this will bring. As a rural county there are certain parts of Lincolnshire that struggle to attract commercial broadband suppliers. At the same time more and more services are moving online. We agreed to deliver a superfast broadband (24 mbps) network to 89% of Lincolnshire premises by April 2016. The original end date of April 2015 slipped because Broadband Delivery UK were delayed in getting state aid agreement, to meet the relevant European Union conditions to get public funding from them.

##### What we achieved

- 58.7% of Lincolnshire properties had access to superfast broadband speeds of 24mbps.
- From November 2013, more than 1,400 homes and businesses in Spalding were able to sign up for high-speed, fibre broadband two months early, thanks to the onlincolnshire project. They were the first to benefit from the multi-million pound partnership between Lincolnshire county and district councils, BT and the Government, which aims to boost broadband speeds across the county.

##### Where we need to improve

- Help the business community to understand how to make the best use of the opportunities that superfast broadband will bring.

##### Our plans for the future

- 72% of Lincolnshire premises will have superfast broadband speeds in 2014/2015, increasing to 89% of Lincolnshire premises by April 2016.
- Lincolnshire is getting a £2.35 million share of £250 million of Government funding from the national Superfast Extension Programme, to bring better broadband to the hardest to reach places. The council, which has already set aside £1.8 million for additional broadband improvements, will match this funding. This should help the authority to extend superfast broadband coverage to at least 95% of premises by December 2017.

#### Corporate: Procurement

##### What we said we would do

- In order to support the local economy, increase bids from local suppliers so that 40% of all bids were from local suppliers and 52.69% of total council spending on procurement is on local businesses.

## What we achieved

- Procurement Lincolnshire saved the county's local authorities just over £7.5 million. It also continued its work with local companies, offering them advice on winning public sector business. 50.7% of the county council's procurement spend was with Lincolnshire businesses, a 3.4% increase on the 2012/2013 figure.
- Procurement Lincolnshire also continued to work with the Chamber of Commerce and Federation of Small Businesses to support the local business economy. This work made it easier for small businesses to bid for contracts with over 60% (1,359) of bids coming from local suppliers.
- Over 560 suppliers attended training workshops or meet-the-buyer events with Procurement Lincolnshire. These provided top tips and practical guidance to suppliers, to help them to understand how to put together bids for public sector contracts.

## Our plans for the future

- Support local business where we can and aim to have 50% of all bids received from local suppliers and to have over 52% of the total procurement spending to local businesses.

## Economy and culture: Business growth

### What we said we would do

- Continue to promote and support Growth Point activity, which outline area planning strategies, particularly recognising housing delivery targets in the local development frameworks. In particular work with partners to make sure that new employment opportunities match increasing housing numbers.
- Support businesses to develop and grow our economy.
- Continue to promote Teal Park as a major employment location within central Lincolnshire and attract more occupiers.

### What we achieved

- Paved the way to deliver the East West link road and gained full planning permission for the Grantham Southern relief road.
- Supported companies looking to invest in the county or to find new alternative larger business premises. As a result of this we created 195 jobs and safeguarded 231 jobs.
- Helped 894 businesses across the county. They received advice in innovation, going green and winning new contracts from both the public and private sector. A small investment from the council helped us to attract grants, making our money go further and allowing us to help almost 50% more businesses than we did last year.
- Injected £22m into Teal Park: the region's premier business park, retaining 2,000 local jobs with Siemens and opening the door to £500m of investment in the next 10 to 15 years. The Teal Park project completed in August 2013.
- 8,360 people attended adult learning courses which provide targeted help to disadvantaged groups, vocational training, and lifelong learning. We worked with our partners and the learners to make sure that we delivered quality courses.

## Our plans for the future

- Continue to help Lincolnshire's businesses to thrive and grow by helping them develop into new markets, attract finance, and adapt to new technology.
- Meet the skills needs of the local economy by commissioning training and employment support.

Teal Park, Lincoln



## Economy and culture: Flood barrier for Boston and St Botolph's bridge

### What we said we would do

- Support a multifunctional flood barrier for Boston to improve flood protection and provide safe and attractive navigation through the fens waterways link.
- Complete work to improve St Botolph's bridge in Boston

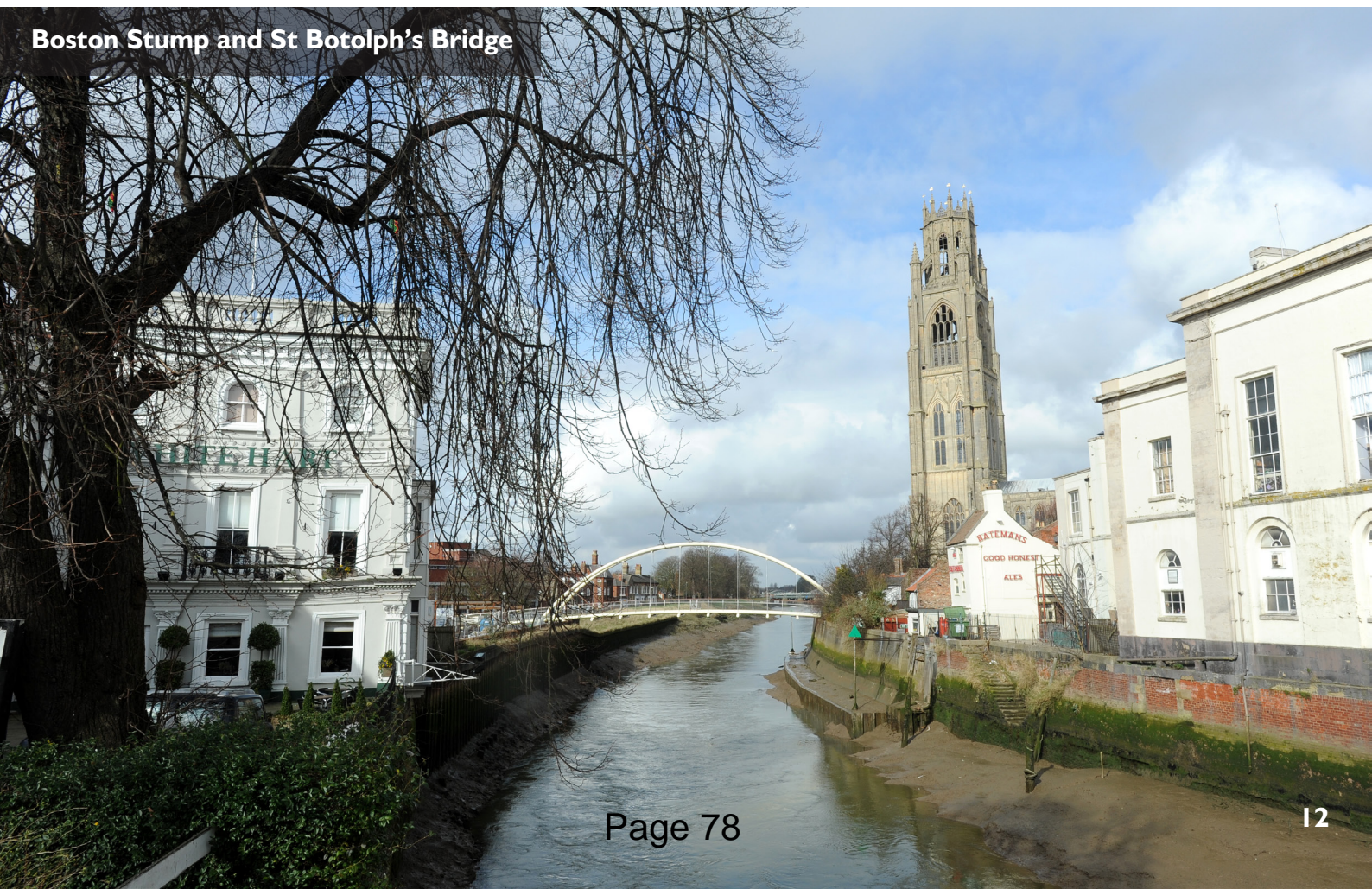
### What we achieved

- This is an Environment Agency led project, with the county council contributing £11 million to increase the ability to use the river for leisure activities.
- Boston's St Botolph's bridge was lifted into position over the River Witham, in February 2014. The structure is 65 metres long, with easy access for wheelchairs and pushchairs. Lincolnshire County Council and the European Regional Development Fund met the cost of the bridge, which was constructed by Britcon in Scunthorpe.

### Plans for the future

- The project recently passed an important Gateway Assurance Review, which will allow us to go on to the next stage of development. We will also work with stakeholders to consider how the barrier will operate and the impact it will have on water level management.
- We will continue to work with the Environment Agency and other partners to make sure the flood barrier for Boston is constructed as planned. Construction is due to begin in summer 2017 and we expect this to be complete by winter 2019.

Boston Stump and St Botolph's Bridge



## Economy and culture: Visitor attractions

### What we said we would do

- Implement a major promotional campaign to help visitors understand how attractive Lincolnshire is, with Lincoln Castle at the centre of this campaign.
- Increase contact by the public with the Heritage Service either in person, on the phone, by email or via the website

### What we achieved

- In July 2013, Lincoln Castle appeared on national television in a Timeteam special on the Secret of Lincoln Jail. In November 2013 it was on The One Show and The History Channel, featuring the Saxon sarcophagus which was found three metres below the current ground level.
- Lincoln Castle and the Cathedral hosted the prestigious European Stone Festival in June 2013, a meeting of stone masons and stone carvers, at the 1000 Years of Traditional Crafts event.
- Continued to implement the major Lincoln Castle Revealed project. All the works are on schedule and the walls are 10 weeks ahead of schedule. Work on the Georgian and Victorian prison buildings and the underground vault that will display Magna Carta and the Charter of the Forest is also on schedule. In spite of these works, the Castle still attracted nearly 132,000 visitors during the course of the year.
- Recent investment in The Collection and Usher Gallery, and the very successful Modern Masters and Joseph Banks exhibitions have paid off, with the sites attracting over 141,000 visitors during the course of the year.
- Similarly, the new play area at the Museum of Lincolnshire Life attracted a record 11,000 visitors in August 2013 alone. Towards the end of the year the Museum's visitor experience was enhanced with a new multi-media guide and augmented reality installations. This state of the art technology gives a modified view of some of our exhibits, allowing our users to step back in time and experience what life was like in years gone by.
- There was a 10% increase in visits to attractions such as the Usher Art Gallery, Museum of Lincolnshire Life and Lincoln Castle.

### Where we need to improve

- Work with our partners to make sure that we coordinate the Lincoln Castle events programme and its marketing, throughout the City. We will put in place working practices with Visit Lincoln and the Chamber of Commerce. Good communication will be vital.

### Our plans for the future

- We are due to complete the Lincoln Castle Revealed project in December 2014 and will re-open Lincoln Castle in April 2015 as a top quality visitor attraction. This will be in time to celebrate the 800th anniversary of Magna Carta. We will put a celebratory 2015 events programme in place, with an extensive marketing and PR campaign to promote the Castle to local, regional, national and international audiences. Castle Connections will be developed to make sure that Lincoln Castle acts as a catalyst to help visitors realise the wealth of attractions the county has.
- Continue to offer high levels of satisfaction with Heritage Services.

## Economy and culture: Libraries

### What we said we would do

- Deliver an affordable Library Service to meet Lincolnshire's needs through the library needs assessment.
- Increase contact by the public with the Library Service either in person, on the phone, by email or via the website.

### What we achieved

- Between July and September 2013 we consulted at length on a new way of delivering the Library Service. More than 6,000 people took part in the consultation and we also received a number of letters, emails and petitions. In response to feedback we adapted our proposals to offer greater support to the Home Library Service, retain more mobile library stops and provide more support to community hubs offering library facilities. By the end of March 2014, we had grant applications for 37 locations across the county. 30 of these had an existing county council operated library, and a further seven either had their own community library or a mobile library stop. Following the High Court decision in July 2014, we are reconsidering our proposals.

## Lincoln Castle Heritage Centre





- There were 5.9 million contacts with the Library Service, either in person, by phone, email or the website. That's an increase of just under 1.8% or 104,000 contacts. 2.56 million visits were made to libraries, an increase of 31,000.
- During the summer of 2013 the Library Service worked with the regional dance agency Dance4 and the University of Lincoln, to deliver the House of Mystery roadshow. This brought dance to a number of libraries across the county and was inspired by the national Summer Reading Challenge theme of Creepy House.
- In July 2013 we joined a new national scheme, using reading to help the six million people in England who suffer from conditions such as depression and anxiety. Reading Well: Books on Prescription, allowed GPs and other health professionals to recommend 30 self-help titles for people to borrow from the local Library Service, or online through the interlibrary loan system.
- Lincolnshire Archives put more than 600 years' worth of documents on display, as part of a new exhibition telling the story of the county's medical history. This included letters, photographs and illustrations, with the oldest dating to 1349 and bringing together a unique collection about the county's health, illnesses and treatments through the centuries. Many of these documents are now available online through the Lincs to the Past website, along with over 5,000 records about the manufacturing firms of Robey and Aveling and Barford.

### Our plans for the future

- Reconsider our proposals for the future of the Library Service in the light of the High Court decision of July 2014 whilst continuing to work with the community groups who have expressed a wish to deliver community hubs, including Library Services, in 40 locations across the county. This is made up of the 37 applications received in 2013/2014, plus three existing community run facilities at Belton Lane (Grantham), Saxilby and Waddington.
- Continue to offer high levels of satisfaction with Library Services.



## Highways and transportation

We recognised that some areas of our highway network had suffered from the impact of previous harsh winters and we wanted to introduce further efficiencies by working with partners to help us improve the condition of our highways in challenging financial times.

### Highways and transportation: Investment in our roads

#### What we said we would do

- Start to invest the additional £6.451 million of Government funding (provided over a two year period: 2013/2014 and 2014/2015) in our roads. This would use improved technology to carry out maintenance treatments, helping to reduce the number of potholes and maintain the condition of the highway network.

#### What we achieved

- Continued to develop our partnership working to ensure we deliver effective and efficient highway services. Cranfield University carried out a review of our service, identifying it as one of the best performing arrangements in the country and providing an action plan to ensure continuous improvement.
- The Department for Transport awarded £1.7 million of Government funding to improve Canwick Road, at the Washingborough Road and South Park Avenue junctions in Lincoln, and we started the detailed design and preparation for securing the land to build the schemes.
- In October 2013, a multi-million pound project started on Whisby Road in North Hykeham. The changes will improve access to the A46, the Energy from Waste site, Teal Park and Kingsley Road Business Park.
- The Department for Transport and the county council jointly funded major improvements to Newark Road Lincoln, which were completed during the year.
- Sustainable transport schemes across the county have helped to create better road layouts and improve public transport: protecting the environment, reducing congestion and boosting economic growth.
- Made the most of capital investment in our highways by successfully bidding for external funds in partnership with district councils and Local Enterprise Partnerships.
- Via the Lincolnshire Highways Alliance we spent £3.5 million of the £6.451 million additional Government funding (over two years). This money has allowed us to increase the amount of surface dressing we carry out on our roads, in line with our asset management plan. It was also used on works which use new technologies, aimed at increasing efficiency and reducing potholes.
- 50,000 potholes were repaired over the course of the year and we have seen a drop of 13% in the number reported.
- Over winter 2013/2014, we used 13,156 tonnes of salt. Each of our gritters has been on 63 runs since October 2013. Our popular Gritter Twitter account attracted around 3,183 followers, after three winters of keeping the public up to date with winter road conditions, safety advice and gritting activities.
- 97% of our A roads, 87% of our B roads and 71% of the unclassified roads did not need maintenance in 2013/2014.

#### Where we need to improve

- Continuously improve our highways service with a view to increasing efficiency and reducing costs while maintaining our service to the public.

- Use innovative and improved technology to carry out maintenance treatments to our roads, helping to maintain the condition of the highway network.
- Carry out more patching and surface dressing, helping to prevent potholes in line with our asset management plan.

### **Our plans for the future**

- Continue to invest phase two of the additional £6.451 million of Government funding for road improvements. We will match this funding and bid for a share in the Government's £168 million Pothole Fund. (Since the end of the 2013/2014 year, the Government awarded additional road repair funding of £5.5 million, meaning thousands more potholes can be prevented or repaired over the coming year.)
- Continue keep our roads in a good state of repair during winter weather, to help people, goods and services move around the county. During 2014/2015 we want to treat 34% of the roads before ice and frost forms. We would also like to keep road maintenance down to just 4% of our A roads; 12% of our B roads; and 30% of our unclassified roads.

**Highways road workers**



## Highways and transportation: Major highways schemes

### What we said we would do

- Continue to deliver our major highway schemes to help to stimulate the economy and provide an effective winter maintenance service, improving movement around the county.
- Publish legal orders to acquire the land for the Lincoln East West Link Road and the Lincoln Eastern Bypass and agree a preferred route for the Spalding western relief road with our partners.

### What we achieved

- Our planning application to South Kesteven District Council for the Grantham Southern Quadrant Link Road was approved.
- Paved the way to deliver the Lincoln East West link road by publishing legal orders to acquire the land for the Lincoln Eastern Bypass and Lincoln East West Link, both of which needed public inquiries, held in February and March of 2014.

### Our plans for the future

- Since the end of March 2014, the Department for Transport (DfT) has decided not to grant legal orders for the Lincoln Eastern Bypass, because of safety concerns relating to a cycle way connection with a side-road. We are currently addressing the issues outlined in the inspector's report, ready to resubmit our application for legal orders.
- Begin construction on several major highways schemes over the period, specifically geared to reduce congestion and stimulate the economy.

## Highways and transportation: AccessLN6

### What we said we would do

- Continue to deliver the ambitious AccessLN6 project, in the busy LN6 area of south Lincoln, which has more than 30,000 cars travelling in and out each day. This will include the new cycle infrastructure and support businesses to explore green transport options as well as promoting bus, train and cycle journeys. Access LN6 is funded with £4.9 million from the Government's Local Sustainable Transport Fund.

### What we achieved

- Built the new cycle infrastructure and made improvements to the amount of public transport in LN6 through £6.5 million of funding.
- Hire bikes became available from various locations in Lincoln and Hykeham from the end of August 2013.
- Encouraged stronger community car schemes, which provide a lifeline in isolated parts of the county. 39,000 journeys were made to support individuals in Lincolnshire last year.
- Access LN6 improved facilities at Hykeham Station, and worked with local businesses and residents to encourage more people to use the train. Improvements include a resurfaced 20-space car park, new lighting and CCTV, new cycle storage and a hirebike stand. Extended bus services now also serve Station Road to make Hykeham Station into a 'transport hub' for LN6.

## Our plans for the future

- The LN6 project will run until March 2015. By then we will have changed and improved travel options in the area, for both leisure and work.

## Highways and transportation: Wheels to work

### What we said we would do

- Continue to support the Wheels to Work provider to enable them to deliver a sustainable and effective service to people with no access to public transport, for work, education and training.

### What we achieved

- The Wheels to Work project continued to be a success, with over 125 mopeds available. The scheme has given over 200 people access to employment and training in the last year.

### Hire bikes in Lincoln



## Road safety

Make sure road safety initiatives had maximum impact on reducing the number of casualties.

### Road safety: Safety cameras

#### What we said we would do

- Upgrade Lincolnshire Road Safety Partnership's safety camera stock to digital film and use the latest technology to protect cameras from vandalism.

#### What we achieved

- Lincolnshire Road Safety Partnership delayed its programme to replace film cameras with digital cameras, to wait for the Home Office to approve more advanced camera equipment. This will allow us to benefit from improvements in technology which will make the cameras operate better. They will also be more difficult to vandalise.

#### Our plans for the future

- Following Home Office approval, we will replace ten film cameras with digital ones and review all fixed and mobile camera sites in the county, to make sure they are at the best locations to reduce speed-related road traffic casualties.

### Road safety: Safe cycling campaign and driver awareness courses

#### What we said we would do

- Introduce a safe cycling campaign, as the national trend showed that the biggest increase in casualties was amongst cyclists, and expand the programme of driver awareness courses.

#### What we achieved

- Worked with Lincs FM radio station and local businesses and ran a cycle safety campaign, which raised awareness of the benefits of high visibility clothing and wearing a cycle helmet.
- Delivered BikeAbility (nationally accredited cycle training) to over 6,000 children, with the help of funding from the Department for Transport.
- 223 motorcyclists completed the Performance Plus programme and 85 participated in the Bike Safe programme during 2013. These assess riders' ability and practical riding skills, helping to reduce the risk of having a collision.
- 50 young drivers completed the Safe Young Drivers' programme which includes the Pass Plus programme. This is aimed at new young drivers, as national statistics show that one in five novice drivers have a collision within six months of passing their test.
- 98 mature drivers completed a training programme covering defensive driving, personal safety and other road safety issues.
- 12,997 clients attended speed awareness workshops during 2013/2014. This provides drivers with an educational alternative to prosecution.

- Expanded the range of driving courses we can deliver and this now includes taxi, mini-bus, and fleet driver training. We also delivered modules of the Certificate of Professional Confidence (CPD) for drivers of light goods and passenger carrying vehicles.

### **Our plans for the future**

- In view of the rising trend in casualties among riders of two wheeled motor vehicles, up to 125cc, we will look into supplying educational programmes for those riders.
- Introduce the national driver offending retraining scheme for riders of two wheeled motor vehicles, called Riders Intervention Developing Experience (RIDE).
- Hold more Performance Plus sessions in 2014/2015. This is a full-day session, at Cadwell Park race circuit aimed at over 125cc two-wheeled motor vehicle users. The intensive skills-based instruction is coupled with practical sessions, to challenge and increase knowledge and ability while riding.

## **Road safety: Make people safer on our roads**

### **What we said we would do**

- Work with the Lincolnshire Road Safety Partnership to make people safer on our roads.

### **What we achieved**

- The number of fatal road casualties in Lincolnshire during 2013 was the lowest ever recorded. There were 36 of these, 3 fewer than the previous year, making a reduction of about 8%.
- The number of people seriously injured was 415, 11 fewer than the previous year, a reduction of almost 3%.
- There were fewer child fatalities or serious injuries in road traffic collisions, 10 fewer than 2012 and six fewer than 2011.
- Some 3,500 students attended the acclaimed 2Fast2Soon programme and 3,257 year 11 (15 to 16 years-old) students attended the young passenger awareness course during 2013/2014. In 2013 there was a reduction of 21% of the number of killed or seriously injured casualties when one or more of the drivers was aged 17 to 24, compared to the 2010 to 2012 baseline.
- Carried out 30 local safety improvement schemes across the county. These were low cost, high value schemes targeted at sites with a history of collisions resulting in injury.

### **Where we need to improve**

- Make sure we are fully engaged with our partners, with a focus on the people who use our roads, making road users safer through awareness and education. We need to work with Health, Children's Services, Police and Community Safety, to avoid duplication and improve the way we intervene to improve road safety, especially for young people.
- Enable our communities to lead safeguarding on road safety. This will include continuing to rollout Community Speed Watch (allowing active members of the community join together with the support of the Police, to monitor speeds of vehicles using speed detection devices). We will also carry on the work with our schools and develop the role of volunteers, ranging from volunteer Police Community Support Officers to Neighbourhood Watch.

## **Our plans for the future**

- Continue to analyse and review collision data and focus education, engineering and enforcement resources to areas of greatest priority. It will deliver the actions set out in its 2014/2015 delivery plan. These will include educational and driver training programmes specifically designed to reduce casualties in the most vulnerable groups.
- Implement a county-wide programme of local engineering safety schemes. These are low-cost, high-value schemes such as signing, lining, resurfacing and junction improvements. In addition we will also support police enforcement by providing collision and speed data to Police meetings.



## Commission for outcomes based on our communities' needs

This means we will make sure that we or other organisations provide services which meet our communities' needs. Commissioning for Lincolnshire is a programme which will help to change the way the council uses its resources and influence, to achieve outcomes for the people of Lincolnshire, with the best combination of cost and quality.

### Corporate

#### What we said we would do

- Transform the approach the council takes to commissioning.

#### What we achieved

- Agreed upon 17 commissioning strategies, from safe and healthy children; to supporting business and growth; and protecting the public. See pages 49 to 50.

#### Our plans for the future

- Sharpen our focus on outcomes to direct our effort and expenditure to best effect. We will define those outcomes through 17 commissioning strategies, based on evidence of needs and political priorities. We will share responsibility for the commissioning strategies among the Corporate Management Board, who will ensure that the best providers are chosen and managed.
- Reorganise ourselves around our intended outcomes rather than our services, to improve customers' experience.

### Adult care

In between 1 April 2013 and 31 March 2014 the independent Care Quality Commission (CQC) inspected 363 care services across Lincolnshire for vulnerable residents, looking at care homes, care homes with nursing and home support, and supported living services. They found that 83% of the services they inspected met the national essential standards of quality and safety.

A peer review team visited Lincolnshire in November 2013, looking particularly at quality and safeguarding in Adult Care. The team was impressed and highlighted various strengths. They also praised the ambition of the health and care review.

### Adult care: Choice and control

#### What we said we would do

- Continue to help people using Adult Care and carers have greater choice and control over how they receive their care.

#### What we achieved

- Increased the number of people with a direct payment (payments made directly to carers or the people needing care) from 2,500 at the end of 2008/2009 to 6,000 in 2013/2014. This year, people have received their direct payments faster than they have done in previous years and, in the last quarter of 2013/2014, 84% of payments were processed within 14 days.

- Reviewed more than 85% of Adult Care clients in residential care or who received a personal budget, to make sure that we made the most appropriate support services available to them.
- Provided 12,306 people with a personal budget, giving them more choice and control over their care and supported 4,700 carers in their caring role (of which 125 were young carers), We also provided 10,334 people with home care to help them live independently in their own homes, and 4,097 people were supported in residential settings.

### **Where we need to improve**

- Make sure more people who use Adult Care take up direct payments, particularly older adults. We will make sure that the contract for direct payment support services helps more people to choose this option. This will also help to make the system more efficient, so that the time taken to get a direct payment is shorter.

### **Our plans for the future**

- 38% of people assessed as needing help from Adult Care will receive a direct payment which will allow them to arrange and pay for their own care and support services.

## **Adult care: Intermediate care services**

### **What we said we would do**

- Develop further our intermediate care services for Lincolnshire in partnership with health colleagues. These services are designed to avoid admitting people to hospital, and to ease the move back to independence after a hospital stay, reducing the amount of time the patient has to spend in hospital.

### **What we achieved**

- The Proactive Care Board commissioned a full and wide-ranging review of Intermediate Care services in Lincolnshire on behalf of Lincolnshire Health and Social Care. We have also started to research what health and social care across Lincolnshire will need to look like in the future.

### **Our plans for the future**

- Complete the intermediate care review and make recommendations for future service provision across health and social care, in autumn 2014.

## **Adult care: Preventative services and reablement**

### **What we said we would do**

- Increase the number of customers working out their queries through the Customer Service Centre, with a focus on preventative services, so that customers are provided with professional Adult Care support earlier.

### **What we achieved**

- More clients accessed preventative services via the Customer Services Centre.
- 40% of people receiving services in the community received Telecare equipment as part of their care package. This means that 5,600 people received this service, an increase of 1,250 people compared to 2012/2013.

- 4,100 people received the reablement service, an increase of 1,200 people. The service helped people recover the skills and confidence to return to their own homes, perhaps after a lengthy spell in hospital. 2,050 people were discharged from the service with no ongoing support needs from Adult Care, 900 more people than the previous year.
- 50% of clients accessing the intensive service have regained their independence and need no ongoing support from Adult Care, compared to 40% in 2012/2013. Also, the percentage of clients admitted to hospital after reablement has dropped to a record low of 17%, which further demonstrates its effectiveness and reduces the pressure on acute care.
- Successfully transferred the reablement service to the NHS.

### **Our plans for the future**

- Aim to have 55% of people leaving reablement not needing on-going support.

## **Adult care: Dementia**

### **What we said we would do**

- We estimate that 10,502 Lincolnshire residents live with dementia and this figure could rise to over 15,000 by 2021. With that in mind we will update the dementia strategy for Lincolnshire.

### **What we achieved**

- Developed the Lincolnshire Joint Strategy for Dementia 2014 – 2017 in partnership with a wide range of individuals and organisations to identify the priorities for dementia services over the next three-year period.
- Engaged and worked together with patients, service users, people with dementia and carers, plus supporting agencies and partner organisations, to help shape strategy and commissioning for the future.
- Developed joint ways of working with health partners to make sure that we deliver the outcomes of the strategy and that the community can hold us accountable.
- Introduced additional support for individuals through our Dementia Short Breaks Programme.
- Delivered dementia awareness sessions across the county, with our partners.
- Supported the national initiatives for dementia friends and dementia champions including training councillors and staff.
- Signed up as an organisation to the two Lincolnshire Dementia Action Alliances.

### **Our plans for the future**

- Continue to develop joint commissioning arrangements for dementia, with health partners. We will also consider other opportunities to support people at the various stages of dementia, including getting access to services, preventative support and interventions following diagnosis.
- Work with people with dementia, carers and partners to improve the services available to people affected by dementia throughout the stages of the condition.
- We will consider the emerging demands and needs of the Lincolnshire population, reviewing long-term health and Adult Care services and end of life care provision.

## **Adult care: Autism**

### **What we said we would do**

- Produce a new strategy for autism.

### **What we achieved**

- We were delayed slightly in producing an autism strategy, as we broadened the scope of the project to develop a county-wide strategy for Lincolnshire children and adults. We expect to have this in place during autumn 2014.

## **Looking ahead for Adult Care**

### **Where we need to improve**

- Although the number of placements in long term care is high, we need to be certain that there is enough investment in the two main alternatives to residential care. Extra care housing is housing which has been modified to suit people with long-term conditions or disabilities that make living in their own home difficult. Intermediate care helps people to stay in their own home or a care home, instead of going into hospital, or helps them get home after a hospital stay.
- Strengthen the homecare market in Lincolnshire, making sure that it provides good quality care at an affordable cost. We will achieve this through better contracting arrangements and our ongoing negotiations on price.
- Work closely with Children's Services to make sure that the move from Children's to Adults' Care is as smooth as possible and delivers the best outcomes for young people and their families.
- Work closely with our NHS partners to reduce the number of avoidable emergency admissions to hospital and carry on making sure that delayed discharges stay at a low level. We aim to continue to be below the national average for delayed transfers of care, from hospital to the community, which are attributable to Adult Care, with 2.3 per 100,000 against a national average of 3.3.
- Waiting times for carers' assessments have been reduced and are currently within the 28 day target. We aim to improve carers' access to information, advice and assessments by remodelling carers' support services. This will allow us to support more carers in the future.

### **Our plans for the future**

- Continue to prepare for changes to how people pay for their care and support needs as introduced in the Care Act in 2014/2015.
- We will continue to work closely with the Lincolnshire Carers and Young Carers' Partnership on the Joint Lincolnshire Carers' Strategy, to make sure the strategy's key priorities are carried out.

## **Children's services: Families working together**

### **What we said we would do**

- Continue to work with troubled families to help them turn their lives around. We aim to help 1,370 families in Lincolnshire before March 2015. 40 key workers will make sure that the Families Working Together initiative is able to focus on those with the most complex needs.

## What we achieved

- Through the Families Working Together Partnership, Lincolnshire identified over 1,200 of the families it needs to work with and worked with over 1,000 families with complex needs. Families Working Together has now turned around one-third of these families. Turning a family around means reducing the number of times support services get involved and saving public money, focusing on reducing antisocial behaviour, youth offending, and absence from school and worklessness.

## Where we need to improve

- Review our early help continually, to make sure that we deliver effective, research-based interventions to families early, so that support services get involved to stop problems from getting worse and help them to turn their lives around.

## Our plans for the future

- Roll out the Families Working Together project further, supporting families with the most complex needs by working with partners such as the Police, Jobcentre Plus and the voluntary sector.

## Children's services: School places

### What we said we would do

- Increase the number of school places we offer to students across the county. We also proposed to open new primary academies in Lincoln (September 2013), Skegness (September 2014), Spalding (September 2014) and Bourne (September 2014).

### What we achieved

- The new academy in Lincoln opened in September 2013 in temporary accommodation and transferred to a new school building in January 2014.
- Increase in school admissions. There were 7,649 places at primaries (up from 7,325), with 93.6% of parents getting their first choice. At secondary level, the figure was 7,530 (up from 7,063), with a first-choice percentage of 93.2%.

## Children's services: Post 16

### What we said we would do

- Improve access to post 16 education and training for all young people with learning disabilities.

### What we achieved

- Worked with a range of partners to make sure that high quality advice and guidance was available to young people aged 16 or 17, especially those with additional needs or vulnerabilities, so they continue to engage in education or training when they leave school.
- 85% of our young people achieved level 2 qualifications (such as GCSEs with grades C to A\* or equivalent) by the age of 19, compared with 84% nationally, an improvement on last year.
- Over 95% of school leavers entered education, employment or training: an increase on last year.

- In March 2014, the Skills Funding Agency awarded the council £18,500 to help promote local apprenticeships. This coupled with the work our apprentice champions do to promote apprenticeships, shows the council's leadership in this area.
- Invested in supporting apprenticeships and confirm that Lincolnshire continues to buck the national trend for 16 to 18 year-olds with growth of 5.1% compared to a drop of 4.9% regionally and 11.6% nationally.
- As at the end of the academic year the number of Lincolnshire people participating in apprenticeships rose against a falling national average. Increases were seen in the number of advanced and higher apprenticeships. The percentage increase for Lincolnshire residents was 7.1%.

### **Where we need to improve**

- Improve the way we work with young people who have a learning disability and are between the ages of 17 and 25 years, to support them better into education or employment with training.

### **Our plans for the future**

- Deliver our responsibilities to bring about raising the participation age, meaning that young people must get involved in accredited learning – leading to nationally recognised qualifications – when they leave school. We aim to see 95% of pupils aged 16 in summer 2014 participating in learning.
- Work with a range of partners to make sure that high quality advice and guidance is available to young people aged 16 or 17, especially those with additional needs or other vulnerabilities up to the age of 25. This will enable them to continue with education or training when they leave school.

## **Children's services: Early years**

### **What we said we would do**

- Raise educational outcomes for very young children through the Early Years Foundation Stage (EYFS) and narrow the gap for the most disadvantaged and vulnerable children and families.

### **What we achieved**

- A new measure for the achievement gap for the Early Years Foundation Stage has also been introduced. Nationally this is 36.6% and in Lincolnshire it is narrower by 7% at 29.6%. This places Lincolnshire in the top 10 local authorities nationally.
- A new national assessment system for the Early Years Foundation Stage was introduced in the 2012/2013 academic year. Nationally 52% of children achieved a good level of development, compared with 65% of Lincolnshire children. This places Lincolnshire in the top five local authorities nationally and the highest achieving local authority in the East Midlands and against its statistical neighbours.
- During the last year we have had three Ofsted Inspections under the new framework in Stamford, Swineshead and Sutterton, plus Lincoln North. Each of these centre groups have achieved a good rating in all areas. In the data released by Ofsted for the first six months of the year, Lincolnshire have 86% of their children's centres rated good or outstanding, compared to an average of 58% for other authorities in the East Midlands.
- During 2013/2014, a total of 1,725 of the least advantaged two year-olds across Lincolnshire benefited from free childcare places.

- Attendance rates at children's centres have continued to rise during the year with 86% of youngsters under-five registered.

### **Where we need to improve**

- Although we are raising educational outcomes for very young children through the Early Years Foundation Stage (EYFS), more work is needed. For the next 12 months we will work with schools to close the gap for the most disadvantaged and vulnerable children and families. We will achieve this by increasing access to free childcare for all three and four year-olds and the most disadvantaged two year-olds as well as improving standards of teaching and learning.

### **Our plans for the future**

- 66% of reception aged children will achieve a level of good level of development in the Early Years Foundation Stage.
- Children's centres will continue to play a pivotal role in delivering early help to support families in their parenting role.

## **Children's services: GCSE exam results**

### **What we said we would do**

- 68% of pupils achieving 5 A\* to C grades or equivalent including English and maths taken at the end of Key Stage 4.

### **What we achieved**

- 61.8% of all Year 11 children achieved five or more A\* to G grades in the summer of 2013, including English and maths, this was well above the national rate of 59.2%.

### **Our plans for the future**

- Continue to have higher than the national rate of pupils achieving 5 A\* to C grades or equivalent, including English and maths taken at the end of Key Stage 4 in summer 2014.

## **Children's services: Looked after children and child protection**

### **What we said we would do**

- Have an appropriate number of looked after children who are under 18 years old. Our assessments suggest that this is approximately 600.
- Monitor the number of children under 18 who need intervention from a child protection plan so we have an appropriate number.

### **What we achieved**

- We cared for about 600 looked-after children: below the national rate and that of similar authorities for 2013. Most were fostered or placed for adoption (86%), with 79% waiting less than 20 months to move into their adoptive family, compared to 55% nationally in 2013.

- The third annual FAB! Awards (Fantastic, Amazing, Brilliant) for looked-after children took place in March 2014 at the EPIC centre in Lincoln. Looked after children and young people received multiple awards for their achievements in sport, education, arts and music, personal endeavour and positive activities.
- At the end of March, there was a reduction in the number of children with a child protection plan compared with December 2013. We regularly look at themes and trends and know that the reasons can be several and complex, for example an increased number of large sibling groups and changes in legislation. Lincolnshire's numbers per 10,000 are 24.62 which are still lower than other councils, placing us in the upper quartile.

### Our plans for the future

- Maintain an appropriate number of looked after children, which we think is 43 per 10,000 of population under 18.
- Have an appropriate number of children subject to a child protection plan per 10,000 which we think is 26.

### Children's services: Attainment gap

#### What we said we would do

- Reduce the attainment gap between disadvantaged pupils and their peers at Key Stage 2, Level 4 in English and maths to 18% in summer 2013 results.
- Reduce the attainment gap between disadvantaged pupils and their peers at Key Stage 4, 5 A\* to C at GCSE including English and maths to 29% in summer 2013 results.

Gipsey Bridge Academy sports day





## **What we achieved**

- The gap in achievement at Key Stage 2 narrowed by 2.3 percentage points in summer 2013, although results were 3.7% below our target. Immediate action was put in place in autumn 2013 including focusing on using the pupil premium effectively. This means that more funding is available in schools, to help children who are eligible for free school meals to achieve their potential.
- We recognise that Lincolnshire did not perform well enough in closing the gap at Key Stage 4 and as a result we have worked with Nottinghamshire County Council who have been successful in this area. This has also been a focus at head teacher briefings, to challenge them to make it a priority in their schools.

## **Where we need to improve**

- The increase in the financial value of the pupil premium means that we need to introduce better monitoring to make sure schools help children who are eligible for free school meals to make better than expected progress. We will set up systems to share and celebrate good practice amongst schools. This will narrow the educational attainment gap between pupils who are eligible for free school meals and those who are not.

## **Children's services: National priorities**

### **Our plans for the future**

- Transform the way our adoption services operate, to achieve the Government's aspirations on reducing the time it takes for children to be adopted.
- Carry out the Special Educational Needs and Disabilities (SEND) reforms from the Children and Families Act. This includes the move from statements of special educational needs and disabilities to a single, all encompassing, Education, Health and Care (EHC) Plan. This puts service users at the centre of the assessment and planning process and local services. We will also develop a website which will allow parents and carers, plus children and young people with SEND, to access information about services available in Lincolnshire to meet their needs: this is called the Local Offer.

## **Public Health: Supporting communities to help themselves**

### **What we said we would do**

- Lincolnshire communities have a strong tradition of people volunteering and getting active in their local communities, so we build on all the good things already in place in the county. County councillors voted to continue with the Big Society fund at the July 2013 council meeting, which provides them with an allowance each year to give to local community groups. This was to help the groups to make a positive difference and improve quality of life and wellbeing in their local communities.

### **What we achieved**

- Grants from the Big Society fund have benefited residents of all ages across Lincolnshire, by funding a range of projects from village halls to sports clubs, and play areas to rescue boats. For example, some of the awards have helped to provide sporting opportunities, such as curling or sailing. Other awards have: supported local food banks and community larders; developed a wildlife facility; supported unemployed people with CV writing and completing job applications; and provided community defibrillators around the county.

## Public Health: Service review

### What we said we would do

- Undertake a series of service reviews to make sure Public Health services are delivered as effectively as possible. Support the Health and Wellbeing Board to manage its relationships with local people, other partnerships and organisations and deliver the Joint Health and Wellbeing Strategy. We recognised that we needed to ensure that health and social care services are more joined up. 60% of people should complete alcohol treatment with 90% of those accessing treatment having a waiting time of three weeks or under.

### What we achieved

- In the 12 months before the drug and alcohol payment by results pilot began in 2012, 845 people with an alcohol problem in Lincolnshire accessed services. This compared with 1,320 people by the end of March 2014. Eight out of 53 people with problems caused by alcohol misuse achieved abstinence in the year before the changes, compared with 231 out of 761 people quitting in the last year. 61% of people completed alcohol treatment and 100% accessed treatment in three weeks or under.
- The Wellbeing Service introduced a major change to the way the council delivers prevention in Lincolnshire. The more integrated model with Public Health and Adult Care has now been commissioned and we have started work to increase the number of people living independently across the county.
- Some of our largest Public Health commissioned services have now been remodelled to focus on client outcomes and they continue to improve service quality.
- The work of Lincolnshire's Joint Health and Wellbeing Strategy, to improve the health and wellbeing of older people, continued to coordinate and promote projects delivered across partners and communities. The partnership has increased the ways for older people to participate in designing, delivering and evaluating these projects. We have completed this work successfully.

### Where we need to improve

- We will develop the work linked to Lincolnshire's Joint Health and Wellbeing Strategy to improve the health and wellbeing of older people, next year. This will help us to understand and develop ways to reduce the impact of poverty and social isolation or loneliness which some older people experience.

### Our plans for the future

- We will align services to best meet service user needs and respond to the changing local health and care landscape.
- The shared priorities and outcomes set out in the Joint Health and Wellbeing Strategy for Lincolnshire, and the outputs of Lincolnshire Health and Care Review, will form the basis for our future joint commissioning decisions.
- 60% of people referred for alcohol treatment will complete treatment in a planned way.
- Expect 90% of people receiving support from the Wellbeing Service to maintain their independence and improve their physical and mental health.
- Promote healthier lifestyles, with 70% of those starting an exercise referral programme completing it successfully. The programmes support people to improve health conditions through lifestyle changes, such as increasing physical activity levels.

## Public Health Screening programmes

### What we said we would do

- Protect the health of the population by assuring the quality of screening programmes, immunisation programmes and health emergency planning, commissioned and delivered by the NHS. Work with others to ensure that infections are prevented and managed. This included chlamydia diagnosis for 15 to 24 years olds.
- Offer health checks to 20% of people aged 40 to 74 who do not have a pre-existing health condition, with 57% of those taking up the health check. This reflects national guidance and the regional average. Evidence indicates that people who are lower risk are likely to have a lower take-up.

### What we achieved

- Lincolnshire's chlamydia screening programme tested 25% of 15 to 24 year-olds last year, with many more offered information. The county has screened a high proportion of its target population, coming second in the East Midlands.
- 58% of the population aged 40 to 74 took up an NHS health check. That's 26,894 people out of the 46,559 who were invited to attend. The contract has incentive targets payments set at 60%, 65% and 70% uptake rates to encourage GP practices to follow up patients who have not responded in the first instance.

### Our plans for the future

- In line with national guidance we will: maintain access to sexual health services; reduce excess weight in 4 and 5 year-olds and 10 and 11 year-olds; maintain the percentage of health checks offered.

## Commissioning in Public Health

### Where we need to improve

- Commission services that are able to prioritise people based on how vulnerable they are to losing their independence and offer a one-stop shop.
- In coming years, opportunities to improve the services we deliver to the residents of Lincolnshire will mean further challenges ahead. We need to seek improvement continually in the services we commission. This will ensure that in future, services will continue to be fit for purpose and are able to evolve with the needs of residents.
- It is increasingly important for commissioners of services across the authority to work jointly with each other: making sure services are aligned and that we achieve service users' outcomes in the best way possible.

### Other plans for the future

- Public Health in Lincolnshire will continue to be active in promoting and driving health and planning in the county. Although developments are in the early stages, we expect that bringing these two areas together will bring about positive health and wellbeing outcomes across communities.
- The Wellbeing Service will carry on helping people stay independent. We will review the effectiveness of our services, build on success and address any issues. We will develop services further, to integrate health and social care services and be ready for the future, in line with the Care Act.
- Following the successful move of sexual health from the NHS to the council, we will review local needs and make sure that we commission services appropriately.

- Produce the report on the state of health of the people of Lincolnshire, outlining key issues that call for the attention of local people and organisations.

## Promote community wellbeing and resilience

This means we will promote the importance of people's wellbeing and the need for communities to be able to help themselves.

### Environmental Management: Carbon Management

#### What we said we would do

- Agree our second five-year Carbon Management Plan, committing to cut emissions by 22%, by April 2018.

#### What we achieved

- Continued to implement carbon management action plans and agreed a corporate Climate Change Adaptation Risk Management Plan. This follows our sign-up to Climate Local (demonstrating our ongoing commitment to reduce carbon emissions and improve resilience to the effects of our changing climate and extreme weather).
- Continued to invest in appropriate renewables. Solar panels have been installed on most fire stations, The Collection and the Museum of Lincolnshire Life and waste transfer stations. These reduce energy bills and emissions and generate revenue.
- Used an invest-to-save fund to reduce energy consumption in our own buildings, including schools. To date over £2 million has been invested reducing annual bills by £400,000.
- Continued to support Lincolnshire schools to reduce energy bills and invest in energy efficiency and renewables through the Schools Collaboration on Resource Efficiency (SCoRE) scheme. Investment in boiler room insulation and technologies typically save schools over 10% on their bills.

#### Our plans for the future

- Progress the Carbon Reduction Plan, with a 22% reduction by 2018 and a 4% reduction in 2014/15.

### Environmental Management: Energy from Waste facility

#### What we said we would do

- Start operating our Energy from Waste facility, so that we can use most of what isn't recycled to generate electricity. The North Hykeham plant is designed to distribute heat locally and divert 150,000 tonnes of waste from landfill each year.

#### What we achieved

- Continued with our investment of over £140 million in a combined heat and power plant, which has been built in North Hykeham, plus associated transfer stations. This began receiving waste during 2013, and is now fully operational, allowing us to minimise household waste sent to landfill.
- Four new waste transfer stations around the county opened in July 2013 and were shortlisted by the Chartered Institution of Wastes Management, for a national award recognising environmental excellence in sustainable buildings. Along with the existing site at Louth, these sites provide local points to receive waste, which is then sent to the new Energy from Waste facility.
- Landfilled only 25.4% of municipal waste, a significant reduction on the previous year (47.1%) and 49.4% of waste was reused, recycled or composted. Since its opening part way through the year, the Energy from

Waste facility received the vast majority of the waste that would previously have been landfilled. We have also recycled street sweepings, which would previously have been landfilled.

## **Our plans for the future**

- Continue to divert waste from landfill to the Energy from Waste facility. Along with our recycling efforts, we anticipate that in future, landfilling will be minimal. We expect to exceed the national target, sending 54.5% of household waste for reuse, recycling and composting. We will review this as part of our Joint Municipal Waste Management Strategy.

## **Environmental Management: Lead Flood Authority**

### **What we said we would do**

- Help communities to be less likely to flood and more resilient to flooding if it does occur.

### **What we achieved**

- In December 2013, our coastal defences and emergency planning coped well with the largest surge to hit the east coast in 60 years.
- Continued to develop our new role as Lead Local Flood Authority during 2013/2014 and carried out 11 formal investigations into flooding incidents that happened in that period. Carried out the Joint Local Flood Risk and Drainage Management Strategy as part of these responsibilities, including publishing an action plan: a works programme for 2014/2015.

## **Energy from Waste facility, North Hykeham**



## Our plans for the future

- Make sure our expertise in water management is fully exploited as a driver for economic growth and inward investment, through the Greater Lincolnshire Economic Partnership.
- Develop our role as lead local flood authority and work with the Environment Agency on the statutory Flood Risk Management Plan. As part of this, we will consider an assessment process for all sources of flood risk in the county for the first time.
- The report into the major coastal surge flood event of December 2013 will be published during 2014/2015.
- Work with the Department for Environment and Rural Affairs (Defra) on the implications of sustainable drainage legislation, and shape an approach that meets local needs.
- See 126 properties protected from surface water flood risk as a result of our contribution to flood defence schemes.

## Safer Communities: Resilience forum

### What we said we would do

- Work through the Lincolnshire Resilience Forum to help services and communities plan for and cope with the impact of major emergencies.

River Witham in flood



## What we achieved

- Tested plans for dealing with a serious train crash through Exercise Georgiana, one of the biggest training exercises ever held in Lincolnshire. This involved a simulated crash site, survivor's reception centre and the County Emergency Centre, where the multi-agency response was coordinated. The exercise, held in May 2013, involved more than 400 members of Lincolnshire's emergency services, other partners (such as the Environment Agency) and lots of community volunteers. The exercise challenged planning assumptions for this kind of emergency, rehearsed people in key command and control roles and helped with multi-agency co-ordination.

## Where we need to improve

- The Local Health Resilience Partnership will continue to ensure that all organisations are prepared for public health incidents, and the Lincolnshire Resilience Forum has been selected for a national exercise, focusing on readiness for an influenza pandemic in October 2014.
- Make sure that we use the lessons learnt about how we recover from major emergencies, such as the tidal surge in December 2013.

## Fire and Rescue: Appliances and equipment

### What we said we would do

- Continue to increase the number of fire engines across the county which are staffed 24 hours a day by whole-time firefighters to nine, by 2015.

### What we achieved

- Increased the number of fire engines across the county which are staffed 24 hours a day by whole-time firefighters, from six to seven.
- Spalding Fire Station has been redeveloped, with new facilities and a new training area to support our new whole-time crews.

### Our plans for the future

- We will continue to review future appliances and equipment provision within Fire and Rescue, through the contract and maintenance of fire fleet project.

## Fire and Rescue: Prevention and protection

### What we said we would do

- Continue with our fire prevention and protection work with low numbers of fatalities in primary fires and arson.

### What we achieved

- The number of people killed or injured in fires continued to be low, with four fire fatalities in 2013/2014. A further 17 people suffered injuries that needed more treatment than could be given at the scene of the fire.
- Reduced the number of arson and criminal damage offences. The number of deliberate primary fires reduced



by 21%, down from 266 in 2012/2013 to 211 in 2013/2014. In the same period, criminal damage offences reduced by 9% (559 fewer offences) across the whole county.

- Our fire safety work in the community, which includes spreading clear messages about fire protection, had a positive effect. Fires in commercial premises reduced further, from 201 in 2012/2013 to 179 in 2013/2014.
- We carried out 7,454 free home fire-safety checks in 2013/2014 as part of our ongoing drive to make Lincolnshire households safer. We also completed 2,103 fire safety audits in commercial premises in our risk-based inspections programme, all of which had a positive effect on keeping our communities safe.
- The gardens of Ayrshire House in Long Bennington received a new lease of life by 12 young volunteers taking part in the area's Prince's Trust TEAM programme, run by Lincolnshire Fire and Rescue. The volunteers funded this entirely from scratch, with money raised from bag packing in a local supermarket. The programme gives 16 to 25 year-olds a once-in-a-lifetime opportunity to develop skills which are essential for success. For some, it's the chance to turn around a difficult past and improve future prospects.
- Ran 'stay safe' workshops for over six hundred year six school children, teaching essential skills about keeping safe in Lincolnshire, including how to stay safe on Facebook. We worked with Lincolnshire Police, Lincolnshire Safer Communities Board, the British Red Cross, Western Power and Stagecoach, to deliver this multi-agency event.

### **Our plans for the future**

- Continue with our fire prevention and protection work with low numbers of fatalities in primary fires and arson.

## **Fire and Rescue: Co responders**

### **What we said we would do**

- Continue to help at 85% of co responder incidents.

### **What we achieved**

- We helped at first-responder incidents on 88% of occasions. First-responder incidents are those in which Lincolnshire Fire and Rescue respond to medical emergencies, in partnership with East Midlands Ambulance Service (EMAS) and Lincolnshire Integrated Voluntary Emergency Services (LIVES).

### **Our plans for the future**

- Help at 91% of co responder incidents.

## **Fire and Rescue: Mobilising system**

### **What we said we would do**

- Continue to work in collaboration with Hertfordshire, Humberside and Norfolk Fire and Rescue services to provide a modern and resilient system.

### **What we achieved**

- As part of our ongoing collaboration with Hertfordshire, Humberside and Norfolk Fire and Rescue services, we have improved our mobilising system. This computer system holds information about all fire appliances

and Fire Officers in the county. It makes sure that the nearest available appliance will be sent to an incident, making our responses more efficient.

## Crime and disorder

### What we said we would do

- Progress a number of joint programmes of work with the Police and Crime Commissioner to reduce antisocial behaviour, tackle domestic abuse and improve data sharing to target preventative work.
- Work with Lincoln Prison on its improvement plan and enhance its work with local partners to help reduce reoffending.

### What we achieved

- Through working with our partners, we helped to reduce recorded crime by a further 4%, resulting in 1,600 fewer crimes. Violent crime reduced by 5% (355 fewer crimes) and the number of antisocial behaviour incidents has reduced by 18% (4,830 fewer incidents).
- Serious acquisitive crime (vehicle crime, robbery and burglary: those closely associated by persistent repeat offenders) reduced by 12% (652 fewer crimes).
- The number of first-time entrants to the criminal justice system fell by 24% in 2013/2014, with young people sentenced to custody for serious crimes down by 50%.
- Reoffending by young people working with the Youth Offending Service fell to 28.9%. This is the fourth drop in a row and the 16th lowest national rate.
- The Youth Offending Service (YOS) delivered 3,500 hours of reparation in 2013/2014 and engaged with antisocial behaviour teams across the county. This ensured that we supported court orders such as Antisocial Behaviour Orders (ASBOs) which were given to young people.

Fire engine in Castle Square, Lincoln



- Developed a countywide antisocial behaviour (ASB) strategy and commissioned two new services; the first, the Mediation for Neighbourhood Related Cases of ASB, provides alternative methods to resolve long standing ASB issues in local communities. Following a successful pilot in North Kesteven, the Antisocial Behaviour and Vulnerable Victim Service was commissioned countywide. We expect this to provide victims of ASB with the right levels of support, help to address their needs and achieve long term solutions. In the first six months, both services supported 42 ASB cases through mediation, addressing neighbourhood disputes and advocacy, to deal with other support needs.
- For the first time the number of domestic abuse incidents reported to Lincolnshire Police exceeded 10,000 in 2013/2014. The number of reported incidents in the last year represented a 3% increase in domestic abuse incident reporting, or 260 more incidents reported to the Police. Some of these were victims accessing help for the first time.
- We commissioned the Independent Domestic Violence/Sexual Violence Advisor service (IDVA/ISVA) to support high and very high risk victims of domestic abuse. The service supported victims through court cases and helped them get access to legal advice and counselling services. It worked to improve household security and increased victims' personal safety and that of their children. This approach supported 336 victims and their families in the last year.
- Reduced the repeat victimisation rate of high and very high risk domestic abuse cases, through our Multi Agency Risk Assessment Conference (MARAC) approach, to safeguard victims and their children. In 2013/2014 we reduced the overall repeat rate to 19.6% whilst supporting 795 high risk cases of domestic abuse, 140 more cases than 2012/2013.
- Introduced a domestic abuse charter, of 10 standards for agencies to work towards, embedding their commitment as an organisation to recognising and tackling domestic abuse. This has been adopted by all partners with some agencies already achieving all 10 standards in 2013/2014.
- Established a School Link Worker post to include domestic abuse awareness within schools' policies and make domestic abuse a safeguarding issue for teachers and support staff.
- Commissioned the school engagement project to identify the educational resources which were already delivering crime prevention activities in schools. The project was started to help us understand the needs in the different parts of our communities and the gaps in providing crime prevention education.
- Delivered training to over 150 staff from partner organisations covering female genital mutilation, forced marriage, honour based violence, male victims and e-safety (the safe and responsible use of technology). We have also refreshed our domestic abuse website and revised our domestic abuse e-learning module for partners.
- Continued our work with the Police and other partners to reduce the harm caused by legal highs in the county. This included commissioning treatment services to deliver training and awareness courses around legal highs to educational establishments and other identified priority groups.
- Our prison development group has introduced a way of managing a prisoner's release, ensuring that prisoner and family needs, such as housing, health and employment support, are in place before they are released back in to the community. This ensures that support services and key functions, such as appointments with substance misuse and employment advisors, are immediately available, to help break the cycle of reoffending.
- Started to work with private sector partners to deliver NVQ courses such as building, joinery and hygiene, to help prisoners gain qualifications. This will increase employment potential when they are released and help to deliver a paid service within the prison.

## **Our plans for the future**

- In 2014/2015 the Community Safety Partnership will focus on safeguarding and improved information sharing. Partnerships will concentrate more on prevention by identifying the signs for crime, disorder and antisocial behaviour. There will be a focus on the family and community needs and tackling the cause rather than the symptom. We will also look to develop our partnership approach to working together on emerging issues, such as organised crime, cyber-crime, human trafficking and modern slavery.
- The Youth Offending service, working with the Police and our Families Working Together programme, will develop a restorative approach to crime and disorder; concentrating on victims' needs whilst reducing the risk of young people becoming criminalised.
- The school engagement project will help educational establishments to address their community safety needs, through a personalised and tailored package for each establishment. This may include addressing areas such as hate crime, domestic abuse and the law in general.

## **Trading Standards**

### **What we said we would do**

- Support economic growth by tackling rogue traders and unfair trading practices, helping businesses to comply with the law and protect consumers from scams and unsafe products. We also make sure essential safety and welfare standards are achieved in the farm-to-fork food chain.

### **What we achieved**

- Taken tough action on counterfeit goods, which fund organised crime, undermine local businesses and put consumers at risk from potentially unsafe products. This resulted in seven successful prosecutions in 2013/2014, which concluded during the year. Nine warning letters were issued, several tonnes of goods were forfeited and over £100,000 claimed back through the courts, from those profiting from trading in counterfeit goods.
- Following a successful pilot, we launched Lincolnshire's Operation REPEAT, to prevent vulnerable and elderly residents becoming victims of doorstep crime and scams. As at 31 March 2014, the Operation REPEAT Partnership ran 22 awareness training events for 330 health and social care professionals who work with over 4,233 older and vulnerable people on a daily basis.
- Visited over 1,300 businesses to check compliance and support businesses in ensuring they traded fairly and safely. We sampled over 330 goods to check for compliance, including sending some for expert analysis. This included sampling food for description and safety, based on local priorities and the nationally coordinated sampling programmes. Species checks on food, including looking for and finding horsemeat, formed part of this work. We also seized over 12,000 consumer products, removing non-compliant unsafe goods from the market.
- Supported a national priority by conducting 121 feed hygiene audits at feed manufacturers, food manufacturers, hauliers, stores and farms to ensure the safety of animal feed. This prevents feed contamination and disease, and upholds the safety and standards of food entering the human food chain. 60 food hygiene inspections at farm level were also carried out as part of this work, together with formal testing and analysis of feed samples and inspections at the ports of Boston and Sutton Bridge.
- In partnership with the Police and HM Revenue and Customs, we continued to tackle the sale of illicit tobacco and alcohol, seizing over 134,000 cigarettes and 45kg of hand rolling tobacco.

## Registration and celebratory service

### What we achieved

- For the fourth year running, our Registration and Celebratory Service achieved customer service excellence and met the Government Standard. This registers births, deaths, marriages and civil partnerships. It conducts a range of ceremonies, including wedding, civil partnership, citizenship, naming, renewal of vows, funeral and memorial services.
- Tell us Once, delivered by our Registration Service, continue to notify local and Central Government departments of a birth or a death. Early in 2014, they took part in a national pilot, informing NHS partners of the death of pension holders.
- 569 people became British Citizens through formal citizenship ceremonies in 2013/2014.
- In line with Government legislation, the Registration Service prepared for the introduction of same-sex marriage. This was available from March 2014, and ensured equality for all.
- Moved the registration offices successfully in Bourne and Skegness, with improved facilities in Skegness for ceremonies and car parking.

### Where we need to improve

- The Immigration Act 2014 will bring in new responsibilities for registration officers, connected with data sharing. We will also need to apply further changes to marriage/civil partnership by April 2015, with the extension of the notice period from 15 days to 28 days.
- The Coroners and Justice Act 2009 will continue to have a positive effect on senior coroners' investigations of deaths. We will introduce the new role of medical examiner, as a further proposal in this legislation and we expect national public consultation to take place in 2014/2015.

Registration and Celebratory Service team



## Influence, co-ordinate and support other organisations that contribute to the life of Lincolnshire

Some highlights of what we will do are listed below.

### Enterprise

#### What we said we would do

- Help the Local Enterprise Partnership, a voluntary partnership between councils and businesses to produce its growth plan. This plan sets out how the county council, other public organisations and the private sector speed up growth in the county's economy over a 20 year period. It also forms the basis for the Government and European Union to allocate grants between 2014 and 2020.
- Lobby for the Government and others to prioritise rural enterprise as part of their economic development actions.
- Work together with all parties interested in Lincolnshire's prosperity to raise the profile of Lincolnshire as a place to live, work, invest and visit, particularly promoting new opportunities.
- Continue to lobby for improvement to the rail services across the county as part of the national rail franchise re-letting programme, in particular increase direct services between Lincoln and London, as well as to other nearby major cities.

#### What we achieved

- Helped businesses to develop and grow our economy. This helped to identify local economic priorities and lead economic growth and job creation.
- Greater Lincolnshire was awarded more than £110 million to stimulate economic growth and jobs in the region. This is the area's share of the European Regional Development Fund (ERDF) and the European Social Fund (ESF) for 2014 to 2020 and represents a significant increase from the £28 million we were awarded last time.
- We took every opportunity to promote Lincolnshire to businesses and investors, for example our chairman made visits to important employers. Our Leader and Portfolio Holder for Economic Development led a major business event at Belton, near Grantham. We worked with the Lincolnshire Enterprise Partnership on their promotional visit to the MIPIM Trade Fair (the international trade fair of real estates and investment opportunities).
- Agreement from Network Rail to put new footbridges over the rail crossing in Lincoln.

#### Our plans for the future

- We will need to make the best case possible for our share of future funding for the rural areas of the county, and decide how best we can help these areas in the years to come.
- We will assemble EU and other grants to promote prosperity. We will commission a broad range of high quality schemes that will help us to continue the county's economic growth.

## Health

### Where we needed to improve

- Build relationships with Clinical Commissioning Groups and Health Provider trusts.

### What we achieved

- Provided expert public health advice to local NHS commissioners, including Clinical Commissioning Groups. This included producing health profiles for each of Lincolnshire's four groups.
- Each of the Joint Health and Wellbeing Strategy theme sponsors, who also sit on the Health and Wellbeing Board, were supported and advised by a public health consultant.

### Where we need to improve

- Carry on supporting the Health and Wellbeing Board in delivering the Joint Health and Wellbeing Strategy to ensure continuous improvements.

### Our plans for the future

- Use the health profiles alongside local intelligence, to help shape all aspects of health work in Lincolnshire.
- Improve the health of the groups in society who have the worst health deprivation and inequalities, by involving other organisations, helping to lead to greater health benefits. Their role in raising the awareness of healthy lifestyle habits is a crucial one and we will carry on supporting these organisations in their Public Health role.

## Make the best use of all of our resources

### Modern and flexible IT systems

#### What we said we would do

- Benefit from annual savings of £1.3 million starting in 2013/2014 from our Next Generation Platform project. This is our major information and communication technology (ICT) programme for change, helping us to cut costs and provide a more robust, modern and flexible ICT system for the future.

#### What we achieved

- Annual Savings of £1.3 million were realised, following the implementation of the Next Generation Platform project.

#### Our plans for the future

- Introduce a new case management system, starting with social care and Public Health, to deliver operational efficiencies and cost savings.
- Continue to work with IT service providers to make sure that IT remains a key enabler of service improvements and efficiency savings. We will achieve this by reviewing systems (contracts and costs) and promoting opportunities to share services with partner organisations.

### Transforming our systems and business processes

#### What we said we would do

- Continue to progress the Future Delivery of Support Services (FDSS) programme, to ensure that our services are fit for the future and deliver further efficiencies.

#### What we achieved

- At the end of a tender process, a five-year contract worth £71 million was awarded to Serco, an international company, which will provide our IMT, finance, HR and customer services from April 2015, following a year of transforming services through new IT systems and business processes.

#### Where we need to improve

- Introduce employee self-service, using the Agresso programme to improve HR and payroll services to employees and managers. This will make systems more efficient and provide more accurate information for managers.

#### Our plans for the future

- Work with Serco to transform our systems and business processes and ensure a smooth transition before they take over delivering IMT, HR, Finance and Customer Services in April 2015.

### Property

#### What we said we would do

- Continue to review and rationalise the council's properties and review a further 50 buildings to continue to reduce the cost of accommodation per employee.



## What we achieved

- Put the contract for the council's property services out for procurement. This aims to rationalise our property portfolio and achieve savings.
- Exceeded our target for the sale of surplus land and buildings, generating £3.2 million against a planned £2 million. We also rationalised our property portfolio, to reduce office space and met the projection of more than £1 million savings, by the end of March 2014.

## Our plans for the future

- Plan a further saving from our property rationalisation programme for 2017/2018 which will save another £1 million.
- Appoint a new partner in autumn 2014 and work with the new contractor, in readiness for the start of the new contract in April 2015. This will begin the corporate landlord model roll-out, which will move us towards centralised management for the property estate and drive down its operational costs.

## Procurement Lincolnshire

### What we said we would do

- Work together with Procurement Lincolnshire and our partners to deliver further savings and work with local businesses, within our sustainable procurement strategy.

### What we achieved

- Our sustainable procurement strategy has seen Procurement Lincolnshire achieve savings totalling over £7.5 million for all partners.

### Our plans for the future

- We will update all our standard procurement documents to make sure they comply with the new EU procurement directives, which will come into effect in the UK during 2014/2015.

## Employee wellbeing

### What we said we would do

- Continue to raise health awareness issues with Lincolnshire public sector employees, through iCount.

### What we achieved

- We took part in the Global Corporate Challenge project, with county council staff walking a total of 222,144 miles and coming second in the whole world in the government sector category.

### We also

- Became one of just two county councils in central England and the first in the East Midlands to be awarded Investors in People Bronze status. This demonstrates the authority's commitment to the success of its employees and reflects their passion to deliver excellent services.

- Started to review our terms and conditions of employment and undertook extensive consultation with staff to modernise terms and conditions of employment.
- The new online County News website was launched for residents in August 2013, including extra content and new multimedia. This put all the features in one convenient place, with some extra interactive information, such as audio and video. Popularity has grown significantly from just over 200 visits a month before the re-launch, to more than 500 visits a day for some individual articles.
- Secured business rate pooling agreements (which allow us and partner authorities to collect business rates together, to avoid paying a levy to Government on rates collected) with two district councils. This meant that we kept almost £550,000 of local income that would otherwise have gone to Central Government.

### **Where we need to improve**

- Although we have significantly reduced employee sickness levels through robust management and support from Occupational Health, we intend to reduce this further during 2014/2015.
- Improved information governance has highlighted a need to review the council's approach to records management (where and how we store paper and electronic records, and how and when we destroy them).

### **Our plans for the future**

- The council will undertake a fundamental review of services' priorities and associated budgets before the start of 2015/2016, to make sure that we deliver the spending reductions which the Government have requested.
- We will continue to develop and support our leaders and managers to lead change effectively and deliver the council's commissioning objectives, ensuring that staff are clear about their personal leadership responsibilities for effective services, community empowerment and value for money.
- We will continue to make sure that we keep, develop and deploy key skills, working collaboratively with our strategic partners and service providers, to meet the needs of our customers and communities.
- We will support our senior managers to assess their staffing needs across the council, based on our review of service priorities and associated budgets. We will ensure that the right organisational and workforce change is managed effectively, by adopting best practice HR processes.
- We will agree a partnership with another Local Government Pension Fund for a new pensions' administration service.

## Commissioning council

Being a commissioning council means that we will carefully assess the best way to deliver what our customers need; sometimes using internal and sometimes external delivery arrangements. Commissioning is a way of focusing on the best way to improve life for our customers, effectively, efficiently and on time. This means that we will not always deliver our outcomes directly. Instead, these may be provided by partners and organisations we have commissioned to supply on our behalf.

We are developing 17 commissioning strategies, to focus on priority outcomes to provide for our residents, visitors and businesses, in the following areas.

- Children are safe and healthy, which aims to ensure all children and young people will be safe and healthy.
- Learn and achieve, which aims to ensure all children and young people will learn and achieve, enabling them to reach their potential.
- Readiness for adult life, which aims to ensure all young people will be prepared and ready for adult life.
- Readiness for school, which aims to ensure all children will be ready to learn when they start school, enabling them to achieve their full potential.
- Adult specialities, which aims to improve outcomes for adults with mental health, learning disabilities and/or autism.
- Carers, which aims to ensure that carers feel respected and are able to balance their caring roles and maintain their quality of life.
- Adult frailty, long term conditions and physical disability, which aims to ensure that individuals receive appropriate care and support that enables them to feel safe and live independently.
- Safeguarding adults, which aims to ensure that all vulnerable adults' rights are protected to live in safety and free from abuse and neglect.
- Enablers and support to the council's outcomes, which will include the enablers required to support the delivery of the council's agreed outcomes.
- How we do our business, which will include the overarching governance and standards for the council, including decision making through the democratic process.
- Protecting the public, which will cover all of the work required in order to protect the communities in Lincolnshire.
- Sustaining and growing business and the economy, which covers how the council will help businesses to be the drivers of economic growth through supporting a climate in which they are able to invest, enhance their business performance, and offer attractive jobs to a skilled workforce.
- Protecting and sustaining the environment, which covers how the council will protect, enhance and balance our environmental needs.
- Sustaining and developing prosperity through infrastructure, which facilitates growth and prosperity through encouraging investment and enhancing the economic potential of the county.
- Community resilience and assets, which aims to assist communities in the county to support themselves. It will also include the community response to emergencies.
- Wellbeing, to assist improvements in the health and wellbeing of the population as a whole, it covers advice, information and preventative services.

- Enablers and support to key relationships, which encompasses the council's corporate strategies and the support to our relationships with the public, service users, partners and outside bodies.

Lincolnshire County Council offices



## Equality and Diversity

Our approach to equality and diversity puts people, both our customers and our staff, at the heart of what we do. Our objectives relating to equality are as follows:

- We value our entire workforce and want to make sure they can do the best job. We will be reviewing the most significant staff management policies to make sure they are consistent yet flexible, and fit for a modern local authority.
- We want to make a positive difference for our communities. When we review or introduce a policy or activity, commission or begin a new project, we look at the effect it will have on people. Similarly, when we start a new project we will carefully consider the effects and review these throughout the life of the project, supporting people through the change. This is called impact analysis and it helps us to make better informed decisions.

### What we said we would do

- Continue to review our human resources policies including: absence management; recruitment and selection and flexible working.
- Analyse our equality and diversity training to make sure it is comprehensive and fit for purpose. Also, provide the right levels of training to those employees using Dragon (voice-activated) software, following the training needs analysis.
- Seek the two ticks: Positive about Disability accreditation for our activities, from the Jobcentre.
- Improve the way we consider the impact of our projects on people.
- Continue to identify innovative ways to comply with the Equality Act 2010 Public Sector Duty, to publish information about people who use our services.

### What we achieved

- Involved relevant staff in discussing the impact of people management policy changes. These are ongoing because of the nature of large scale change in the council.
- Continued to review our human resources plans with staff, to lessen any negative effects of new policies during 2013/2014.
- Updated our e-learning system, Lincs2Learn, to make sure we included our approach to impact analysis. This is now included in management training and our electronic learning module for relevant staff. We updated our online equality and diversity training for managers and employees.
- Provided Dragon software training for 15 employees.
- We were re-accredited with the two ticks, Positive about Disability symbol by the Jobcentre. We achieved this by meeting five commitments about employing, keeping, and developing disabled employees.
- Reviewed our project management standard, making sure the requirement to analyse the impact on people of our projects and programmes was clear. We also developed a how-to module for project teams, to help project managers and staff working on projects, understand the best ways to consider the impact of our policies on local people. Methods might include discussion groups to get a wide range of views on the benefits of our projects and how they might affect local communities and staff.
- Continued to review our work on complying with the Equality Act 2010 to begin to make sure that our

commissioning approach complies with the Act. We began by reviewing our equality objectives, published in our updated Business Plan which was approved by council in February 2014.

- Began work to look at the personal data we ask our customers for; whether it's appropriate to gather this data and how it is used.

### **Where we need to improve**

- Our ability to report on staff equality and diversity monitoring will be improved by introducing new technology during 2015/2016.
- Promote further e-learning training on equality and well-being.

### **Our plans for the future**

- Continue to review our workforce information and monitoring, to make sure practices are fair and equitable, using the new systems available to us.
- Continue to use new and existing processes to embed equality and diversity in our activities, whether this involves delivery, procurement, contracting or commissioning. We will use new HR technology, including the Agresso system to gather reporting data for staff involved in each of these activities, and will review our training and provide regular communications to help us achieve this.
- Continue to embed equality and diversity within our people management policies and procedures.
- Continue to develop the work on monitoring customer data, so that we have a helpful approach that informs council decision making.
- Review our website to make sure that we comply with the requirements of the Equality Act 2010 and that the site is easy to navigate.

## Summary of 2013/2014 accounts

Every year we prepare accounts to show what income we have received and what we have spent on services.

This summary shows how we performed during the financial year from 1 April 2013 to 31 March 2014, and our financial position at the end of that year.

The financial information below is a summary of the full set of accounts, known as the statement of accounts. To get a copy of the statement of accounts, contact us in any of the following ways.

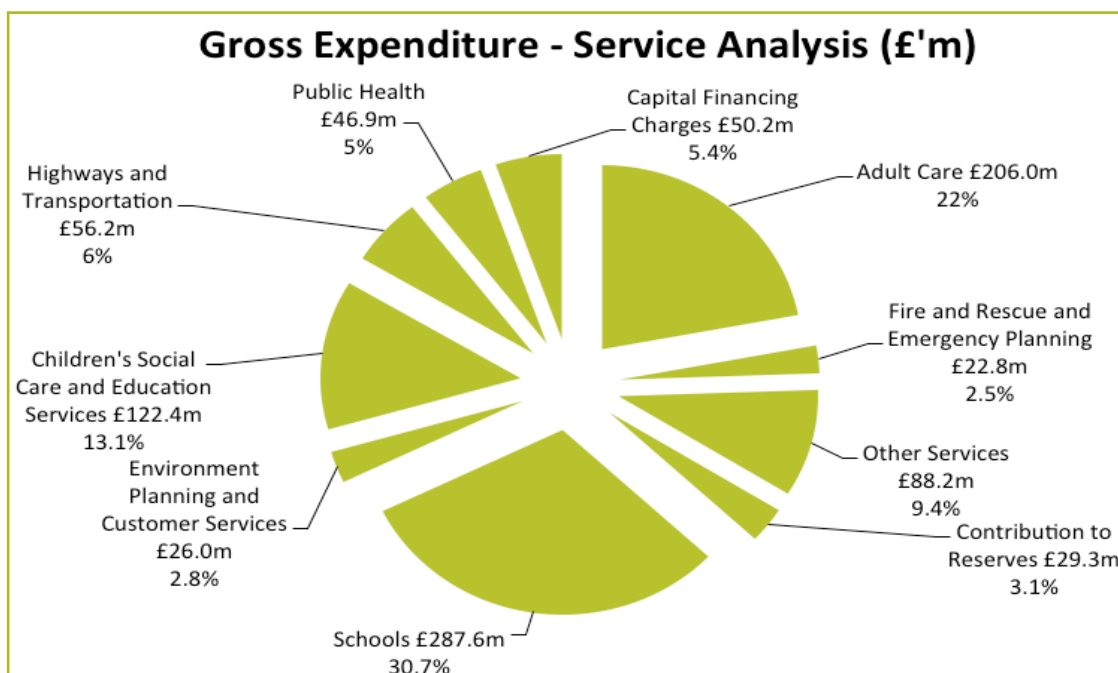
By phone 01 522 553648 (leave a message asking for a copy)  
Website [www.lincolnshire.gov.uk/finance](http://www.lincolnshire.gov.uk/finance)  
By email [finance@lincolnshire.gov.uk](mailto:finance@lincolnshire.gov.uk)

### Money for day-to-day services

We spent £906 million on the day-to-day running of services in 2013/2014. That is £1,238 for every person in Lincolnshire.<sup>3</sup>

Before the beginning of each year we set ourselves a budget of how much we can spend over the coming year. By managing our spending, we have been able to provide the same level of services at a lower cost and secure substantial cash efficiencies. In total we spent £62.373 million less than our budget. Most of this underspend relates to school budgets and will be carried forward for our schools to spend in future years.

### How the money was shared between different services



<sup>3</sup> The £1,238 spend per head of population is based on a population forecast of 731,723 provided in the Department for Communities and Local Government's 2013/2014 Local Government Finance Settlement. This notified the council of the amount of Central Government funding it would receive for the year.

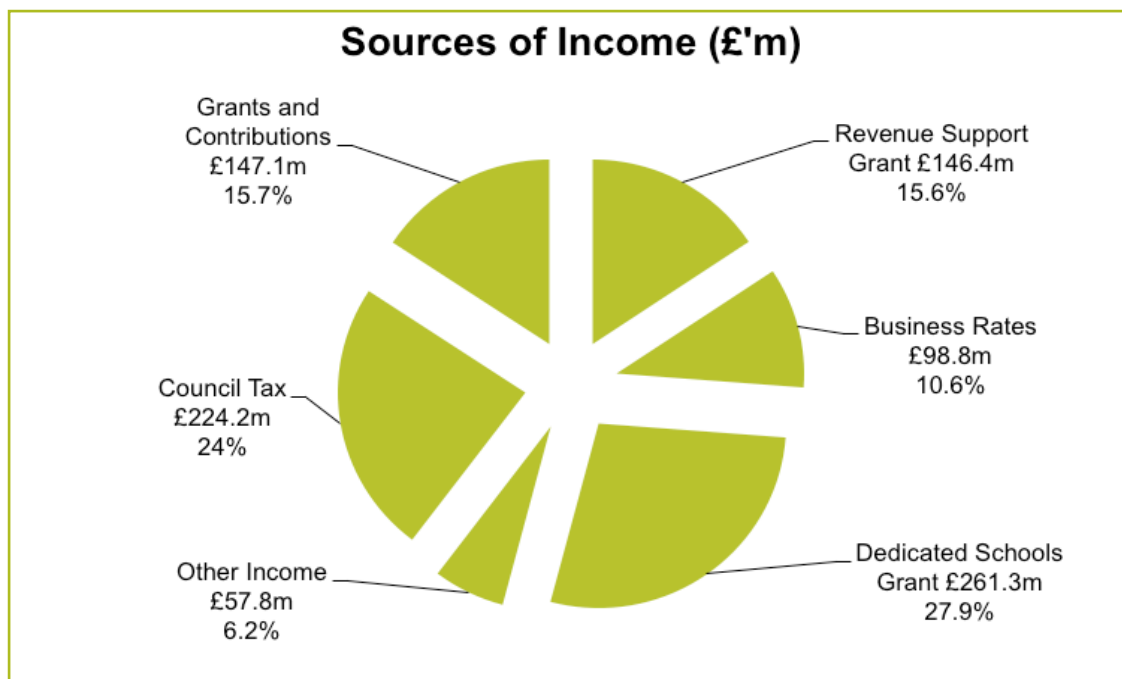
In 2013/2014, we divided our spending as shown above.

Other Services includes: Economy and Culture, Community Safety and Support Services (including: Finance, IMT and HR).

31% of our spending on services went on schools, and a further 13% was spent on other services for children. Adult Care received the second biggest share at 22%.

### Where the money for services comes from

In 2013/2014 we received income from the following sources:



Our income was £936 million. This came from several sources, including grants from the Government, council tax, business rates and charges residents paid for services.

- 16% of our income came from general Government funding. We received £146.4 million in revenue support grant in 2013/2014. This is a general grant paid to local councils by the Government to support the services they provide.
- In addition to this we received £261.3 million (or 28%) of dedicated schools grant which is used for funding education in Lincolnshire.
- 24% of our money came from council tax. Our level of council tax stayed one of the lowest in the country, with only two out of 27 counties setting a lower rate.

### Our financial position on 31 March 2014

Our reserves – or the amounts we have set aside to be used in the future – now amount to £136.1 million. £33.896 million of this is the savings made by schools and is held on behalf of individual schools. £85.8 million is set aside for future spending on specific services or projects. The remaining £16.4 million is a general reserve which we need to protect us against financial risks such as unexpected extra costs or losses in the future.



We owe £458.9 million, which we borrowed to pay for assets which will last many years, such as schools and roads. What we borrow is limited by what we can afford to repay each year. We make sure that the borrowing we have to repay each year and the interest we pay on our borrowing is not more than 10% of our annual income. Last year our repayments and interest were less than 5.9% of our income.

## Contacts

### By phone

Our Customer Service Centre is open from 8am until 6pm from Monday to Friday (except on bank holidays or as otherwise stated) to answer your calls. The main number is 01522 552222 and the following is a list of dedicated phone numbers.

| Department  | Available   | Number              |
|---|---|---------------------|
| <b>Blue Badge</b>   | 8am to 6pm weekdays   | <b>01522 782232</b> |
| <b>CallConnect</b><br>Providing public and community transport across the county  | 8:30am to 6pm weekdays and 9am to 5pm on Saturdays                  | <b>0845 2343344</b> |
| <b>Welland CallConnect</b><br>Covering Stamford and Market Deeping  | 9am to 6pm weekdays and 9am to 5pm on Saturdays                     | <b>0845 2638153</b> |
| <b>Carers' Service</b><br>Support and advice for unpaid carers  | 8am to 6pm weekdays   | <b>01522 782224</b> |
| <b>Community Safety</b><br>Including emergency planning, crime and disorder contacts  | 8:45am to 5:15pm Monday to Thursday and 8:45am to 4:45pm on Fridays | <b>01522 782050</b> |
| <b>Corporate Services</b><br>Including enquiries about Lincolnshire development and freedom of information  | 8am to 6pm weekdays   | <b>01522 782060</b> |
| <b>Heritage Services</b><br>Museums, heritage attractions and archives  | 9am to 5pm every day (including bank holidays)                      | <b>01522 782040</b> |
| <b>Education</b><br>The first point of contact for educational services for children aged 4 to 18   | 8am to 6pm weekdays   | <b>01522 782030</b> |
| <b>Family Information Service</b><br>Providing information and advice for pre-school placements, childminders and nurseries                                   | 8am to 6pm weekdays   | <b>0800 1951635</b> |
| <b>First Contact</b><br>Provides a single gateway to services designed to help people aged 60 and over to live independently in their own homes               | 8:45am to 5:15pm Monday to Thursday and 8:45am to 4:45pm on Fridays | <b>01522 782172</b> |
| <b>Fostering and Adoption Service</b><br>The first point of contact for customers looking into fostering or adoption  | 8am to 6pm weekdays and 9am to 4pm on Saturdays                     | <b>0800 0933099</b> |
| <b>Highways and Planning Service</b><br>Handling enquiries about the county's roads, footpaths, verges, street lighting, recycling and environmental services | 8am to 6pm weekdays (for out-of-hours emergencies please see below) | <b>01522 782070</b> |
| <b>Library Services</b><br>Dealing with book renewals and reservations, computer booking and other library enquiries  | 9am to 5pm every day (including bank holidays)                      | <b>01522 782010</b> |

| Department   | Available   | Number        |
|--|---|---------------|
| <b>Adult Learning Service</b><br>Offering information and advice on adult education  | 9am to 5pm every day  | 01522 782011  |
| <b>Public Health</b><br>Health care, improvement and protection community engagement   | 8am to 5pm weekdays   | 01522 553729  |
| <b>Registrations and Celebratory Services</b><br>Registration of births, deaths, marriages and civil partnerships                            | 8am to 6pm weekdays and 9am to 4pm on Saturdays   | 01522 782244  |
| <b>Schools Transport Service</b><br>The first point of contact for school transport for children aged 4 to 18                                | 8am to 6pm weekdays   | 01522 782020  |
| <b>Adult Care Team</b><br>Social care services for adults  | 8am to 6pm weekdays (for out-of-hours emergencies please see below)   | 01522 782155  |
| <b>Children's Social Care Team</b><br>Social care services for children  | 8am to 6pm weekdays (for out-of-hours emergencies please see below)   | 01522 782111  |
| <b>Tourism Service</b><br>Information about tourism in Lincolnshire  | 9am to 5pm every day (including bank holidays)  | 01522 782332  |
| <b>Trading Standards</b><br>Handling trading standards enquires  | 8:45am to 5:15pm Monday to Thursday and 8:45am to 4:45pm on Fridays   | 01522 782341  |
| <b>Minicom</b><br>Contact point for people who are deaf or hard of hearing   |   | 01522 552055  |
| <b>Emergency Duty Team (Social Care)</b><br>Handling out-of-hours emergency social care contacts   | 5pm to 8:45am Monday to Thursday, and 4:45pm on Fridays to 8:45am on Mondays (24-hour service on bank holidays) | 01522 782333  |
| <b>Highways and Planning out-of-hours emergencies</b><br>To report a road emergency outside office hours please contact Lincolnshire Police. | 8am to 6pm weekdays   | 0300 111 0300 |

Outside normal working hours there is a recorded message with details of emergency numbers. Your calls may be recorded for training and quality assurance purposes. All of your information is protected by the Data Protection Act and may be shared with other organisations.

**By letter**

Lincolnshire County Council  
County Offices  
Newland  
Lincoln  
LN1 1YL

**On our website**

[www.lincolnshire.gov.uk](http://www.lincolnshire.gov.uk)

**By email**

For non-social care enquiries: [customer\\_services@lincolnshire.gov.uk](mailto:customer_services@lincolnshire.gov.uk)

For social care enquiries: [csc\\_socialcare@lincolnshire.gov.uk](mailto:csc_socialcare@lincolnshire.gov.uk)



County Council

**Open Report on behalf of Pete Moore, Executive Director Finance and Public Protection**

|            |                          |
|------------|--------------------------|
| Report to: | <b>County Council</b>    |
| Date:      | <b>26 September 2014</b> |
| Subject:   | <b>Financial Update</b>  |

**Summary:**

This report:

- Describes the Executive's recommendations on budget carry forwards of over and under spending from 2013/14 into the current financial year and seeks approval for those proposals where the underspend exceeds the 1% automatically carried forward under Financial Regulations;
- Sets out performance against the Prudential Indicators for 2013/14; and
- Describes and seeks approval for an in year budget change for 2014/15 recommended by the Executive.

**Recommendation(s):**

The County Council is recommended to:

1. Note the carry forwards set out in paragraph 1.2 of the report;
2. Approve the proposed carry forwards of over and under spending set out in paragraph 1.3 of the report;
3. Note the transfers to and from reserves summarised in Table A of this report and the position of earmarked reserves as at 31 March 2014 summarised in Table B of this report;
4. Note the position in relation to general reserves set out in paragraph 1.7 and Table C of this report;
5. Note performance against the Prudential Indicators for 2013/14 as set out in paragraphs 1.8 to 1.9 and Table D of this report; and
6. Approve the proposed in year budget change for 2014/15 set out in paragraphs 1.10 to 1.11 of the report.

## **1. Background**

### **Carry forward of over and under spendings**

1.1 The Council's policy on carrying forward over and under spendings as set out in its Financial Strategy is that:

- All under and overspendings on service revenue budgets of up to 1% will be carried forward without exception.
- The use of all underspendings on service budgets in excess of 1% will be considered by the Executive and decided by the full Council.
- The means of funding all overspendings on service budgets in excess of 1% will be considered by the Executive and decided by the full Council.
- All under and overspendings on capital budgets and on the dedicated schools budget and shared services will be carried forward.
- All under and overspendings on revenue budgets where the spend is of an uneven nature will be transferred to reserves.

1.2 Under paragraph B18 of the Council's Financial Regulations forming part of the Constitution all under and overspendings on service revenue budgets of up to 1% will be carried forward without exception. In addition, any underspend in relation to schools must be spent on schools and so is carried forward in its entirety. The effect of that for 2013/14, which full Council is asked to note, is as follows:

- Up to 1% carry forward of underspendings on all service budgets (£3.999m); and
- The full carry forward of underspends relating to Schools (£21.031m).

1.3 Again under paragraph B18 of the Council's Financial Regulations the use of all underspendings and the funding of all overspendings on service budgets in excess of 1% will be considered by the Executive and decided by the full Council. Having considered the matter, the Executive recommends that the Council approve the following allocations in respect of underspends in excess of the 1%:

- The full carry forward of underspends relating to Shared Services (£1.079m); and
- Transfers to earmarked reserves linked to revenue budgets where the spend is of an uneven nature (£0.155m). Made up of: a transfer of the underspend on the Schools Sickness Insurance Fund (this provides reimbursement to schools, who are members of the scheme, when staff are absent from work) (£0.127m) and the underspend on the Insurance Fund (£0.028m).

Both of the above proposals are in accordance with the policy of the Council as set out in the Financial Strategy referred to in the final two bullet points of paragraph 1.1 above.

- The underspend on Winter Maintenance Budget (£1.043m) be used for a Salt Barn at Willingham (£0.200m) and £0.843m for Highway Maintenance;
- An additional contribution of £1.000m to the Insurance Reserve to keep the balance at a prudent level for future years;
- A transfer of £24.738m into the financial volatility reserves. £6.780m is required for the planned contribution to Council's revenue budgets in 2014/15. The balance of £43.006m will be available to fund future uncertainties in local government funding in 2015/16 and beyond;
- A transfer of £0.725m for the Support Service Contract Reserve to cover transitional and implementation costs relating to the FDSS contract renewal;
- A transfer of £5.000m for Roads Maintenance, to allow additional works to be undertaken in 2014/15;
- A transfer of £2.477m to new reserves to fund a number of service projects:
  - £0.727m for Waste Management;
  - £0.100m for Planning Appeals;
  - £0.600m for Adoption Reform;
  - £0.287m for Community Advisors;
  - £0.221m for Local Welfare Provision;
  - £0.250m for Property Management; and
  - £0.292m for Broadband Projects.
- A transfer of £0.736m to add additional amounts to existing reserves for:
  - £0.156m for Civil Parking Enforcement;
  - £0.386m for Flood and Water Risk Management;
  - £0.024m for Health and Wellbeing;
  - £0.120m for Community Safety Development Fund; and
  - £0.050m for Domestic Homicide Reviews.

### **Transfers to and from reserves**

1.4 The Council has a number of reserves earmarked for specific purposes. Transfers are made to or from these earmarked reserves at each year end dependent on actual expenditure and income during the year. These transfers include:

- transfers to reflect the carry forward of over and underspendings; and
- a variety of transfers to or from other earmarked reserves reflecting actual expenditure and income in 2013/14.

1.5 In 2013/14 the Council's total income was £29.341m in excess of expenditure. The transfers to and from reserves resulting from the proposals described above and from in year transfers reflecting actual expenditure and income are shown in **TABLE A**.



**TABLE A – Transfers to and from reserves**

|  | £           | £                 |
|--|-------------|-------------------|
| <b>Schools Carry Forward</b>                       |             | <b>-4,130,172</b> |
| <b>Other Service Carry Forwards</b>                |             |                   |
| Use of 2013/14 Service Carry Forward               |             | <b>-3,964,508</b> |
| Children's Services                                | 1,058,415   |                   |
| Adult Social Care                                  | 1,345,780   |                   |
| Public Health                                      | 168,558     |                   |
| Communities  | 854,587     |                   |
| Resources and Community Safety                     | 343,179     |                   |
| Performance and Governance                         | 228,437     | <b>3,998,956</b>  |
| <b>Other Earmarked Reserves</b>                    |             |                   |
| Insurances   | 1,028,308   |                   |
| Invest to Save                                     | -114,387    |                   |
| Schools Sickness Insurance Scheme                  | 127,345     |                   |
| Museum Exhibits                                    | -10,807     |                   |
| Development Reserve                                | -576,161    |                   |
| Health and Wellbeing                               | -1,051,549  |                   |
| Lincs Coastal Country Park                         | 386,139     |                   |
| Legal Reserve                                      | 428,816     |                   |
| Procurement Reserve                                | 50,647      |                   |
| Salix Carbon Management                            | -193,637    |                   |
| Safer Communities Development Fund                 | -500,000    |                   |
| Community Safety Development Fund                  | 120,000     |                   |
| Financial Volatility Reserve - Budget Shortfall    | -16,420,000 |                   |
| Financial Volatility Reserve                       | 29,958,396  |                   |
| Youth Service Positive Activities Development Fund | -99,017     |                   |
| Domestic Homicide Reviews                          | 50,000      |                   |
| Civil Parking Enforcement                          | 156,416     |                   |
| Support Service Contract Reserve (FDSS)            | -192,960    |                   |
| Roads Maintenance Reserve                          | 3,843,207   |                   |
| Responders to Warmth Reserve                       | -500,000    |                   |
| New Salt Dome Willingham                           | 200,000     |                   |
| Waste Management Reserve                           | 727,000     |                   |
| Planning Appeals Reserve                           | 100,000     |                   |
| Adoption Reform Reserve                            | 599,761     |                   |
| Community Advisors Reserve                         | 287,000     |                   |
| Local Welfare Provision Reserve                    | 221,000     |                   |
| Property Management                                | 250,000     |                   |
| Broadband Project                                  | 292,000     |                   |
| Flood and Water Risk Management                    | 385,635     |                   |
| Members Big Society                                | -16,067     |                   |
| Enterprise Schemes                                 | -9,000      |                   |
| Asbestos Pressure                                  | -42,560     |                   |
| Children's Insurance Pressures                     | -191,000    |                   |
| DAAT Pooled Budget                                 | -115,385    | <b>19,179,140</b> |
| <b>Revenue Grants Reserve</b>                      |             | <b>13,757,949</b> |
| <b>General Fund</b>                                |             | <b>499,960</b>    |
|  |             | <b>29,341,325</b> |

1.6 This sets earmarked reserves at the amounts shown in **TABLE B** below:

**TABLE B – Earmarked Reserves at 31 March 2014**

|  | <b>BALANCE AT 31<br/>MARCH 2014<br/>£'000</b> |
|--|---|
| <b>Schools Carry Forward</b>                       | <b>34,382</b>                                 |
| <b><u>Earmarked Reserves</u></b>                   |   |
| Other Services                                     | 3,999   |
| Adverse Weather                                    | 1,000   |
| Insurances   | 5,086   |
| Schools Sickness Insurance Scheme                  | 803   |
| Museum Exhibits                                    | 138   |
| Development Reserve                                | 577   |
| Health and Wellbeing                               | 2,932   |
| Lincs Coastal Country Park                         | 386   |
| Legal Reserve                                      | 1,569   |
| Procurement Reserve                                | 781   |
| Salix Carbon Management                            | 101   |
| Safer Communities Development Fund                 | 833   |
| Community Safety Development Fund                  | 945   |
| Co-Responders Services                             | 150   |
| Financial Volatility Reserve - Budget Shortfall    | 6,780   |
| Financial Volatility Reserve                       | 43,006  |
| Teal Park  | 50  |
| Youth Service Positive Activities Development Fund | 301   |
| Corby Glen/South Lincolnshire Sports Fund          | 171   |
| Youth Offending Service                            | 363   |
| Domestic Homicide Reviews                          | 100   |
| Civil Parking Enforcement                          | 312   |
| Support Service Contract Reserve (FDSS)            | 4,000   |
| Roads Maintenance Reserve                          | 5,843   |
| New Salt Dome Willingham                           | 200   |
| Waste Management Reserve                           | 727   |
| Planning Appeals Reserve                           | 100   |
| Adoption Reform Reserve                            | 600   |
| Community Advisors Reserve                         | 287   |
| Local Welfare Provision Reserve                    | 221   |
| Property Management                                | 250   |
| Broadband Project                                  | 292   |
| Flood and Water Risk Management                    | 621   |
| Young People in Lincolnshire                       | 334   |
| Members Big Society                                | 8   |
| Lincoln Eastern Bypass (LEB)                       | 500   |
| Unsuitable Transport Routes                        | 100   |
| Families Working Together                          | 738   |
| Enterprise Schemes                                 | 191   |
| Asbestos Pressure                                  | 137   |
| Adult Care Operations - Lincoln Prison             | 20  |
| DAAT Pooled Budget                                 | 266   |
|  | <b>85,818</b>                                 |
| <b>Revenue Grants and Contributions</b>            | <b>45,563</b>                                 |
| <b>Total Reserves</b>                              | <b>165,763</b>                                |

## General Reserves

1.7 The Council's policy on general reserves is that they will be maintained within a range of 2.5% to 3.5% of its annual budget requirement. The impact of actual expenditure and income in 2013/14 and the proposals on the carry forward of over and under spendings is that the general reserves at 31 March 2014 is £16.400m or 3.5% as shown in **TABLE C** below.

**TABLE C – General Reserves at 31 March 2014**

|  | <b>£'000</b> |
|--|--------------|
| Balance at 1 April 2013                      | 15,900       |
| Planned contribution to/use (-) in year      | 0            |
| Proposed contribution to/use of (-) reserves | 500          |
| Balance at 31 March 2014                     | 16,400       |
| <b>Balance as a % of total budget</b>        | <b>3.50%</b> |

## Prudential Indicators 2013/14

1.8 The Local Government Act 2003 gave authorities freedoms to borrow what they need to fund their capital programmes. The Act requires Local Authorities to comply with CIPFA's Prudential Code for Capital Finance in Local Authorities. The Code provides a framework to ensure that Local Authorities' capital programmes are affordable, prudent and sustainable and that treasury management decisions are taken to support this.

1.9 In complying with the Code the indicators for 2013/14 were approved by County Council on 22 February 2013 along with the budget and council tax for that year. In accordance with the Code, the Executive Director has been monitoring the actual performance against the targets set and would have reported any issues of concern to members had there been a need to. The County Council should also be informed of the actual position compared with that estimated for any given year after the year end. **TABLE D** below provides details of this comparison for 2013/14. It shows that Prudential Indicators have not been exceeded during the year and there have been no breach of limits set by the Authority.

**TABLE D – Prudential Indicators actual compared to estimated 2013/14**

| PRUDENTIAL INDICATORS ACTUAL COMPARED TO ESTIMATED 2013/2014                                   |                 |  |                 |
|--|-----------------|--|-----------------|
| Original Estimate  | 2013/14<br>£000 | Actuals  | 2013/14<br>£000 |
| Capital Expenditure Net  | 97,714          | Actual Capital Expenditure (Excl Sch RCCO & Leasing)                           | 55,898          |
| Capital Financing Requirement 31/3/2014  | 626,383         | Actual Capital Financing Requirement 31/3/2014                                 | 567,847         |
| Capital Financing Requirement Estimate at 31/3/2016  | 678,761         | Capital Financing Requirement Estimate 31/3/2016                               | 633,477         |
| Gross External Borrowing   | 529,986         | Actual Gross External Borrowing  | 455,087         |
| Borrowing in Advance of Need Limit   | 13,095          | Actual Borrowing in Advance of Need Taken                                      | 0               |
| Incremental Impact of Borrowing Plans on Council Tax<br>'-Band D                               | £22.78          | Actual Incremental Impact of Borrowing Plans on<br>'Council Tax -Band D        | £9.26           |
| MRP & Interest Repayments not to exceed 10% of Net<br>Revenue Stream<br>Estimate               | 6.61%           | MRP & Interest Repayments not to exceed 10% of Net<br>Revenue Stream<br>Actual | 5.98%           |
| Ratio of Financing Costs To Net Revenue Stream   | 6.66%           | Actual Ratio of Financing Costs To Net Revenue Stream                          | 5.95%           |
| <b>External Debt:</b>  |                 |  |                 |
| <u>Authorised limit for external debt -</u>  |                 | <b>Actual external debt at 31/3/14</b>   |                 |
| borrowing  | 602,729         | Borrowing  | 455,087         |
| other long term liabilities  | 17,126          | Other long term liabilities(Credit Arrangements)                               | 13,821          |
| TOTAL  | 619,855         | <b>TOTAL</b>   | 468,908         |
| <u>Operational boundary -</u>  |                 |  |                 |
| borrowing  | 578,729         |  |                 |
| other long term liabilities  | 15,126          |  |                 |
| TOTAL  | 593,855         |  |                 |
| <b>Treasury Management:</b>  |                 |  |                 |
| <u>Upper limit for fixed interest rate exposure</u>  |                 | <b>Actual exposure fixed interest</b>  |                 |
| Net principal re fixed rate borrowing less investments   | 678,761         | Net Principal  | 350,892         |
| <u>Upper limit for variable rate exposure</u>  |                 | <b>Actual exposure variable interest</b>                                       |                 |
| Net principal re variable rate borrowing less investments                                      | 203,628         | Net Principal  | -77,918         |
| <u>Upper limit for total principal sums invested for over 364 days<br/>(per maturity date)</u> | 40,000          | <b>Actual sums invested &gt; 364 Day</b>                                       | 2,214           |
| <u>Maturity structure of fixed rate borrowing during 2013/14</u>                               | upper limit     | <b>Actual maturity structure as at 31 March 2014</b>                           |                 |
| under 12 months  | 25%             | under 12 months  | 2.50%           |
| 12 months and within 24 months   | 25%             | 12 months and within 24 months   | 4.70%           |
| 24 months and within 5 years   | 50%             | 24 months and within 5 years   | 14.70%          |
| 5 years and within 10 years  | 75%             | 5 years and within 10 years  | 13.00%          |
| 10 years and above   | 100%            | 10 years and above   | 65.10%          |

**Budget Changes 2014/15**

1.10 The Executive proposes the following budget change in the capital programme to contribute £1.100m towards the development of new serviced employment land and workspace units on land adjacent to the A52 in Skegness. The total project cost is estimated to be £8.000m, with £2.900m coming from the private sector and £4.000m from the Government's Single Local Growth Fund (SLGF).

1.11 The proposed budget change will transfer £1.100m from the County Council's funding for Grantham Economic Development Block to the Skegness Countryside Business Park Project.

## **2. Conclusion**

2.1 The carry forwards of under and overspendings from 2013/14 in excess of 1% are proposed to County Council by the Executive for approval.

2.2 The Prudential indicators comply with CIPFA's Prudential Code of Capital Finance in Local Authorities and provide County Council with actual performance against the targets approved by County Council on 22 February 2013.

### **3. Legal Comments:**

With regards to recommendation 2 the Council's Financial Regulations provide that the use of all under-spending on service budgets in excess of 1% will be considered by the Executive and decided by the full Council.

With regard to recommendation 5 under Section 3 of the Local Government Act 2003 the authority must determine and keep under review how much money it can afford to borrow. Reporting on the Prudential Indicators assists the Council in discharging this function.

With regard to recommendation 6, under paragraph B16 of the Financial Regulations reallocations between service headings of over £0.500m must be considered by the Executive and approved by full Council.

Otherwise the information contained in the Report informs the Council concerning performance against the budget and Financial Strategy it has set.

### **4. Resource Comments:**

The Council has a sound financial base from which to manage the challenges of a difficult medium to long term outlook for public sector finances.

## **5. Consultation**

### **a) Has Local Member Been Consulted?**

n/a

### **b) Has Executive Councillor Been Consulted?**

n/a

### c) Scrutiny Comments

The proposals outlined at paragraph 1.3 of this report were considered by the Executive on 1 July and the Value for Money Scrutiny Committee at its meeting on 24 June. It was noted that the Value for Money Scrutiny Committee broadly supported the proposals detailed within the report. However, the Committee had noted that Central Government had awarded the Council £5.5m for road maintenance and that this figure had been matched by Council and therefore a total of £11m would be available to spend on highways related matters. The Committee had requested that this money would be spent effectively, with value for money in mind.

The proposals outlined in paragraphs 1.10 to 1.11 were considered by the Economic Scrutiny Committee at its meeting on 22 July. It was noted that the Committee supported the proposals detailed within the report.

### d) Policy Proofing Actions Required

n/a

## 6. Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

| Document title  | Where the document can be viewed                 |
|---|--|
| Financial Strategy  | Executive Director Finance and Public Protection |
| Executive Report - Review of Financial Performance 2013/2014 Report                   | Executive Director Finance and Public Protection |
| Executive Report - Economic Regeneration Capital Programme - Budget Transfer Proposal | Executive Director Finance and Public Protection |

This report was written by Claire Pemberton, who can be contacted on 01522 553663 or [claire.pemberton@lincolnshire.gov.uk](mailto:claire.pemberton@lincolnshire.gov.uk).

**Open Report on behalf of Richard Wills, Monitoring Officer**

|            |                               |
|------------|-------------------------------|
| Report to: | <b>County Council</b>         |
| Date:      | <b>26 September 2014</b>      |
| Subject:   | <b>Review of Constitution</b> |

**Summary:**

This report updates the Council on progress with the review of the Council's Constitution and seeks approval for the recommended amendments.

**Recommendation(s):**

1. That the Council considers whether it wishes to delegate the power of referral to the Secretary of State for Health to the Health Scrutiny Committee for Lincolnshire.
2. Subject to recommendation 1 above the Council agrees the recommended amendments to the Constitution contained in Appendices A and B to this report and notes that a further report will be received by Council on the remaining parts of the Constitution at its meeting on 19 December 2014.

**1. Background**

1.1 Following the County Council election in May 2013 political group leaders on the Council requested that there be a review carried out to consider the role of non-executive councillors and added members in relation to policy development and scrutiny.

1.2 At the meeting of the Overview and Scrutiny Management Committee on 27 June 2013 it was agreed that a Working Group should be established to support the Monitoring Officer in the review of the Constitution. The following councillors are members of that group:

Councillor CJTH Brewis  
Councillor Mrs J Brockway  
Councillor A Jesson  
Councillor Mrs M J Overton MBE  
Councillor R B Parker  
Councillor T M Trollope-Bellew

1.3 At its meeting on 30 August 2013 the Overview and Scrutiny Management Committee considered proposals for amendments to the Constitution, which focused on the opportunities and mechanisms for policy development and scrutiny. These proposals were approved by Council on 13 September 2013 and were then reflected in amendments to the relevant sections of Part 2 – Articles of the Constitution and Part 4 – Rules of Procedure.

1.4 It was agreed that the Review of the Constitution Working Group should continue to meet to review the other parts of the Constitution. The Group has met on several occasions and reported back to the Overview and Scrutiny Management Committee on its progress.

1.5 At its meeting on 26 June 2014 the Overview and Scrutiny Management Committee supported recommended amendments to Parts 2 and 3 of the Constitution. These amendments, highlighted as coloured tracked changes, are attached as Appendix A and Appendix B to this report.

1.6 Part 6 of the Constitution, the Members' Allowances Scheme, was approved at the Council meeting on 21 February 2014. Part 7 of the Constitution, the Senior Management Structure, was approved at the annual council meeting on 16 May 2014. Further meetings of the Constitution Review Working Group are planned to finalise amendments to Parts 1, 4 and 5, which will be presented to the Overview and Scrutiny Management Committee prior to being considered by the Council on 19 December 2014.

## **2. Referrals to the Secretary of State for Health**

2.1 Subsequent to the amendments to Part 2 being supported by the Overview and Scrutiny Management Committee in June there has been further guidance from the Secretary of State for Health on the Health Scrutiny function.

2.2 The guidance expands on elements in the Health Scrutiny Regulations, which relate to consultations by commissioners of NHS-funded services, on "any proposal for a substantial development of the health services in the area of the local authority or for a substantial variation in the provision of such service".

2.3 The new regulations, which were effective from 1 April 2013, provide for a referral process to the Secretary of State for Health on one or more of the following grounds:

- a) The consultation on the proposal has not been adequate in relation to the content or the time allowed;
- b) Where the commissioner has decided not to consult because of a risk to the safety or welfare of patients or staff, the reasons given for this approach are not adequate; or
- c) The proposal would not be in the best interests of the health service in the area.

2.4 It should be stressed that prior to making any referral, every effort must be made to seek a local resolution between the responsible commissioner and the



Council's health scrutiny function. However, if there is a disagreement, a referral may be made, which has to include the following information:

- An explanation of the proposal
- In the case of grounds (a) and (b) above, the reasons why there is no satisfaction; or in the case of ground (c) above, a summary of the evidence considered, including any evidence of the effect or potential effect of the proposal on the sustainability or otherwise of the health service in the area.
- The steps taken to reach an agreement with the commissioner, or where the commissioner has not responded in a reasonable time to take steps to reach an agreement an explanation of this;
- An explanation of the reasons for making a referral;
- Any evidence in support of those reasons.

2.5 The existing terms of reference of the Health Scrutiny Committee for Lincolnshire reflect the legal advice given at the time the regulations were issued in 2013, to the effect that any decision to make a referral to the Secretary of State in accordance with the above process can only be made by a meeting of the County Council and such decisions cannot be delegated to a committee.

2.6 In view of the content of the guidance issued in June 2014, the earlier legal advice has been clarified and the County Council may, if it wishes, delegate the power of referral to a health overview and scrutiny committee. This would mean that all the County Council's health scrutiny functions would be undertaken by the Health Scrutiny Committee for Lincolnshire.

2.7 Should the Council wish to delegate this power to the Health Scrutiny Committee for Lincolnshire, a revised wording has been set out on pages 2/24 and 2/25 of Appendix A, and is shown in the form of tracked changes.

2.8 Members of the Review of the Constitution Working Group have been consulted on the suggested revised wording and have supported the amendments.

### **3. Members Appeal Hearing Panel**

3.1 In addition the Working Group agreed that there was a need for the Articles to include a section on the Members Appeal Hearing Panel.

3.2 This has been amended slightly since being approved for submission to Council by the Overview and Scrutiny Management Committee, to reflect further legal advice.

3.3 The Review of the Constitution Working Group has been consulted on the final version of this section, which can be found on page 2/34 of Appendix A.

#### 4. Conclusion

Amendments to the Council's Constitution are the responsibility of Full Council. Councillors are therefore asked to consider the recommended amendments appended to this report.

#### 5. Legal Comments:

Changes to the Council's Constitution, other than minor amendments, typographical changes and the like, must be approved by Full Council.

#### 6. Resources Comments:

There are no material financial implications from acceptance of the recommendations in this report.

#### 7. Consultation

##### a) Has Local Member Been Consulted?

n/a

##### b) Has Executive Councillor Been Consulted?

Yes

##### c) Scrutiny Comments

The Overview and Scrutiny Management Committee considered amendments recommended to it by the Constitution Review Group at its meeting on 26 June 2014 and supported them.

##### d) Policy Proofing Actions Required

n/a

#### 8. Appendices

These are listed below and attached at the back of the report

*(PLEASE NOTE: Due to the size of the appendices, they have only been circulated electronically and are available at [www.lincolnshire.gov.uk/committeerecords](http://www.lincolnshire.gov.uk/committeerecords), paper copies are available on request)*

|            |  |
|------------|--|
| Appendix A | Proposed amendments to Part 2 - Articles of the Constitution |
| Appendix B | Proposed amendments to Part 3 - Responsibility for Functions |

## 9. Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

| Document title  | Where the document can be viewed |
|---|----------------------------------|
| Local Authority Health Scrutiny - Guidance to Support Local Authorities and Their Partners to Deliver Effective Health Scrutiny | Democratic Services              |

This report was written by Nigel West, who can be contacted on 01522 552840 or [nigel.west@lincolnshire.gov.uk](mailto:nigel.west@lincolnshire.gov.uk).

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## **Part 2**

# **ARTICLES OF THE CONSTITUTION**

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2/1

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## ARTICLE 1 – THE CONSTITUTION

[The Articles of the Constitution explain how the Council works.](#)

### **1.01 Powers and duties of the Council**

The Council will exercise all its powers and duties in accordance with the law and this Constitution.

### **1.02 The Constitution**

The Council's Constitution consists of Parts 1 to 7 of this document.

### **1.03 Purpose of the Constitution**

The purpose of the Constitution is to:

1. enable the Council to provide clear leadership to the community in partnership with members of the public, businesses and other organisations;
2. support the active involvement of members of the public in the process of local authority decision-making;
3. help Councillors represent their constituents more effectively;
4. enable decisions to be taken efficiently and effectively;
5. create a powerful and effective means of holding decision-makers to public account;
6. ensure that no one will review or scrutinise a decision in which they were directly involved;
7. ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and
8. provide a means of improving the delivery of services to the community.

### **1.04 Suspension of the Constitution**

#### **(a) Limit to suspension**

The Articles of this Constitution may not be suspended. The Rules of Procedure may be suspended by the full Council to the extent permitted within those Rules and the law.

(b) **Procedure to suspend**

A motion to suspend any rules will not be moved without notice unless at least one half of the whole number of Councillors is present. The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution set out in Article this 1.

**1.05 Duty to monitor and review the Constitution**

The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect and to ensure that appropriate amendments are recommended as and when necessary for the purpose of updating or improving the Constitution. The Monitoring Officer shall review the Constitution annually with a view to recommending any such amendments to the Annual Meeting of the Council.

**Protocol for monitoring and review of Constitution by Monitoring Officer**

A key role for the Monitoring Officer is to be aware of the strengths and weaknesses of the Constitution adopted by the Council, and to make recommendations for ways in which it could be amended in order to better achieve the purposes set out in this Article 1. In undertaking this task the Monitoring Officer may:

1. observe meetings of different parts of the Council and non-elected member and Officer structure;
2. undertake an audit trail of a sample of decisions;
3. record and analyse issues raised with them/him/her by Councillors, non-elected members, Officers, the public and other relevant stakeholders; and
4. compare practices in this authority with those in other comparable authorities, or national examples of best practice.

In formulating recommendations for amendments to the Constitution the Monitoring Officer ~~shall~~ may convene a group of Councillors and where in the Monitoring Officer's opinion it is appropriate other stakeholders to advise him or her on any amendments.

**1.06 Approval of changes to the Constitution**

Other than changes to the Constitution which are matters of fact, update or amend references to statutory provisions or correct typographical errors in which case the amendments can be made by the Monitoring Officer, changes to the Constitution will only be approved by the full Council after consideration of the proposal by the Monitoring Officer.

However, if either

- (a) the Head of Paid Service makes changes to the organisation of the Council's staff or the way in which the delivery of functions is organised at officer level which impact on the specific powers of the Chief Executive, Chief Officers and other officers contained in section C (Delegations to Chief Executive and All Chief Officers) in Part 3 of the Constitution (Responsibility for Functions); or
- (b) the officer appointed from time to time under section 151 of the Local Government Act 1972 determines that changes are necessary to the Financial Regulations contained in Part 4 of the Constitution for the proper administration of the Council's financial affairs

and the said officers determine that in the interests of the Council the said changes should be implemented in advance of the next available opportunity for the Constitution to be formally amended by full Council, then the said officers may make such minimum amendments to those parts of the Constitution referred to above as shall be necessary to reflect the proposed changes PROVIDED ALWAYS that before making such changes such officers obtain the Agreement of the Monitoring Officer, the Leader of the Council, the Leader of the Opposition, the Chairman of the Overview and Scrutiny Management Committee and the Chairman of the Audit Committee.

The changes shall be submitted to the next available meeting of the Council to consider formal approval. Regardless of whether the changes are formally approved by the Council, decisions and actions taken in reliance on changes to the Constitution duly made under this paragraph between implementation of the changes and the decision whether or not to approve those changes shall be treated as having been taken in accordance with the Constitution.

#### **1.07 Interpretation of the Constitution**

Where the Constitution permits the Council to choose between different courses of action, the Council will always choose that option which it thinks is closest to the purposes stated above.

The ruling of the Chairman of the Council as to the construction or application of this Constitution or as to any proceedings of the Council shall not be challenged at any meeting of the Council. Such interpretation will have regard to the purposes of this Constitution contained in this Article 1.

For the purpose of this Constitution "a working day" is defined as a day on which the County Offices is open for its normal working hours. In calculating a period of "clear working days" between two events the day on which the first event occurs and the day on which the second event occurs shall be ignored.

#### **1.08 Publication**

- (a) The Monitoring Officer will ensure access to an electronic copy of this Constitution to each Councillor upon delivery to him/her of that

2/4

*approved version 16.05.14*



individual's declaration of acceptance of office on the Councillor first being elected to the Council.

(b) The Monitoring Officer will ensure that ~~printed~~ electronic copies are available for inspection at Council Offices, libraries and other appropriate locations, and can be purchased by members of the local press and the public on payment of a reasonable fee.

(c) The Monitoring Officer will ensure that an electronic copy of the Constitution is available on the Council's website.

### **1.09 Executive Arrangements**

The following parts of this Constitution constitute the Executive arrangements:

1. Article 5 (The Executive) and the Executive Procedure Rules.
2. Article 6 (Overview and Scrutiny Committees) and the Overview and Scrutiny Procedure Rules.
3. Article 8 (Joint arrangements).
4. Article 10 (Decision making) and the Access to Information Procedure Rules.
5. Part 3 (Responsibility for Functions).

## ARTICLE 2 – MEMBERS OF THE PUBLIC AND THE COUNCIL

### 2.01 Rights of Members of the Public

Members of the Public have the following rights.

(a) **Voting and referendum petitions**

Members of the Public on the electoral roll for the area have the right to vote, and sign a petition to request a referendum for an elected mayor form of Constitution. ~~They also have a right to sign a petition.~~ [Further information regarding voting can be found on the Electoral Commission website www.electoralcommission.org.uk.](#)

(b) **Information**

Members of the Public have the right to have access to information as set out in the Access to Information Procedure Rules at Part 4 of this Constitution.

They also have the right under the Freedom of Information Act 2000 to request information in the possession of the Council and to receive such information subject to certain defined exceptions.

They have a right to make representations about why a meeting of the Executive or its Committees or part of such a meeting, should be open to the public when a notice of an intention to meet in private is published.

[They have the right to access their own data through a Subject Access Request under the Data Protection Act 1998.](#)

(c) **Attendance at Meetings**

Members of the Public have the right to attend meetings of the Council as set out in the Access to Information Procedure Rules at Part 4 of this Constitution

(d) **Inspection of the Accounts**

Members of the Public have the right to inspect the Council's accounts and make their views known to the external auditor.

(e) **Complaints**

Members of the Public have the right to complain to:

- (i) the Council itself under its complaints scheme;
- (ii) the Ombudsman after using the Council's own complaints scheme;
- (iii) the Council's Monitoring Officer about a breach of the Code of Conduct for Members; and
- (iv) the Information Commissioner about a breach of the Council's obligations under the Data Protection Act 1989, the Freedom of Information Act 2000, or the Environmental Information Act 2004.

(f) **Petitions**

Members of the Public have the right to petition the Council. The Petition Scheme at Part 5 of this Constitution shall apply to petitions presented to the Council.

**2.02 Consultation**

The Council will consult with Members of the Public and its partner organisations in accordance with its [legal obligations and such community engagement and/or consultation strategies as it may adopt from time to time](#). ~~Community Engagement and Empowerment Strategy.~~

**2.03 Communication**

The Council will adopt a communication strategy from time to time governing how it will communicate with the public.

**2.04 Responsibilities of Members of the Public**

Members of the Public must not be violent, abusive or threatening to Councillors or Officers and must not intentionally damage property owned or controlled by the Council, Councillors or Officers.

## ARTICLE 3 – MEMBERS OF THE COUNCIL

### 3.01 Composition and eligibility

#### (a) **Composition**

The Council will comprise 77 Members, otherwise called Councillors. One Councillor will be elected by the voters of each electoral division in accordance with a scheme drawn up by the Local Government [Boundary Commission for England](#) and approved by the Secretary of State.

#### (b) **Eligibility**

Only registered voters of the county or those living or working there will be eligible to hold the office of Councillor. [Further information can be found on the Electoral Commission website www.electoralcommission.org.uk](#).

### 3.02 Election and terms of Councillors

#### **Election and terms**

The regular election of Councillors will usually be held on the first Thursday in May every four years beginning in 2001. The terms of office of Councillors will start on the fourth working day after being elected and will finish on the fourth working day after the date of the next regular election.

### 3.03 Roles and functions of all Councillors

#### (a) **Key roles**

##### **All Councillors will:**

- (i) effectively represent the interests of their division and individual constituents;
- (ii) actively encourage community participation and bring community views into the Council's decision making process;
- (iii) respond to constituents' enquiries and representations, fairly and with impartiality;
- (iv) participate in the governance and management of the Council;
- (v) be involved in decision making;

- (vi) contribute collectively to strategic and policy issues;
- (vii) be available to represent the Council on other bodies;
- (viii) balance different, often conflicting interests;
- (ix) maintain the highest standards of conduct and ethics.

(b) **Rights and duties**

- (i) Councillors will have such rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law.
- (ii) Councillors will not make public information, which is confidential or exempt without the consent of the Council, or divulge information given in confidence to anyone other than a Councillor or Officer entitled to know it.
- (iii) For these purposes, "confidential" and "exempt" information are defined in the Access to Information Rules in Part 4 of this Constitution.

**3.04 Conduct**

Councillors will at all times observe the Members' Code of Conduct and all Protocols in Part 5 of this Constitution as approved by the Council from time to time.

**3.05 Political Groups**

Most if not all Councillors will be members of political groups and membership of the main Committees of the Council will be allocated to the groups in proportion to their representation on the Council as a whole.

The Council will recognise the following categories of political groups

(i) The Ruling Group

This will usually be the political group with the greatest number of seats on the Council.

The Leader of the Council and the members of the Executive will normally be drawn from the Ruling Group.

(ii) The Opposition Group

This will usually be the political group with the second greatest number of seats on the Council.

The leader of this political group will be the Leader of the Opposition.

The Leader of the Opposition may appoint members of his or her political group to shadow the areas of responsibility of Executive Councillors. If so such members of the Opposition Group will be known individually as Shadow Executive Councillors and collectively as the Shadow Executive.

(iii) The Minority Groups

These are the other political groups on the Council.

The position of the leaders of these groups is acknowledged under the Constitution but not any shadow executive they may choose to form.

**3.06 Special Interest Councillors**

~~The County Council may appoint "Special Interest Councillors" from among the Councillors of the Council. The role of the Special Interest Councillors includes support and advice to the Executive, Overview and Scrutiny Committees, Executive Councillors, individual Councillors and other public and local groups in relation to those matters within the defined special interest.~~

**3.076 Allowances**

Councillors will be entitled to receive allowances in accordance with the Members' Allowances Scheme as detailed at Part 6 of this Constitution.

## ARTICLE 4 – THE FULL COUNCIL

### 4.01 Meanings

#### (a) **Policy Framework**

The policy framework means the following plans and strategies:

(i) Those required by law to be adopted by the Council

- ~~• Annual Library Plan~~
- ~~• Annual Review of Pay Policy~~
- ~~• Council Business Plan and Annual Report~~
- Local Transport Plan
- The Youth Justice Plan
- ~~• Adult Learning Plan~~
- ~~• Quality Protects Management Action Plan~~
- Waste Local Plan
- Mineral Local Plan
- Joint Municipal Waste Strategy
- ~~• Asset Management Plan~~
- Financial Strategy
- ~~• Children and Young Persons Plan~~
- ~~• Organisational Strategy~~

(ii) Those other plans and strategies which the Council has determined should be part of the Policy Framework:

- ~~• Adult Learning Plan~~
- ~~• Quality Protect Management Plan~~
- ~~• Asset Management Plan~~
- ~~• Children & Young Persons Plan~~

- [Financial Strategy](#)
- [Organisational Strategy](#)
- [Community Engagement Strategy 2013/18](#)

(b) **Budget**

The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the Council Tax base, setting the Council Tax and decisions' relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits.

**4.02 Functions of the full Council**

The Council and only the Council will exercise the following functions:

- (a) adopting and changing the Constitution;
- (b) approving or adopting the policy framework and the budget or changing the policy framework and the budget except those changes to the policy framework which are necessary to ensure compliance with the law, ministerial direction or government guidance which may be made by the Executive, a Committee of the Executive, an individual Executive Councillor or an Officer in accordance with rule 8 of the Budget and Policy Framework Procedure Rules in Part 4 of this Constitution.
- (c) making any Executive decisions about any matter in the discharge of an Executive function where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget; except where such decision is subject to the urgency procedure contained in Rule 16 of the Access to Information Procedure Rules in Part 4.
- (d) electing and removing the Leader of the Council;
- (e) agreeing and/or amending the terms of reference for Committees, deciding on their composition and making appointments to them including appointment of Chairman and Vice Chairman, but excluding the Chairman and Vice Chairman of the Health Scrutiny Committee [for Lincolnshire and the Lincolnshire Health and Wellbeing Board](#) who will be appointed by the Committee/[Board](#);
- (f) appointing representatives of the Council to outside bodies unless the appointment is an Executive function under Part 3 of this Constitution or has been delegated by the Council.;

2/12

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- (g) ~~appointing Special Interest Councillors;~~
- (hg) adopting a Scheme of Members' Allowances;
- (ih) changing the name of the area;
- (ji) confirming the appointment and dismissal of Head of Paid Service;
- (kj) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills in Parliament;
- (k) adopting or changing the Members' Code of Conduct ~~\_, subject to advice from the Standards Committee;~~
- (ml) appointing the Returning Officer for County Council elections;
- (am) submission of proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000;
- (en) power to confer title of honorary alderman;
- (po) functions relating to sea fisheries;
- (ep) power to make standing orders;
- (fq) duty to make arrangements for proper administration of financial affairs, etc;
- (er) power to appoint Officers for particular purposes (appointment of "Proper Officers");
- (ts) duty to designate Officer as the head of authority's paid service, Section 151 Officer, Monitoring Officer, Statutory Scrutiny Officer, Director Adult Social Services, Director of Children's Services, Traffic Manager, and a duty (acting jointly with the Secretary of State) to appoint a Director of Public Health, and to provide staff to them;
- (ut) consideration of a Report from a Local Commissioner under section 31 or a further Report under section 31A of the Local Government Act 1974 and of actions taken or proposed to be taken in response; and
- (vu) all other matters which, by law, must be reserved to Council.

#### 4.03 **Council meetings**

There are three types of Council meeting:

- (a) the annual meeting;

2/13

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(b) ordinary meetings;

(c) extraordinary meetings;

and they will be governed by and conducted in accordance with the Council Procedure Rules in Part 4 of this Constitution.

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#### **4.04 Responsibility for functions**

The Council will maintain the tables in Part 3 of this Constitution setting out the responsibilities for the Council's functions.

#### **4.05 Development of the Budget and Policy Framework**

The Budget and Policy Framework will be developed in accordance with Budget and Policy Framework Procedure Rules set out in Part 4 of this Constitution.

#### **4.06 Role and function of the Chairman of the Council**

The Chairman will be elected by the Council annually. The Chairman's ~~will~~ have ~~the following~~ responsibilities will include:

1. to uphold and promote the purposes of the Constitution, and to interpret the Constitution when necessary;
2. to preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the community;
3. to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Councillors who are not on the Executive are able to hold the Executive to account;
4. to promote public involvement in the Council's activities;
5. to be the conscience of the Council;
6. to attend such civic and ceremonial functions as the Council and he/she determines appropriate; and
7. to be consulted on any matter where consultation with the Chairman of the County Council is required under this Constitution.

**4.07** The Chairman shall in the conduct of meetings and otherwise seek to protect the interests of all Councillors and ~~non-elected~~ added members of the County Council in contributing to and involvement in the work of the Council and particularly those Councillors who are not Executive Councillors.

**4.08** To support the independence of the role, the Chairman of the Council will not hold other offices during his/her term.

## ARTICLE 5 – THE EXECUTIVE

### 5.01 Role

The Executive will carry out all of the Council's functions which are not the responsibility of any other part of the Council, whether by law or under this Constitution.

### 5.02 Form and Composition

The Executive will consist of a minimum of two and a maximum of 10 Councillors being the Leader and up to 9 Councillors appointed to the Executive by the Leader.

The Leader will appoint at least one of the Executive Councillors as Deputy Leader with authority to act in the absence of the Leader. The Leader shall be entitled to remove a Deputy Leader from Office and shall give written notice thereof to the Chief Executive. The removal will take effect two clear working days after receipt of the Notice by the Chief Executive.

One of the Executive Councillors appointed by the Leader will have specific responsibility for the exercise of Executive functions in relation to the Council's responsibilities as fire authority.

### 5.03 Leader

The Leader will be a Councillor elected to the position of Leader by the Council at the beginning of each 4-year term. The Leader will hold office until the next election of all Councillors of the Council or (if earlier) until:

- (a) he/she resigns from the office; or
- (b) he/she is no longer a Councillor; or
- (c) he/she is removed from the office of Leader by resolution of the Council in which case a new Leader shall be elected by the Council at the meeting at which the Leader was removed from office or at a subsequent meeting.

### 5.04 Other Executive Councillors

Other Executive Councillors shall hold office until:

- (a) they resign from the office; or

- (b) they are no longer Councillors; or
- (c) they are removed from the office by the Leader who must give written notice of any removal to the Chief Executive. The removal will take effect two clear working days after receipt of the notice by the Chief Executive.

**5.05 Proceedings of the Executive**

Proceedings of the Executive shall take place in accordance with the Executive Procedure Rules set out in Part 4 of this Constitution.

**5.06 Responsibility for functions**

The Leader will comply with the requirements of the Executive Procedure Rules requiring the maintenance of a scheme setting out which individual Executive Councillors, Committees of the Executive, Officers or joint arrangements are responsible for the exercise of particular Executive functions [as detailed in Part 3 of this Constitution](#).

**5.07 Executive Support Councillors**

The Leader will appoint Executive Support Councillors who can attend and speak at meetings in place of the Executive Councillor.

## ARTICLE 6 – OVERVIEW AND SCRUTINY COMMITTEES

### 6.01 Appointment of Overview and Scrutiny Committees

The County Council will appoint the following Overview and Scrutiny Committees: -

- Overview and Scrutiny Management Committee
- Adults Scrutiny Committee
- Children and Young People Scrutiny Committee
- Economic Scrutiny Committee
- Environmental Scrutiny Committee
- Flood and Drainage Management Scrutiny Committee
- Health Scrutiny Committee for Lincolnshire
- Highways and Transport Scrutiny Committee
- Community and Public Safety Scrutiny Committee
- Value for Money Scrutiny Committee

Each Overview and Scrutiny Committee will undertake its role in accordance with the provisions in this Article, in addition to legislative requirements, relevant regulations, statutory guidance and the provisions specified throughout the Constitution.

All Councillors except Executive Councillors may be members of an Overview and Scrutiny Committee. No Councillor may be involved in scrutinising a decision in which he/she has been directly involved.

### 6.02 Overview and Scrutiny Management Committee

#### Membership

The County Council will determine the number of members of the Council who will serve on the Overview and Scrutiny Management Committee. The Overview and Scrutiny Management Committee will also include the church and parent governor representatives as members as set out in Annex A to these Articles. Church and parent governor representatives are entitled to participate at meetings of the Committee, but may only vote when an education matter is to be determined.

#### Terms of Reference

The Overview and Scrutiny Management Committee may exercise the following functions: -

- To approve the Overview and Scrutiny Annual Report, prior to its submission to the County Council.
- To monitor and guide the activities of the other Overview and Scrutiny Committees.
- To consider and determine any decision which has been made by the

2/18

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Executive or any Executive Councillor or any key decision made by an officer and which have been called in. (This will be undertaken in accordance with Overview and Scrutiny Procedure Rule 15)

- To review and scrutinise any decision that has been made by the Executive or any Executive Councillor or any key decision made by an officer.
- To consider and respond to any proposals from the Executive as part of the development of the policy framework.
- To establish time limited task and finish groups.
- To consider and determine requests from Councillors submitted under the Councillor Call for Action procedure, except for requests submitted by Councillors relating to crime and disorder.
- To approve the establishment of any new time limited Task and Finish Group reviews requested by one of the Overview and Scrutiny Committees and to approve any change to the focus or duration of such reviews.
- To monitor any Working Group activity initiated by any of the Overview and Scrutiny Committees.
- To scrutinise any significant, cross cutting issue affecting more than one of the other scrutiny committees including performance or pre-decision scrutiny.
- To make reports and recommendations to the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above.

### **6.03 Adults Scrutiny Committee**

#### Membership

The County Council will determine the number of members of the Council who will serve on the Adults Scrutiny Committee.

#### Terms of Reference

The Adults Scrutiny Committee is authorised to undertake the following activities: -

- To review and scrutinise the following services and their outcomes:
  - adult social care; and
  - other services for vulnerable adults.
- To review and scrutinise quarterly performance indicators, priority activities, customer satisfaction information and any other available performance measures related to the service areas within the remit of the Committee.
- To review and scrutinise any decision that has been made by the Executive or any Executive Councillor or any key decision made by an officer in relation to the above services.
- To provide advice to the Executive or any Executive Councillor or any officer, intending to make a decision or develop policy in relation to the above services.

2/19

approved version 16.05.14

- With the approval of the Overview and Scrutiny Management Committee, to establish time limited task and finish groups, in relation to the above services.
- To consider and respond to any proposals from the Executive as part of the development of the policy framework.
- To make reports and recommendations to the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above.
- To liaise as required with Healthwatch Lincolnshire in relation to adult social care matters, to consider any referrals made to the Committee by Healthwatch Lincolnshire and to agree a protocol for working with Healthwatch Lincolnshire.
- To manage the work of the Lincolnshire Safeguarding Boards Scrutiny Sub-Group in co-ordination with the Children and Young People Scrutiny Committee.

#### **6.04 Children and Young People Scrutiny Committee**

##### Membership

The County Council will determine the number of members of the Council who will serve on the Children and Young People Scrutiny Committee. The Children and Young People Scrutiny Committee will also include the church and parent governor representatives as members as set out in Annex A to these Articles. These members are entitled to participate at meetings of the Committee, but may only vote when education matters are to be determined.

##### Terms of Reference

The Children and Young People Scrutiny Committee is authorised to undertake the following activities: -

- To review and scrutinise the following services and their outcomes:
  - education and schools; and
  - children's services.
- To maintain an overview of the activity of academy schools, colleges and universities in the County.
- To review and scrutinise quarterly performance indicators, priority activities, customer satisfaction information and any other available performance measures related to the service areas within the remit of the Committee.
- To review and scrutinise any decision that has been made by the Executive or any Executive Councillor or any key decision made by an officer in relation to the above services.
- To provide advice to the Executive or any Executive Councillor or any officer, intending to make a decision or develop policy in relation to the above services.
- With the approval of the Overview and Scrutiny Management Committee, to establish time limited task and finish groups, in relation to the above services.

2/20

*approved version 16.05.14*



- To consider and respond to any proposals from the Executive as part of the development of the policy framework.
- To make reports and recommendations to the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above.
- To monitor the activity of the Council's Corporate Parenting Panel.
- To manage the work of the Lincolnshire Safeguarding Boards Scrutiny Sub-Group in co-ordination with the Adults Scrutiny Committee.

## **6.05 Economic Scrutiny Committee**

### Membership

The County Council will determine the number of members of the Council who will serve on the Economic Scrutiny Committee.

### Terms of Reference

The Economy and Culture Scrutiny Committee is authorised to undertake the following activities: -

- To review and scrutinise the following services and their outcomes:
  - culture;
  - economic regeneration;
  - heritage;
  - libraries;
  - lifelong-learning; and
  - relationships with higher education.
- To review and scrutinise quarterly performance indicators, priority activities, customer satisfaction information and any other available performance measures related to the service areas within the remit of the Committee.
- To review and scrutinise any decision that has been made by the Executive or any Executive Councillor or any key decision made by an officer in relation to the above services.
- To provide advice to the Executive or any Executive Councillor or any officer, intending to make a decision or develop policy in relation to the above services.
- With the approval of the Overview and Scrutiny Management Committee, to establish time limited task and finish groups, in relation to the above services.
- To consider and respond to any proposals from the Executive as part of the development of the policy framework.
- To make reports and recommendations to the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above.

## **6.06 Environmental Scrutiny Committee**

### Membership

The County Council will determine the number of members of the Council who will serve on the Environmental Scrutiny Committee.

### Terms of Reference

The Environmental Scrutiny Committee is authorised to undertake the following activities: -

- To review and scrutinise the following services and their outcomes:
  - strategic planning;
  - climate change / carbon management;
  - waste; and
  - natural environment.
- To review and scrutinise quarterly performance indicators, priority activities, customer satisfaction information and any other available performance measures related to the service areas within the remit of the Committee.
- To review and scrutinise any decision that has been made by the Executive or any Executive Councillor or any key decision made by an officer in relation to the above services.
- To provide advice to the Executive or any Executive Councillor or any officer, intending to make a decision or develop policy in relation to the above services.
- With the approval of the Overview and Scrutiny Management Committee, to establish time limited task and finish groups, in relation to the above services.
- To consider and respond to any proposals from the Executive as part of the development of the policy framework.
- To make reports and recommendations to the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above.
- The Environmental Scrutiny Committee will, as required, sit as Lincolnshire County Council's Flood and Drainage Management Scrutiny Committee.

## **6.07 Flood and Drainage Management Scrutiny Committee**

### Membership

The Flood and Drainage Management Scrutiny Committee will comprise of 11 members of the Environmental Scrutiny Committee and seven co-opted non-executive district councillors, one to be nominated by each of Lincolnshire's seven district councils.

The seven co-opted district councillors will have full voting rights on the Committee and replacement members will be permitted, as set out in the scheme adopted by the County Council in accordance with paragraphs 11-13

2/22

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of Schedule A1 of the Local Government Act 2000. (See Appendix A at the end of Article 6)

The Flood and Drainage Management Scrutiny Committee will sit as frequently as is required to perform its role but will meet at least once every calendar year.

### Terms of Reference

The Flood and Drainage Management Committee will be authorised to consider the following:

- How Lincolnshire County Council delivers its local leadership role in relation to flood and drainage management.
- The development and delivery of the Local Flood Risk Management Strategy.
- The work of all flood risk management authorities operating within Lincolnshire.
- The effectiveness of the partnership framework.
- The local implementation of the Environment Agency-led National Strategy for Flood Risk and Coastal Erosion.
- Action plans for Shoreline Management Plans and Catchment Flood Management Plans (main rivers).

## **Scheme for the Co-option of Voting Members on the County Council's Flood and Drainage Management Scrutiny Committee**

### **1. Definitions**

This scheme is made in accordance with Paragraphs 11-13 of Schedule A1 of the Local Government Act 2000.

The Council is Lincolnshire County Council.

The Flood and Drainage Management Scrutiny Committee is an overview and scrutiny committee appointed pursuant to Section 9FH of the Local Government Act 2000.

A Co-opted Member is a member of the Flood and Drainage Management Scrutiny Committee, who has been duly nominated and appointed by a district council in Lincolnshire in accordance with this scheme.

### **2. Nomination and Appointment**

The County Council will allow each district council in Lincolnshire to nominate a non-executive councillor, to serve as a member of the Council's Flood and Drainage Management Scrutiny Committee. Each district council may at any time nominate a replacement member to serve in place of the nominated member.

2/23

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### 3. Voting

The 11 county councillors and the seven co-opted district councillors on the Council's Flood and Drainage Management Scrutiny Committee will have full voting rights at meetings of the Flood and Drainage Management Scrutiny Committee.

### 4. Code of Conduct

Co-opted members, as district councillors, will be subject to the Member Code of Conduct.

### 5. Allowances

Co-opted members, as district councillors, will be entitled to allowances and expenses in accordance with the scheme adopted by the district council of which they are a member.

## **6.08 Health Scrutiny Committee for Lincolnshire**

### Membership

The Health Scrutiny Committee for Lincolnshire will comprise sixteen members appointed as follows: -

- eight members of the County Council, appointed in accordance with the political balance provisions of the Local Government and Housing Act 1989;
- one member appointed by each of the district councils in Lincolnshire; and
- one member (without voting rights) nominated by Healthwatch Lincolnshire.

### Terms of Reference

The Health Scrutiny Committee for Lincolnshire is authorised to undertake the following activities: -

- To review and scrutinise the following services and their outcomes:
  - NHS Healthcare; and
  - Health and Well-Being Board
- To review and scrutinise any matters relating to the planning, provision and operation of health services which affect the residents of Lincolnshire except for those under the remit of the Community and Public Safety Scrutiny Committee.
- To consider and respond to any consultations by any responsible NHS commissioner which ~~constitute a substantial development or substantial variation in the provision of health services in Lincolnshire,~~ using the

2/24

approved version 16.05.14

powers set out in the relevant health overview and scrutiny regulations and referring to any guidance issued by the Secretary of State for Health. Where there is a disagreement between the Committee and the responsible NHS commissioner which cannot be resolved after reasonable practicable steps and the Committee believe that ~~—and—~~ where the substantial variation or development

- (a) the proposed substantial variation or development would not be in the interests of the health service in Lincolnshire; or
- (b) ~~that~~ the arrangements put in place by the responsible NHS commissioner for consultation have not been adequate in relation to content or time allowed; or
- (c) the reasons given for not consulting by the responsible NHS commissioner are not adequate;

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the Committee may determine whether to make a recommendation to the County Council to refer the matter to the Secretary of State, in accordance with the relevant health overview and scrutiny regulations and any guidance issued by the Secretary of State for Health, taking account of any protocol agreed between the Committee and the responsible NHS commissioner.

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- To consider and respond to any other health consultations, which affect the residents of Lincolnshire.
- With the approval of the Overview and Scrutiny Management Committee, to establish time limited task and finish groups in relation to the above services.
- To make reports and recommendations to any relevant NHS body, to any relevant health service provider, the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above. Such reports and recommendations to include:-
  - (a) an explanation of the matter reviewed or scrutinised;
  - (b) summary of the evidence considered;
  - (c) a list of participants involved in the review or scrutiny; and
  - (d) an explanation of any recommendations on the matter reviewed or scrutinised.
- To liaise with Healthwatch Lincolnshire in relation to the health care element of Healthwatch Lincolnshire's work programme and to consider referrals from Healthwatch Lincolnshire in relation to health care.

#### Appointment of Chairman and Vice Chairman

The Health Scrutiny Committee for Lincolnshire will appoint its own Chairman and Vice-Chairman.

### **6.09 Highways and Transport Scrutiny Committee**

#### Membership

The County Council will determine the number of members of the Council who

2/25

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will serve on the Highways and Transport Scrutiny Committee.

#### Terms of Reference

The Highways and Transport Scrutiny Committee is authorised to undertake the following activities: -

- To review and scrutinise the following services and their outcomes:
  - highways;
  - local transport policy;
  - road safety; and
  - public transport.
- To review and scrutinise quarterly performance indicators, priority activities, customer satisfaction information and any other available performance measures related to the service areas within the remit of the Committee.
- To review and scrutinise any decision that has been made by the Executive or any Executive Councillor or any key decision made by an officer in relation to the above services.
- To provide advice to the Executive or any Executive Councillor or any officer, intending to make a decision or develop policy in relation to the above services.
- With the approval of the Overview and Scrutiny Management Committee, to establish time limited task and finish groups, in relation to the above services.
- To consider and respond to any proposals from the Executive as part of the development of the policy framework.
- To make reports and recommendations to the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above.

### **6.10 Community and Public Safety Scrutiny Committee**

#### Membership

The County Council will determine the numbers of members of the Council who will serve on the Community and Public Safety Scrutiny Committee.

#### Terms of Reference

The Community and Public Safety Scrutiny Committee is authorised to undertake the following activities: -

- To review and scrutinise the following services and their outcomes:
  - community cohesion;
  - community safety;
  - emergency planning;
  - fire and rescue;
  - public health;
  - trading standards; and

2/26

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- youth offending.
- To review and scrutinise quarterly performance indicators, priority activities, customer satisfaction information and any other available performance measures related to the service areas within the remit of the Committee.
- To review and scrutinise any decision that has been made by the Executive or any Executive Councillor or any key decision made by an officer in relation to the above services.
- To provide advice to the Executive or any Executive Councillor or any officer, intending to make a decision or develop policy in relation to the above services.
- With the approval of the Overview and Scrutiny Management Committee, to establish time limited task and finish groups, in relation to the above services.
- To consider and respond to any proposals from the Executive as part of the development of the policy framework.
- To make reports and recommendations to the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above.
- To act as the Crime and Disorder Committee for the purposes of sections 19 and 20 of the Police and Justice Act 2006, including the power:
  - to co-opt additional members;
  - to make reports or recommendations to a responsible authority or co-operating person or body;
  - to consider and determine requests from Councillors submitted under the Councillor Call for Action procedure relating to Crime and Disorder.
  - to make reports and recommendations to the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above.

## **6.11 Value for Money Scrutiny Committee**

### Membership

The County Council will determine the number of members of the Council who will serve on the Value for Money Scrutiny Committee.

### Terms of Reference

The Value for Money Scrutiny Committee is authorised to undertake the following activities: -

- To review and scrutinise the following services and their outcomes:
  - capital programme;
  - customer satisfaction;
  - performance and governance;
  - resource management; and
  - value for money overview.
- To review and scrutinise quarterly performance indicators, priority

2/27

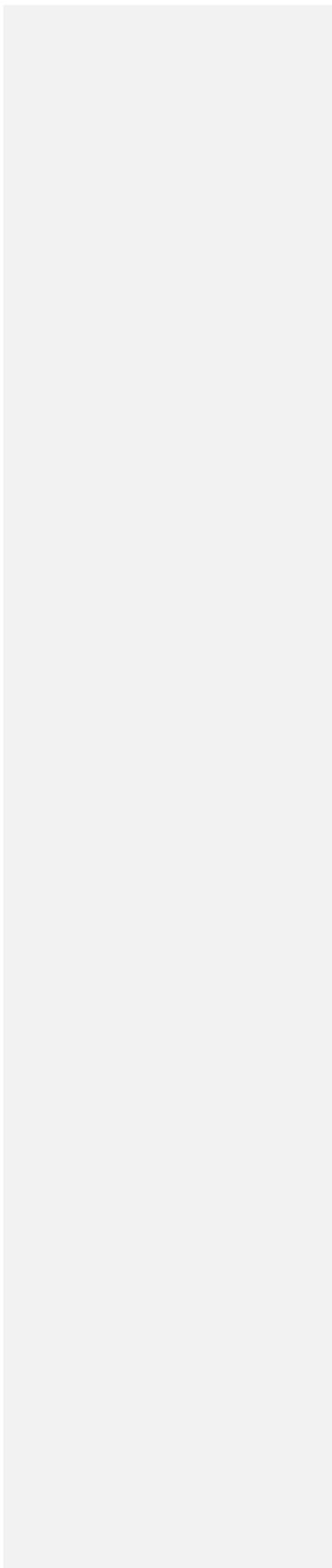
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activities, customer satisfaction information and any other available performance measures related to the service areas within the remit of the Committee.

- To review and scrutinise any quarterly performance indicators, priority activities or customer satisfaction information across all Council services that fall outside expectations.
- To review and scrutinise any decision that has been made by the Executive or any Executive Councillor or any key decision made by an officer in relation to the above services.
- To provide advice to the Executive or any Executive Councillor or any officer, intending to make a decision or develop policy in relation to the above services.
- With the approval of the Overview and Scrutiny Committee, to establish time limited task and finish groups, in relation to the above services.
- To consider and respond to any proposals from the Executive as part of the development of the policy framework.
- To make reports and recommendations to the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above.



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2/29

## **APPENDIX A**

### **~~Scheme for the Co-option of Voting Members on the County Council's Flood and Drainage Management Scrutiny Committee~~**

#### **~~1. Definitions~~**

~~— This scheme is made in accordance with Paragraphs 11-13 of Schedule A1 of the Local Government Act 2000.~~

~~The Council is Lincolnshire County Council.~~

~~— The Flood and Drainage Management Scrutiny Committee is an overview and scrutiny committee appointed pursuant to Section 9FH of the Local Government Act 2000.~~

~~— A Co-opted Member is a member of the Flood and Drainage Management Scrutiny Committee, who has been duly nominated and appointed by a district council in Lincolnshire in accordance with this scheme.~~

#### **~~2. Nomination and Appointment~~**

~~— The County Council will allow each district council in Lincolnshire to nominate a non-executive councillor, to serve as a member of the Council's Flood and Drainage Management Scrutiny Committee. Each district council may at any time nominate a replacement member to serve in place of the nominated member.~~

#### **~~3. Voting~~**

~~The 11 county councillors and the seven co-opted district councillors on the Council's Flood and Drainage Management Scrutiny Committee will have full voting rights at meetings of the Flood and Drainage Management Scrutiny Committee.~~

#### **~~4. Code of Conduct~~**

~~— Co-opted members, as district councillors, will be subject to the Member Code of Conduct.~~

#### **~~5. Allowances~~**

~~— Co-opted members, as district councillors, will be entitled to allowances and expenses in accordance with the scheme adopted by the district council of which they are a member.~~

## ARTICLE 7 – REGULATORY AND OTHER COMMITTEES AND BODIES OF THE COUNCIL

### 7.01 Regulatory and Other Committees

The Council will appoint the Committees set out in paragraphs 7.02 to 7.05 inclusive below to discharge the functions listed under each by reference to Part 3 of this Constitution and with the delegated powers shown.

- Each of the said Committees will conduct its business in accordance with the Council Procedure Rules and Access to Information Rules in Part 4 and will meet in public unless the nature of the business is such that the press and public must be excluded or the Committee determine that the press and public should be excluded in accordance with the Access to Information Procedure Rules.

Each of the Committees referred to shall be entitled to appoint such sub-Committees or panels or joint panels as each body considers appropriate to fulfil its functions.

Please see Annex A for composition.

### 7.02 Pensions Committee

There will be a Pensions Committee having 11 members. 8 shall be Councillors representing the political balance of the Council overall in accordance with the terms of the Local Government and Housing Act 1989, together with ~~three~~ three co-optees representing both the non County Council employers in the Fund and individual Fund participants.

All members of the Committee including co-opted members shall be entitled to vote.

#### Functions:

- To set investment policies for the Fund, including the establishment and maintenance of a strategic benchmark for asset allocation, drawing upon appropriate professional advice.
- To appoint and review the performance of all Fund Managers and associated professional service providers.
- To approve the annual Report and Statement of accounts of the fund.
- To consider any other matters relevant to the operation and management of the fund.
- To respond to any relevant consultations impacting upon the benefit

provisions of the Local Government Pension Scheme

### **7.03 Planning and Regulation Committee**

There will be a Planning and Regulation Committee. The Committee shall comprise 15 Councillors representing the political balance of the Council overall in accordance with the terms of the Local Government and Housing Act 1989.

#### Functions:

- To exercise those functions of the Council which cannot be exercised by the Executive and are not reserved to the Council or delegated to any other Committee of Council in this Constitution and those functions allocated to the Committee in Part 3 of this Constitution including to:
  - exercise powers in relation to Traffic Regulation Orders and the management of traffic within Lincolnshire;
  - determine provision of pedestrian crossings that do not meet policy criteria;
  - deal with Planning development control matters;
  - implement the County Council's Speed Limit Policy;
  - give full consideration to the Council's overall environmental policies;
  - exercise various powers and duties in relation to the management, maintenance and enforcement of the public rights of way network and the continuous review of the Definitive Map and Statement of Public Rights of Way.

#### **7.03.01 Definitive Map and Statement of Public Rights of Way Sub-Committee**

There will be a Definitive Map and Statement of Public Rights of Way Sub-Committee. The Sub-Committee shall comprise seven Councillors who are members of the Planning and Regulation Committee who shall represent the political balance of the Council overall in accordance with the terms of the Local Government and Housing Act 1989.

#### Functions:

- To consider appeals, by applicants who have applied to the County Council to modify the Definitive Rights of Way Map and Statement for Public Rights of Way, in relation to the priority order in which officers will deal with such applications for Orders.

#### **7.04 Appointments Committee**

There will be an Appointments Committee. The Committee shall comprise 12 Councillors representing the political balance of the Council overall in accordance with the terms of the Local Government and Housing Act 1989.

At least one member of the Appointments Committee shall be an Executive Councillor.

##### Functions:

- To discharge on behalf of the Council the function of the appointment and dismissal of
  - the Chief Executive as Head of Paid Service (subject to approval by the Council) and
  - Chief Officers as defined in Article 9

in accordance with provisions of the Local Authorities (Standing Orders) Regulations 1993 and thereby to act as appointor for the purposes of the said Regulations and the Officer Employment Procedure Rules at Part 4 of this Constitution in relation to such appointments.

- To suspend the Chief Executive, Monitoring Officer and Section 151 Officer whilst an investigation takes place into allegations against them.
- To appoint when requested by the Council, a designated independent person to investigate a complaint of misconduct by the Council's Head of Paid Service, Monitoring Officer and Section 151 Officer and to consider and make recommendations to the Council on receipt of a report from such designated independent person.

#### **7.04.01 Pay Policy Sub-Committee**

There shall be a Pay Policy Sub-Committee of the Appointments Committee. The Sub-Committee shall comprise of seven Councillors from the Appointments Committee representing the political balance of the Council overall in accordance with the terms of the Local Government and Housing Act 1989.

##### Functions:

- To undertake an annual review of Chief Officers' salaries
- To exercise oversight of Pay Policy
- To recommend the annual Pay Policy Statement and any amendments to Council

## 7.05 The Members Appeal Hearing Panel

~~In certain circumstances, an Employee dismissed from their employment with the Council has a right of appeal against that decision. Appeals against dismissal except those relating to dismissals during an employee's probationary period and dismissals of the Chief Executive as Head of Paid Service, Statutory Officers and Chief Officers as defined in Article 9 shall be heard by Elected Members. Full details of the procedure are available in the Appeals Policy.~~

~~There will be a Members Appeal hearing Panel of three elected Members, one of whom will chair the meeting.~~

~~No member of the Executive can be nominated to sit on a Panel.~~

~~Group Leaders to nominate members to sit on Appeals Panels (A list is compiled, which is administered by Democratic Services). All nominated members will receive training prior to sitting. The Panel will reflect the political balance of the Council whenever possible.~~

~~Democratic Services make all the necessary arrangements for the hearings.~~

~~Democratic Services will ensure that Members receive all the relevant paperwork at least five working days before the hearing.~~

~~The Panel will consist of a Panel of three Elected Members, one of whom will chair the meeting. The Group Leaders will nominate Members to be eligible to sit on Appeals Panels. Any Member nominated will receive training prior to sitting as a Member of the Panel. There is no requirement for training to be provided following an election unless a member nominated has not received training previously. The Panel will reflect the political balance of the Council whenever possible. No Member of the Executive can be nominated to sit on a Panel. Democratic Services shall maintain a list of Members nominated.~~

~~Democratic Services shall be responsible for making the necessary administrative arrangements for the appeals.~~

## 7.05—06 Audit Committee

There will be an Audit Committee consisting of eight members. Seven of the members will be Non-Executive Councillors and [reflect the political balance overall](#). 1 member shall be an independent person who is not a Councillor or Officer of the Council.

### Role:

- To fulfil the role of an Audit Committee in respect of the work of the Council

### Functions:

2/34

approved version 16.05.14

### Audit Activity

- to consider the Head of Internal Audit's annual report and opinion, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements
- to consider summaries of specific internal audit reports of significance or as requested
- to consider reports dealing with the management and performance of internal audit
- to consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale
- to consider the external auditor's annual letter, relevant reports, and the report to those charged with governance
- to consider specific reports as agreed with the external auditor
- to comment on the scope and depth of external audit work and to ensure it gives value for money
- to liaise with the Audit Commission over the appointment of the Council's external auditor

### Regulatory Framework

- to maintain an overview of the Council's Constitution.
- to review any issues referred to it by the Chief Executive, Director, or any Council body
- to monitor the effective development and operation of risk management and corporate governance in the Council
- to monitor Council policies on confidential reporting code, anti-fraud and anti-corruption policy and Council's complaint process
- to oversee the production of the Council's Annual Governance Statement and to recommend its adoption
- to consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice
- to consider the council's compliance with its own and other published standards and controls

### Accounts

- to review the annual statement of accounts. Specifically to consider whether

2/35

*approved version 16.05.14*

appropriate accounting policies have been followed and whether there are any concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council

- to consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts
- duty to approve the authority's statement of accounts, income and expenditure and balance sheet

#### Standards

- promoting and maintaining high ethical standards by Councillors and non-elected members;
- assisting the Councillors and ~~non-elected~~ added members to observe the Members' Code of Conduct;
- advising the Council on the adoption or revision of the Members' Code of Conduct;
- monitoring the operation of the Members' Code of Conduct;
- advising, training or arranging to train Councillors and ~~non-elected~~ added members on matters relating to the Members' Code of Conduct;
- determining complaints of breaches of the Code of Conduct for Members referred for hearing by the Monitoring Officer ;

#### **7.0607**      **Health and Wellbeing Board**

There will be a Health and Wellbeing Board. The Board will comprise:

The Executive Councillor for NHS Liaison, Community Engagement  
The Executive Councillor for Adult Care and Health Services, Children's Services  
The Executive Councillor for Libraries, Heritage, Culture, Registration and Coroners Service  
Five further County Councillors  
The Director of Public Health  
The Director of Children's Services  
The Director of Adult Social Services  
A designated representative from each clinical commissioning group in Lincolnshire  
A designated representative from the NHS Commissioning Board  
One designated District Council representative  
A designated representative of Healthwatch

#### Functions

- To encourage persons who arrange for the provision of any health and social care services in the area to work in an integrated manner
- To provide such advice, assistance or other support as it thinks appropriate for the purpose of encouraging joint commissioning
- To prepare and publish a Joint Strategic Needs Assessment
- To prepare and publish a Joint Health and Wellbeing Strategy

2/36

approved version 16.05.14



### Quorum

One third of the membership of the Board to include a representative from the clinical commissioning groups, a Lincolnshire County Council Executive Councillor and either the Chairman or the Vice-Chairman.

### Frequency of Meetings

The Board shall meet no less than four times each year including an AGM.

### Chairman and Vice-Chairman

| The Board shall elect its Chairman and Vice Chairman at ~~the~~ its AGM.

### Voting

Each member of the Board shall have one vote and decisions will be made by a simple majority. The Chairman will have a casting vote.

### Substitutes

Each member of the Board can nominate a named substitute. Two working days advance notice that a substitute member can attend a meeting of the Board will be given to the Democratic Services Manager. Substitute members will have the same powers as Board members.

## ARTICLE 8 – JOINT ARRANGEMENTS

### 8.01 Arrangements to promote well-being

The Executive in order to promote the economic, social or environmental well-being of its area, may:

- (a) enter into arrangements or agreements with any person or body;
- (b) co-operate with, or facilitate or co-ordinate the activities of, any person or body; and
- (c) exercise on behalf of that person or body any functions of that person or body.

The Executive will at all times in its decision making and deliberations have regard to the purpose of this Constitution to enable the Council to provide clear leadership to the community in partnership with members of the public, businesses and other organisations and pursue opportunities for joint working with other organisations.

### 8.02 Joint Arrangements

- (a) The Council may establish joint arrangements with one or more local authorities and/or their Executive to exercise functions, which are not Executive functions in any of the participating authorities, or advise the Council. Such arrangements may involve the appointment of a joint Committee with these other local authorities.
- (b) The Executive may establish joint arrangements with one or more local authorities to exercise functions, which are Executive functions. Such arrangements may involve the appointment of joint Committees with these other local authorities.
- (c) Except as set out below, the Executive may only appoint Executive Councillors to a joint Committee and those Councillors need not reflect the political composition of the local authority as a whole.
- (d) The Executive may appoint Councillors to a joint Committee from outside the Executive in the following circumstances:
  - The joint Committee has functions for only part of the area of the authority, and that area is smaller than two-fifths of the authority by area or population. In such cases, the Executive may appoint to the joint Committee any Councillor who is a Councillor for an electoral division, which is wholly or partly contained within the area.

2/38

approved version 16.05.14

- The joint Committee is between a County Council and a single District Council and relates to functions of the Executive of the County Council. In such cases, the Executive of the County Council may appoint to the joint Committee any Councillor who is a Councillor for an electoral division which is wholly or partly contained within the area.

In both of these cases the political balance requirements do not apply to such appointments.

- (e) Details of any joint arrangements including any delegations to joint Committees will be found in the Council's scheme of delegations in Part 3 of this Constitution.

### **8.03 Access to information**

- (a) The Access to Information Rules in Part 4 of this Constitution apply.
- (b) If all the Members of a joint Committee are Executive Councillors in each of the participating authorities then its access to information regime is the same as that applied to the Executive.
- (c) If the joint Committee contains Councillors who are not on the Executive of any participating authority, then the access to information rules in Part VA of the Local Government Act 1972 will apply.

### **8.04 Delegation to and from other local authorities**

- (a) The Council may delegate non-Executive functions to another local authority or, in certain circumstances, the Executive of another local authority.
- (b) The Executive may delegate Executive functions to another local authority or the Executive of another local authority in certain circumstances.
- (c) The decision whether or not to accept such a delegation from another local authority shall be reserved to the Council meeting.

### **8.05 Contracting out**

The Executive may contract out to another body or organisation functions which may be exercised by an Officer and which are subject to an order under section 70 of the Deregulation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles, provided there is no delegation of the Council's discretionary decision making.

## ARTICLE 9 – OFFICERS

### 9.01 Engagement of Staff

#### (a) **General**

The ~~full~~ Council [through its Head of Paid Service](#) may engage such staff (referred to as Officers) as it considers necessary to carry out its functions.

The recruitment selection and dismissal of employees will comply with the Officer Employment Procedure Rules, Officer Employment Protocol and Councillor Role in Part 4 of this Constitution.

The Council will from time to time determine and publicise a description of the overall departmental structure of the Council showing the management structure. This is set out at Part 7 of this Constitution.

#### (b) **Chief Officers.**

All Chief Officers will:

- contribute to the corporate management of the County Council;
- represent and promote the County Council as a Local Authority concerned to secure high quality services in line with the Council's Business Plan for the people of Lincolnshire;
- develop partnership working.

The persons engaged to fill the following posts will be designated Chief Officers:

| <b>Post</b>                                  | <b>Functions and areas of responsibility</b>  |
|--|---|
| Chief Executive                              | <ul style="list-style-type: none"> <li>• Overall corporate management</li> <li>• Overall operational responsibility (including overall management responsibility for all Officers)</li> <li>• Strategic development and performance of the organisation</li> <li>• Provision of professional advice to all parties in the decision making process</li> <li>• Together with the Monitoring Officer, responsibility for a system of record keeping for all the Council's decisions</li> <li>• Representing the Council on partnership and external bodies (as required by statute or the Council)</li> <li>• Corporate Policy</li> <li>• Information, Media Communications &amp; Commissioning Support</li> </ul> |
| Executive Director of Children's Services    | <ul style="list-style-type: none"> <li>• Education</li> <li>• Children's Safeguarding</li> <li>• Early years</li> <li>• Children with Disabilities</li> <li>• Families</li> <li>• Support for Children with SEN</li> <li>• School Support Services</li> <li>• Regulated Services (Children Looked After, secure unit, residential homes, respite homes. adoption and fostering)</li> <li>• People Services (HR)</li> </ul>  |
| Executive Director for Environment & Economy | <ul style="list-style-type: none"> <li>• Economy (including commissioning of heritage services)</li> <li>• Lead Local Flood Authority</li> <li>• Environmental Protection and Wellbeing</li> <li>• Transport, Highways &amp; Traffic Management</li> <li>• Waste Management</li> <li>• Spatial Planning</li> <li>• Legal Services Lincolnshire</li> <li>• Democratic Services</li> </ul>  |

|   |  |
|---|--|
| Executive Director of Finance and Public Protection         | <ul style="list-style-type: none"> <li>• Fire &amp; Rescue</li> <li>• Safer Communities (Including Civil Protection and Trading Standards)</li> <li>• Business Support</li> <li>• Emergency Planning</li> <li>• Youth Offending Services</li> <li>• Corporate Audit &amp; Risk Assurance</li> <li>• Property</li> <li>• Finance</li> </ul> |
| Executive Director of Community Wellbeing and Public Health | <ul style="list-style-type: none"> <li>• Community Development</li> <li>• Customer Services</li> <li>• Libraries and Heritage Operations</li> <li>• Registrar and Coroners</li> <li>• Public Health</li> </ul>   |
| Director of Adult Care                                      | <ul style="list-style-type: none"> <li>• Support to Hospitals</li> <li>• Independent Living</li> <li>• Learning Disabilities</li> <li>• Mental Health</li> <li>• Carers</li> <li>• Adults Safeguarding</li> <li>• Older People/Physical Disability</li> </ul>  |

(c) **Statutory Officers** - Head of Paid Service, Monitoring Officer and Section 151 Officer

The Council will designate the following posts as Statutory Officers:

| <b><i>Post</i></b>                               | <b><i>Designation</i></b>   |
|--|---|
| Chief Executive                                  | Head of Paid Service under section 4 of the Local Government and Housing Act 1989   |
| Executive Director for Environment & Economy     | Monitoring Officer under section 5 of the Local Government and Housing Act 1989   |
| Executive Director Finance and Public Protection | Chief Finance Officer with responsibility for the administration of the financial affairs of the Council under section 151 of the Local Government Act 1972 |

2/42

approved version 16.05.14

|   |   |
|---|---|
| Executive Director of Children's Services                   | Director of Children's Services under section 18 of the Children Act 2004                               |
| Executive Director of Community Wellbeing and Public Health | Director of Public Health under Section 73A of the National Health Service Act 2006                     |
| Director of Adult Care                                      | Director of Adult Social Services under Section 6 of the Local Authorities and Social Services Act 1970 |

The Head of Paid Service, Monitoring Officer and Chief Finance Officer have functions set out in 9.02 – 9.04 below.

(d) **Structure**

The Council will publicise a description of the overall departmental structure of the Council showing the management structure and deployment of Officers. This is set out at Part 7 of this Constitution.

**9.02 Functions of the Head of Paid Service**

(a) **Discharge of functions by the Council**

The Head of Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of Officers required for the discharge of functions and the organisation of Officers.

(b) **Restrictions on functions**

The Head of Paid Service may not be the Monitoring Officer but may hold the post of s151 Officer, if a qualified accountant.

**9.03 Functions of the Monitoring Officer**

(a) **Maintaining the Constitution**

The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Councillors, Officers and the public.

(b) **Ensuring lawfulness and fairness of decision making**

After consulting with the Head of Paid Service and Section 151 Officer, the Monitoring Officer will report to the full Council or to the Executive in relation to an Executive function if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

(c) **Standards**

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Audit Committee. The Monitoring Officer will process complaints about breaches of the code of conduct in accordance with the local arrangements. The Monitoring Officer will consider applications in relation to the granting of dispensations in relation to disclosable pecuniary interests

(d) **Proper Officer for access to information**

The Monitoring Officer will ensure that Executive decisions, together with the reasons for those decisions and relevant Officer reports and background papers are made publicly available as soon as possible.

(e) **Advising whether Executive decisions are within the Budget and Policy Framework**

The Monitoring Officer will advise whether decisions of the Executive are in accordance with the Budget and Policy Framework.

(f) **Providing advice**

The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Councillors.

(g) **Restrictions on posts**

The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.

**9.04 Functions of the Chief Finance Officer**

(a) **Ensuring lawfulness and financial prudence of decision making**

After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Finance Officer will report to the full Council or to the Executive in relation to an Executive function and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.

(b) **Administration of financial affairs**

The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council and ensure maintenance of an efficient and effective internal audit function.

2/44

approved version 16.05.14



(c) **Contributing to corporate management**

The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

(d) **Providing advice**

The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Councillors and will support and advise Councillors and Officers in their respective roles.

(e) **Give financial information**

The Chief Finance Officer will provide financial information to the media, members of the public and the community.

**9.05 Duty to provide sufficient resources to the Monitoring Officer and Section 151 Officer**

The Council will provide the Monitoring Officer and Section 151 Officer with such Officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed in accordance with the provisions of the Local Government and Housing Act 1989 and the Local Government Finance Act 1988.

**9.06 Other Statutory Posts**

The Council is also required to appoint a Statutory Scrutiny Officer. This enables the Council to comply with its obligation under Section 9FB of the Local Government Act 2000 as inserted by Section 21 of the Localism Act 2011.

The Council is also required under Section 17 of the Traffic Management Act 2004 to appoint a Traffic Manager.

## ARTICLE 10 – DECISION MAKING

### 10.01 Responsibility for decision making

The Council will issue and keep up to date a record of what part of the Council or individual has responsibility for particular types of decisions or decisions relating to particular areas or functions. This record is set out in Part 3 of this Constitution.

### 10.02 Principles of decision making

In order that decision making is efficient, transparent and accountable, all decisions of the Council (whether taken by the full Council, the Executive, Committees, Councillors or Officers) will be based on the following principles:

- proportionality (ie: the action must be proportionate to the desired outcome);
- due consultation (including professional advice from Officers when appropriate or necessary);
- respect for human rights;
- a presumption in favour of openness;
- clarity of aims and desired outcomes.

In addition, there will be effective access for the public to both the Council's decision making process and to its decision makers. To ensure ~~this, the Council's~~ the new arrangements for decision making will mean that:

- it is publicly known who is responsible for decisions;
- it is publicly known as soon as practicable what decisions the Council is planning to take;
- the public know how they can have an input into decisions, and at what point in the process, in order to best influence them;
- the public have access, whenever possible, to the information on which decisions are based;
- the public know what decisions have been taken and the reasons for them;
- significant decisions should not come as a surprise to those whom they affect;
- prior to taking decisions, Councillors and non-elected members will have full advice and recommendations from the appropriate professional experts within the County Council. It is improper for Councillors and non-elected members to seek to influence Officer recommendations by subjecting Officers to undue pressure.

Further guidance on decision making by the Executive is given in the Executive Procedure Rules in Part 4 of this Constitution. Further guidance on Officer Decision making is given in the Officer Delegation section of the “Responsibility for Functions”, Part 3 of this Constitution.

Key decisions (i.e: those decisions which have significant effects on the income and/or expenditure of the Council, and/or on the community (or parts of the community) served by the Council), will need to be particularly identified and consulted on within clear timescales. Such key decisions may be delegated to various parts of the Council (including Committees and Officers). Even so, the principles and guidelines set out above would still apply.

### **10.03 Types of decision**

#### **(a) Decisions reserved to full Council**

Decisions relating to the functions listed in Article 4.02 will be made by the full Council and not delegated.

#### **(b) Key decisions**

(i) A Key decision, as set out in ‘The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012’ is a decision of the Executive which is likely:

- to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority’s budget for the service or function to which the decision relates; or
- to be significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions in the area of the local authority.

(ii) Without prejudice to the generality of the statutory definition but subject always to paragraph (iii) below the following decisions shall be treated as Key Decisions for the purposes of this Constitution

- a decision which is likely to result in expenditure of £500k and for the purposes of the statutory definition of a key decision expenditure below the said figure of £500k shall not be taken to be significant
- a decision which will have a material effect on Council services such as where
  - an existing service or access to an existing service will be substantially expanded or reduced or will cease altogether or a new service is proposed

2/47

approved version 16.05.14

- a service which is currently provided in-house by the Council may be outsourced
  - a partnership will be entered into with a third party which involves an element of risk share or transfer
  - a decision that involves any new policy or strategy or which forms part of the development of or a change to the Policy Framework or the Budget
  - a decision to exercise the Council's power to trade or charge for discretionary services
  - a decision to apply for funding from any external body which if successful would require Council match funding of £250,000 or more or entail a revenue commitment of at least £250,000 in total
  - consideration of any matter which will result in a recommendation to full Council
- (iii) The following shall not be Key Decisions notwithstanding that they may fall within paragraph (b)(i) above
- routine money market transactions and
  - in relation to the letting of contracts, the key decision is the proposal to let the contract and subsequent decisions in relation to any procurement process from inviting tenders up to an including awarding the contract to a particular contractor are not Key Decisions;

#### **10.04 Decision making by the full Council**

Subject to Article 11.08, the Council meeting will follow the Council Procedures Rules set out in Part 4 of this Constitution when considering any matter.

#### **10.05 Decision making by the Executive**

Subject to Article 11.08, the Executive will follow the Executive Procedures Rules set out in Part 4 of this Constitution when considering any matter.

#### **10.06 Decision making by Role of Overview and Scrutiny Committees**

Overview and Scrutiny Committees will follow the Overview and Scrutiny Procedures Rules set out in Part 4 of this Constitution when considering any matter.

**10.07 Decision making by other Committees and Sub-Committees established by the Council**

Other Council Committees and Sub-Committees will follow those parts of the Council Procedures Rules set out in Part 4 of this Constitution as apply to them.

**10.08 Decision making by Council bodies acting as tribunals**

The Council, a Councillor or an Officer acting as a tribunal or in a quasi-judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.

## **ARTICLE 11 – FINANCE, CONTRACTS AND LEGAL MATTERS**

### **11.01 Financial management**

The management of the Council's financial affairs will be conducted in accordance with the Financial Regulations set out in Part 4 of this Constitution.

### **11.02 Contracts**

Every contract made by the Council will comply with the Contract Regulations set out in Part 4 of this Constitution.

### **11.03 Legal proceedings**

The Assistant Practice Director for Shared Services is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Assistant Practice Director for Shared Services considers that such action is necessary to protect the Council's interests.

### **11.04 Authentication of documents**

Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Assistant Practice Director for Shared Services or other person authorised by him/her, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

### **11.05 Common Seal of the Council**

The Common Seal of the Council will be kept in a safe place in the custody of the Assistant Practice Director for Shared Services. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents, which in the opinion of the Assistant Practice Director for Shared Services should be sealed. The affixing of the Common Seal will be attested by the Assistant Practice Director for Shared Services or some other person authorised by him/her.

## ANNEX A

### COMPOSITION OF COUNTY COUNCIL COMMITTEES AND SUB-COMMITTEES

| Committees   | Composition  |
|--|--|
| Overview and Scrutiny Management Committee                         | 18 Councillors (+ 5 added non-elected members for education matters)<br>Politically balanced   |
| Adults Scrutiny Committee  | 11 Councillors – Politically balanced  |
| Children and Young People Scrutiny Committee                       | 18 Councillors (+ 5 added non-elected members for education matters)<br>Politically balanced   |
| Economic Scrutiny Committee  | 11 Councillors – Politically balanced  |
| Environmental Scrutiny Committee                                   | 11 Councillors – Politically balanced  |
| Flood and Drainage Management Scrutiny Committee                   | 11 Councillors - Politically balanced (+7 other voting members each appointed by a District Council)   |
| Health Scrutiny Committee for Lincolnshire                         | 8 Councillors – Politically balanced (+ 7 other voting members each appointed by a District Council and a member of Healthwatch Lincolnshire (non-voting)) |
| Highways and Transport Scrutiny Committee                          | 11 Councillors – Politically balanced  |
| Community and Public Safety Scrutiny Committee                     | 11 Councillors – Politically balanced  |
| Value for Money Scrutiny Committee                                 | 11 Councillors – Politically balanced  |
| Audit Committee  | 7 Councillors – Politically balanced (+ 1 independent person who is not a Councillor or an officer of the Council)   |
| Pensions Committee   | 8 Councillors – Politically balanced (+ 3 non-elected members)   |
| Planning and Regulation Committee                                  | 15 Councillors – Politically balanced  |
| Definitive Map and Statement of Public Rights of Way Sub-Committee | 7 Councillors – Politically balanced   |
| Appointments Committee   | 12 Councillors - Politically balanced  |
| Pay Policy Sub-Committee   | 7 Councillors – Politically balanced   |
| Health and Wellbeing Board   | See Article 7.06   |

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# **Part 3**

## **RESPONSIBILITY FOR FUNCTIONS**

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## RESPONSIBILITY FOR FUNCTIONS

### INTRODUCTION

Section 13 of the Local Government Act 2000 provides for determining which functions of a local authority are the responsibilities of the Executive under Executive arrangements. All functions of a local authority must be the responsibility of the Executive unless specified otherwise in Regulations or there are express provisions to the contrary in other legislation.

In accordance with the requirements of the regulations Part 3 of this Constitution sets out the extent to which the Council's functions other than overview and scrutiny functions

- Are the responsibility of the full Council
- Are the responsibility of Committees of the Council
- Are the responsibility of the Executive
- Have been delegated to Officers
- Are the subject of joint arrangements

The allocation of responsibilities reflects the Secretary of State's approach to the division of functions between the Executive and the Council, namely

- Determination of the policy framework and budget and other constitutional and quasi legislative functions are to be the responsibility of the full Council
- Functions which involve determining an application from a person for a licence approval consent permission or registration (including particular planning permissions and consents) or direct regulation of a person (except in cases where there is only limited discretion in the discharge of the function) together with any related enforcement actions (including prosecutions) are not to be the responsibility of the Executive and
- All other functions not being overview and scrutiny functions are to be the responsibility of the Executive.

Within this framework all political groups on the County Council have agreed that it is the role of Councillors to concentrate upon broad strategy and policy decisions and that it is essential that managers have clear managerial control and authority to implement those decisions.

It is part of the role of Councillors to raise concerns, particularly those of constituents, and bring to the attention of Chief Officers matters of concern on any element of a service. Councillors agree that their involvement in day to day management beyond this is unlikely to produce the most effective services. In exercising their delegated powers, Chief Officers will consider the concerns and comments of Councillors whilst recognising their responsibility to manage service delivery in accordance with the Council's policy framework.

**TABLE 1****MATTERS WHICH IT IS THE RESPONSIBILITY OF THE FULL COUNCIL TO DISCHARGE**

| <b>Function</b> |  |
|-----------------|--|
| <b>1.</b>       | Adopting and Changing the Constitution.  |
| <b>2.</b>       | Approving or adopting the Budget and the Policy Framework.   |
| <b>3.</b>       | Changing the Budget or the Policy Framework except those changes to the Policy Framework which are necessary to ensure compliance with the law, ministerial direction or government guidance which may be made by the Executive, a Committee of the Executive, an individual Executive Councillor or an Officer in accordance with rule 8 of the Budget and Policy Framework Procedure Rules in Part 4 of this Constitution. |
| <b>4.</b>       | Subject to the urgency procedure contained in Rule 16 of the Access to Information Procedure Rules in Part 4 of this Constitution, making any Executive decisions about any matter in the discharge of an Executive function where the decision maker is minded to make it in a manner which would be contrary to the Policy Framework or contrary to/not wholly in accordance with, the Budget.                             |
| <b>5.</b>       | Electing and removing the Leader of the Council.   |
| <b>6.</b>       | Agreeing and/or amending the terms of reference for Committees, Sub-Committees Groups and Panels, deciding on their composition and making appointments to them including appointment of Chairmen and Vice Chairmen but excluding the Chairman and Vice Chairman of Health Scrutiny Committee who will be appointed by that Committee.   |
| <b>7.</b>       | Appointing representatives of the Council to outside bodies unless the appointment is an Executive function under this Part 3 of this Constitution or has been delegated by the Council.   |
| <b>8.</b>       | Appointing Special Interest Councillors  |
| <b>9.</b>       | Adopting a Scheme of Members Allowances.   |
| <b>10.</b>      | Changing the name of the area.   |
| <b>11.</b>      | Confirming the appointment and dismissal of the Head of Paid Service.  |
| <b>12.</b>      | Making, amending, revoking, re-enacting or adopting byelaws and promoting or opposing the making of local legislation or personal Bills in Parliament.   |
| <b>13.</b>      | Adopting or changing the Members' Code of Conduct, subject to advice from the Audit Committee.   |
| <b>14.</b>      | Appointing the Returning Officer for County Council elections.   |

| <b>Function</b> |  |
|-----------------|--|
| <b>15.</b>      | Submission of proposals to the Secretary of State for an order under Section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000.   |
| <b>16.</b>      | Power to confer title of honorary alderman.  |
| <b>17.</b>      | Functions relating to sea fisheries.   |
| <b>18.</b>      | Power to make standing orders.   |
| <b>19.</b>      | Duty to make arrangements for proper administration of financial affairs, etc.   |
| <b>20.</b>      | Power to appoint Officers for particular purposes (appointment of "Proper Officers").  |
| <b>21.</b>      | Duty to designate Officer as the head of authority's paid service, Section 151 Officer, Monitoring Officer and to provide staff to them.   |
| <b>22.</b>      | Consideration of a Report from a Local Commissioner under Section 31 or a further Report under Section 31A of the Local Government Act 1974 and of actions taken or proposed to be taken in response.                                    |
| <b>23.</b>      | <del>The making of arrangements under section 20 (questions on police matters at Council meetings) of the Police Act 1996 for enabling questions to be put on the discharge of the functions of the Lincolnshire Police Authority.</del> |
| <b>24.</b>      | All other matters which, by law, must be reserved to Council.  |

**TABLE 2**

**MATTERS WHICH ARE THE RESPONSIBILITY OF THE  
PLANNING AND REGULATION COMMITTEE**

| <b>Function</b>   | <b>Provision of Act or Statutory Instrument</b>  |
|---|--|
| <b>A. Functions relating to town and country planning and development control</b>   |  |
| 1. Power to determine applications for planning permission.   | Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990 (c.8).  |
| 2. Power to determine applications to develop land without compliance with conditions previously attached.                                | Section 73 of the Town and Country Planning Act 1990.  |
| 3. Power to grant planning permission for development already carried out.  | Section 73A[13] of the Town and Country Planning Act 1990.   |
| 4. Power to decline to determine applications for planning permission.  | Section 70A of the Town and Country Planning Act 1990[14].   |
| 5. Duties relating to the making of determinations of planning applications.  | Sections 69, 76 and 92 of the Town and Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25 and 26 of the Town and Country Planning (General Development Procedure) Order 1995 (S.I. 1995/419) and directions made there under. |
| 6. Power to determine applications for planning permission made by a local authority, alone or jointly with another person.               | Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (S.I. 1992/1492)[15].   |
| 7. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights. | Parts 6, 7, 11, 17, 19, 20, 21 to 24, 26, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418).   |
| 8. Power to enter into agreement regulating development or use of land.   | Section 106 of the Town and Country Planning Act 1990.   |
| 9. Power to issue a certificate of existing or proposed lawful use or development.  | Section 191(4) and 192(2) of the Town and Country Planning Act 1990[16].   |

| <b>Function</b>   | <b>Provision of Act or Statutory Instrument</b>  |
|---|--|
| <b>10.</b> Power to serve a completion notice.  | Section 94(2) of the Town and Country Planning Act 1990.   |
| <b>11.</b> Power to require the discontinuance of a use of land.  | Section 102 of the Town and Country Planning Act 1990.   |
| <b>12.</b> Power to serve a planning contravention notice, breach of condition notice or stop notice.   | Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990[19].  |
| <b>13.</b> Power to issue or withdraw an enforcement notice and to waive or relax any requirement of the notice.  | Section 172 of the Town and Country Planning Act 1990[20].   |
| <b>14.</b> Power to apply for an injunction restraining a breach of planning control.   | Section 187B of the Town and Country Planning Act 1990[21].  |
| <b>15.</b> Power to determine applications for hazardous substances consent, and related powers.  | Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990 (c.10).   |
| <b>16.</b> Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject. | Paragraph 2(6)(a) of Schedule 2 to the Planning and Compensation Act 1991, paragraph 9(6) of Schedule 13 to the Environment Act 1995 (c.25) and paragraph 6(5) of Schedule 14 to that Act. |
| <b>17.</b> Power to require proper maintenance of land.   | Section 215(1) of the Town and Country Planning Act 1990.  |
| <b>18.</b> Power to execute urgent works.   | Section 54 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.  |
| <b>19.</b> Powers relating to the preservation of trees.  | Sections 197 to 214D of the Town and Country Planning Act 1990, and the Trees Regulations 1999 (S.I. 1999/1892).   |
| <b>20.</b> Powers relating to the protection of important hedgerows.  | The Hedgerows Regulations 1997 (S.I. 1997/1160).   |

| Function  | Provision of Act or Statutory Instrument  |
|---|---|
| <b>B. Licensing and registration functions (insofar as not covered by any other paragraph in this table)</b>  |   |
| 1. Duty to keep list of persons entitled to sell non-medicinal poisons.   | Sections 3(1)(b)(ii), 5, 6 and 11 of the Poisons Act 1972 (c.66)[33].   |
| 2. Power to issue, amend or replace safety certificates (whether general or special) for sports grounds.  | The Safety of Sports Grounds Act 1975 (c.52)[34].   |
| 3. Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds.   | Part III of the Fire Safety and Safety of Places of Sport Act 1987 (c.27).  |
| 4. Power to enforce the various provisions of the Regulatory Reform (Fire Safety) Order 2005.   | The Regulatory Reform (Fire Safety) Order 2005 (No. 1541).  |
| 5. Power to register animal trainers and exhibitors.  | Section 1 of the Performing Animals (Regulation) act 1925 (c.38[39].  |
| 6. Power to licence the employment of children.   | Part II of the Children and Young Persons Act 1933 (c.33), byelaws made under that Part, and Part II of the Children and Young Persons Act 1963 (c.37). |
| 7. Power to approve premises for the solemnisation of marriages.  | Section 46A of the Marriage Act 1949 (c.76) and the Marriages (Approved Premises) Regulations 1995 (S.I. 1995/510)[41].                                 |
| <p>8. Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to:</p> <p>(a) an exchange of lands effected by an order under Section 19(3) of, or Paragraph 6(4) of Schedule 3 to, the Acquisition of Land Act 1981 (c.67); or</p> <p>(b) an order under Section 147 of the Inclosure Act 1845 (c. 8 &amp; 9 Vict. C 118).</p> | Regulation 6 of the Commons Registration (New Land) Regulations 1969 (S.I. 1969/1843).  |



| <b>Function</b>   | <b>Provision of Act or Statutory Instrument</b>  |
|---|--|
| 9. Power to register variation of rights of common.   | Regulation 29 of the Commons Registration (General) Regulations 1966 (S.I. 1966/1471)[42]. |
| 10. Power to grant a street works licence.  | Section 50 of the New Roads and Street Works Act 1991 (c.22).                              |
| 11. Power to issue licences for the movement of pigs.                                       | Article 12 of the Pigs (Records, Identification and Movement) Order 1995 (S.I. 1995/11).   |
| 12. Power to licence the sale of pigs.  | Article 13 of the Pigs (Records, Identification and Movement) Order 1995.                  |
| 13. Power to licence collecting centres for the movement of pigs.                           | Article 14 of the Pigs (Records, Identification and Movement) Order 1995.                  |
| 14. Power to issue a licence to move cattle from a market.                                  | Article 5(2) of the Cattle Identification Regulations 1998 (S.I. 1998/871).                |
| 15. Power to permit deposit of builder's skip on highway.                                   | Section 139 of the Highways act 1980 (c.66).   |
| 16. Power to licence planting, retention and maintenance of trees, etc, in part of highway. | Section 142 of the Highways act 1980.  |
| 17. Power to authorise erection of stiles, etc, on footpaths or bridleways.                 | Section 147 of the Highways Act 1980.  |
| 18. Power to licence works in relation to buildings, etc, which obstruct the highway.       | Section 169 of the Highways Act 1980.  |
| 19. Power to consent to temporary deposits or excavations in streets.                       | Section 171 of the Highways Act 1980.  |
| 20. Power to dispense with obligation to erect hoarding or fence.                           | Section 172 of the Highways act 1980.  |
| 21. Power to restrict the placing of rails, beams, etc, over highways.                      | Section 178 of the Highways Act 1980.  |

| <b>Function</b>  | <b>Provision of Act or Statutory Instrument</b>                    |
|--|--|
| <b>22.</b> Power to consent to construction of cellars, etc, under streets.  | Section 179 of the Highways Act 1980[44].                          |
| <b>23.</b> Power to consent to the making of openings into cellars, etc, under streets, and pavement lights and ventilators. | Section 180 of the Highways Act 1980.                              |
| <b>24.</b> Power to sanction use of parts of buildings for storage of celluloid.   | Section 1 of the Celluloid and Cinematograph Film Act 1922 (c.35). |
| <b>C. Miscellaneous functions</b>  |  |
| <i>Functions relating to public rights of way</i>  |  |
| <b>1.</b> Power to create footpath or bridleway or restricted byway by agreement.  | Section 25 of the Highways Act 1980 (c.66).                        |
| <b>2.</b> Power to make an order to create footpath, bridleway or restricted byway.  | Section 26 of the Highways Act 1980.                               |
| <b>3.</b> Duty to keep register of information with respect to maps, statements and declarations.                            | Section 31A of the Highways Act 1980.                              |
| <b>4.</b> Power to make an application to the Magistrates' court to authorise the stopping up or diversion of a highway.     | Section 116 of the Highways Act 1980                               |
| <b>5.</b> Power to make an Order to extinguish footpaths, bridleways or restricted byways.                                   | Section 118 of the Highways Act 1980.                              |
| <b>6.</b> Power to make a rail crossing extinguishment order.  | Section 118A of the Highways act 1980.                             |
| <b>7.</b> Power to make a special extinguishments order for the purposes of crime prevention.                                | Section 118B of the Highways Act 1980.                             |
| <b>8.</b> Power to make an Order to divert footpaths, bridleways or restricted byways.                                       | Section 119 of the Highways Act 1980.                              |
| <b>9.</b> Power to make a rail crossing diversion order for the purposes of crime prevention.                                | Section 119A of the Highways Act 1980.                             |

|            |  |   |
|------------|--|---|
| <b>10.</b> | Power to make a special diversion order.   | Section 119B of the Highways Act 1980.    |
| <b>11.</b> | Power to apply for an Order for an applicant to enter into an agreement to defray costs in relation to rail crossing diversion orders. | Section 119A(8) of the Highways Act 1980. |
| <b>12.</b> | Duty to assert and protect the rights of the public to use and enjoyment of highways.  | Section 130 of the Highways Act 1980.     |
| <b>13.</b> | Duty to serve notice of proposed action in relation to obstruction.  | Section 130A of the Highways Act 1980.    |
| <b>14.</b> | Power to apply for variation of order under Section 130B of the Highways Act 1980.   | Section 130B(7) of the Highways Act 1980. |
| <b>15.</b> | Power to remove items painted, inscribed or affixed to the surface of a tree, structure or works on or in the highway.                 | Section 132 of the Highways Act 1980.     |
| <b>16.</b> | Duty to enforce provisions in relation to ploughing in connection with a footpath or bridleway.  | Section 134(6) of the Highways Act 1980.  |
| <b>17.</b> | Power to grant an extension to the relevant period in relation to ploughing in connection with a footpath or bridleway.                | Section 134(8) of the Highways Act 1980.  |
| <b>18.</b> | Power to authorise and make a Diversion Order allowing for the temporary disturbance of a footpath, bridleway or restricted byway.     | Section 135 of the Highways Act 1980.     |
| <b>19.</b> | Duty to enforce the provisions in relation to interference by crops.   | Section 137A(5) of the Highways Act 1980. |
| <b>20.</b> | Power to remove structures from highways and to recover costs from the person having control or possession of the structure.           | Section 143 of the Highways Act 1980.     |
| <b>21.</b> | Power to enforce minimum widths for gates across highways.   | Section 145 of the Highways Act 1980.     |

| <b>Function</b>   | <b>Provision of Act or Statutory Instrument</b>             |
|---|---|
| <b>22.</b> Powers relating to the removal of things so deposited on highways as to be a nuisance.   | Section 149 of the Highways Act 1980.                       |
| <b>23.</b> Power to require the removal of overhanging trees or shrubs.   | Section 154 of the Highways Act 1980.                       |
| <b>24.</b> Power to require the removal of barbed wire.   | Section 164 of the Highways Act 1980                        |
| <b>25.</b> Power to require information as to ownership of land.  | Section 297 of the Highways Act 1980                        |
| <b>26.</b> Right to use appliances and vehicles on footpaths, bridleways and restricted byways.   | Section 300 of the Highways Act 1980                        |
| <b>27.</b> Power to carry out works in relation to interference with highways.  | Schedule 12A of the Highways Act 1980.                      |
| <b>28.</b> Power to extinguish certain public rights of way.  | Section 32 of the Acquisition of Land Act 1981 (c.67).      |
| <b>29.</b> Duty to keep definitive map and statement under review.  | Section 53 of the Wildlife and Countryside Act 1981 (c.69). |
| <b>30.</b> Power to include modifications in other orders.  | Section 53A of the Wildlife and Countryside Act 1981.       |
| <b>31.</b> Duty to keep register of prescribed information with respect to applications under Section 53(5) of the Wildlife and Countryside Act 1981. | Section 53B of the Wildlife and Countryside Act 1981.       |
| <b>32.</b> Power to prepare map and statement by way of consolidation of definitive map and statement.  | Section 57A of the Wildlife and Countryside Act 1981.       |
| <b>33.</b> Power to designate footpath as cycle track.  | Section 3 of the Cycle Tracks Act 1984 (c.38).              |
| <b>34.</b> Power to extinguish public right of way over land acquired for clearance.  | Section 294 of the Housing Act 1981 (c.68).                 |

| <b>Function</b>  | <b>Provision of Act or Statutory Instrument</b>  |
|--|--|
| <b>35.</b> Power to authorise stopping-up or diversion of footpath or bridleway  | Section 257 of the Town and Country Planning Act 1990.   |
| <b>36.</b> Power to extinguish public rights of way over land held for planning purposes.  | Section 258 of the Town and Country Planning Act 1990.   |
| <b>37.</b> Temporary stopping up of footpaths and bridleways for mineral workings.   | Section 261 of the Town and Country Planning Act 1990.   |
| <b>38.</b> Power to enter into agreements with respect to means of access.   | Section 35 of the Countryside and Rights of Way Act 2000 (c.37).   |
| <b>39.</b> Power to provide access in absence of agreement.  | Section 37 of the Countryside and Rights of Way Act 2000.  |
| <b>40.</b> Power to make closing order with respect to take-away food shops.   | Section 4 of the Local Government (Miscellaneous Provisions) Act 1982 (c.30).                            |
| <b>41.</b> Power to make bylaws as respects access to land.  | Section 17 of the Countryside and Rights of Way Act 2000.  |
| <b>42.</b> Power to erect and maintain notices as respects access to land.   | Section 19 of the Countryside and Rights of Way Act 2000.  |
| <b>43.</b> Power to apply to the court for an Order to remove an obstruction to access.  | Section 39 of the Countryside and Rights of Way Act 2000.  |
| <b>44.</b> Power to make observations and lodge formal objections to District Councils in respect of Public Path Orders proposed to be made by them. | Sections 26, 118, 119 of the Highways Act 1980 or Section 257 of the Town and Country Planning Act 1990. |

**The above functions cannot be exercised by the Executive**

**The above is subject to the delegation of specific powers to the Chief Executive and Chief Officers. Those with delegated powers may always refer the matter back to the Committee if considered appropriate**

**TABLE 3**

**MATTERS WHICH ARE THE RESPONSIBILITY OF VARIOUS COMMITTEES TO DISCHARGE**

|           |   |   |
|-----------|---|---|
| <b>1.</b> | Functions relating to Local Government pensions etc (except for pensions benefits).           | <i>Pensions Committee</i>               |
| <b>2.</b> | The determination of an appeal against a decision made by or on behalf of the authority.      | <i>Appeals Panel</i>                    |
| <b>3.</b> | The conducting of service reviews in accordance with identified Scrutiny Work Programmes.     | <i>Overview and Scrutiny Committees</i> |
| <b>4.</b> | Functions relating to health and wellbeing as set out in the Health and Social Care Act 2012. | <i>Health and Wellbeing Board</i>       |

**The above is subject to the delegation of specific powers to the Chief Executive and Chief Officers. Those with delegated powers may always refer the matter back to the Committee if considered appropriate.**

**TABLE 4**

**COUNTY COUNCIL FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE EXECUTIVE**

- (i) The Executive will be responsible for the implementation of decisions within the policy framework set by the Council in relation to all of the Council's functions which are not the responsibility of any other part of the Council whether by law or under this Constitution.
- (ii) Decisions will be taken in accordance with the Executive Procedure Rules.
- (iii) Executive Councillors are permitted to commission work from officers on policy initiatives.
- (iv) Without prejudice to the generality of the foregoing the Executive shall be responsible for the exercise of the following specific functions

| <b>Function</b> |   |
|-----------------|---|
| <b>1.</b>       | Any function under a local Act other than a function specified elsewhere in this Part 3.  |
| <b>2.</b>       | The making of arrangements pursuant to subsection (1) of section 67 of, and Schedule 18 to, the School Standards and Framework Act 1998 (appeals against exclusion of pupils).  |
| <b>3.</b>       | The making of arrangements pursuant to section 94(1) and (4) of, and Schedule 24 to, the School Standards and Framework Act 1998 (admission appeals).   |
| <b>4.</b>       | The making of arrangements pursuant to section 95(2) of, and Schedule 25 to, the School Standards and Framework Act 1998 (children to whom Section 87 applies: appeals by governing bodies).                                |
| <b>5.</b>       | The making of appointments to the Joint Appointments Committee under Paragraphs 2 to 4 (appointment of Members by relevant Councils) of Schedule 2 (Police Authorities established under Section 3) to the Police Act 1996. |
| <b>6.</b>       | Any function relating to contaminated land.   |

| <b>Function</b> |   |
|-----------------|---|
| <b>7.</b>       | The discharge of any function relating to the control of pollution or the management of air quality.  |
| <b>8.</b>       | The obtaining of information under section 330 of the Town and Country Planning Act 1990 as to interests in land.   |
| <b>9.</b>       | The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976.  |
| <b>10.</b>      | The making of agreements for the execution of highways works.   |
| <b>11.</b>      | The appointment of any individual: <ul style="list-style-type: none"> <li>(a) to any office other than an office in which he is employed by the authority;</li> <li>(b) to any body other than – <ul style="list-style-type: none"> <li>(i) the authority;</li> <li>(ii) a joint Committee of two or more authorities;</li> <li>(iii) a politically balanced body; or</li> </ul> </li> <li>(c) to any Committee or Sub-Committee of such a body, and the revocation of any such appointment.</li> </ul> |
| <b>12.</b>      | The making of agreements with other local authorities for the placing of staff at the disposal of those other authorities.  |

The above is subject to the delegation of specific powers to the Chief Executive and Chief Officers. Those with delegated powers may always refer the matter back to the Executive if considered appropriate.



## DELEGATIONS TO CHIEF EXECUTIVE AND ALL CHIEF OFFICERS

### **A General**

- 1 The Chief Officers referred to in this section are those set out in Article 9 of the Constitution.
- 2 The Chief Executive and all Chief Officers have the general powers set out in section B (General Powers of the Chief Executive and All Chief Officers).
- 3 Chief Officers are authorised to carry out the specific functions of the Council delegated to them in Section C below (Specific Powers of the Chief Executive and All Chief Officers).
- 4 In addition to the general and specific powers referred to in this Part 3 Chief Officers may also be delegated authority to exercise Executive functions by the Leader of the Council, the Executive, a Committee of the Executive or an individual Executive Councillor pursuant to the Executive Procedure Rules in Part 4 of this Constitution.
- 5 All Chief Officers must exercise both their general and specific powers and authority delegated under the Executive Procedure Rules in accordance with the Conditions set out in Section D below (Conditions applying to all Chief Officer Powers).
- 6 Section C also contains specific delegations to officers who are not Chief Officers to aid the efficient and effective discharge of the Council functions. The conditions in Section D below apply to the exercise of such delegated powers.

### **B General Powers of the Chief Executive and all Chief Officers**

1. Subject to the powers of the Appointments Committee, to undertake the day-to-day management and control of their Directorate/Office, the functions administered by their Directorate/Office and the services for which they are responsible including:
  - (a) the appointment, discipline, termination and management of employees;
  - (b) the management, furnishing and equipping of premises for which they are responsible; and
  - (c) taking and implementing decisions including, in particular, any decision which is concerned with maintaining the operation or effectiveness of those services or with a matter incidental to the discharge of the

Council's functions or which falls within the scope of a policy decision taken by the Executive or the Council's policy framework

This general power is in addition to any specific powers which may be given to them.

2. In connection with the functions administered by their Directorate/Office,
  - 2.1 In pursuance of section 222 of the Local Government Act 1972:
    - (a) to prosecute or defend or appear in any legal proceedings and, in the case of civil proceedings, to institute them in the name of the Council; and
    - (b) in the name of the Council to make representations in the interests of the inhabitants at any public inquiry, local inquiry or written representation procedure or hearing held by or on behalf of any Minister or public body under any enactment.
  - 2.2. to exercise the Council's statutory powers to enter upon land and premises for the purposes of inspection, survey, carrying out of any works, investigation of any matter, the taking of samples or for any other purpose for which the Council are so authorised, and to give such notices as may be required in relation thereto.
  - 2.3. to fix fees for services and the use of premises for which fees have not otherwise been fixed.
  - 2.4. to give or refuse consents, issue determinations, apply for permissions, make orders and grant, rescind or refuse all licences, certificates, permits and registrations under any legislation
  - 2.5 to approve redundancies and early retirements in consultation with the Portfolio Holder.
  - 2.6 to obtain particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976.
  - 2.7 to make arrangements for the provisions of supplies and services by and for other local authorities and public bodies (as defined) under the Local Authorities (Goods and Services) Act 1970 or other enabling legislation.
  - 2.8 to issue, serve, receive and act upon notices, and to impose requirements under any legislation.
  - 2.9 to declare land and premises surplus to requirements, after consultation with appropriate Executive Councillor(s) and local Councillor(s).

- 2.10 to accept tenders, place contracts and procure other resources or services within or outside the Council subject to compliance with the Financial Regulations and Contract Regulations
  - 2.11 exercise virement within the financial limits contained in the Financial Regulations
  - 2.12 to sign on behalf of the Council any document to give effect to any decision made by the Council
  - 2.13 to make a formal response on behalf of the County Council to any White Paper, Green Paper, Government Consultation Paper or draft European Union Directive after reference first to the relevant Executive Councillor, or the Leader of the Council or the Chairman of the Regulatory Committee concerned.
- 3 Nothing contained in paragraphs 1 or 2 shall affect or detract from the exercise by a Chief Officer of any function conferred directly on the Chief Officer by any provision of this Constitution.
  4. All Chief Officers may authorise in writing any other named Officer or Officers of the Council, either generally or specifically for the purpose, to exercise any or all of the powers authorised to be exercised by them, except for this power. Chief Officers must prepare in writing a scheme authorising any other officers to exercise such powers. Chief Officers shall remain accountable for any action or decisions taken under such authority.
  - 5 In the event of a Chief Officer post being vacant then subject to any arrangements provided for in any scheme of delegation prepared by a Chief Officer under paragraph 3 above that Chief Officer's delegated powers may be exercised by the relevant Assistant Directors within that Directorate so far as permitted by law.

## C SPECIFIC POWERS OF THE CHIEF EXECUTIVE, CHIEF OFFICERS AND OTHER OFFICERS

### CHIEF EXECUTIVE

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| 1.  | To Act as the Head of Paid Service in pursuance of the Local Government and Housing Act 1989. <u>To have overall Corporate Management and operational responsibility (including overall management responsibility for all staff).</u>  |
| 2.  | To grant or refuse permission for the display of the Coat of Arms and/or Badge of the County.  |
| 3.  | To fix fees for copies of documents and extracts of documents requested by the public under the provisions of the Local Government (Access to Information) Act 1985 and Freedom of Information Act 2000.   |
| 4.  | To exercise the functions of the Council under charities legislation.  |
| 5.  | To appoint Councillors to Committees and Panels and Sub-Committees and Sub-Panels in accordance with the wishes of Group Leaders, Deputy Group Leaders and Group Whips in accordance with Rule 5 of the Council Procedure Rules in Part 4 of this Constitution and the duty arising under Section 16 of the Local Government and Housing Act 1989. |
| 6.  | To fill vacancies in the County Council membership of the Lincolnshire Police Authority in accordance with the nominations of Group Leaders.   |
| 7.  | To progress the strategic development of the Council.  |
| 8.  | On appointment, to undertake all the functions of the Returning Officer.   |
| 9.  | To undertake appropriate and necessary action when vacancy in office occurs.   |
| 10. | To be responsible for the development of the Council's corporate business plan.  |
| 11. | To be responsible for the development of Corporate IT Policy and the provision of general advice thereon.  |
| 12. | To provide corporate communications functions.   |
| 13. | To undertake a research function on behalf of Lincolnshire County Council and provide information and analysis of the census.  |

### EXECUTIVE DIRECTOR OF FINANCE AND PUBLIC PROTECTION

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| 1. To undertake all money market transactions associated with the cash flow functions of the Council including the raising and repayment of all loans within the limits determined by the Council from time to time.  |
| 2. To authorise the payment of statutory pensions and allowances, gratuities and compensation.  |
| 3. To make ex-gratia payments for loss or damage to property and to settle claims where there is no legal liability up to the authorised limit of £1,000.   |
| 4. To pay national pay awards.  |
| 5. To effect appropriate insurance cover in respect of Members and Officers of the Council appointed in an official capacity to represent the interests of the Council on the Boards of Limited Companies.  |
| 6. To make loans and advances to outside bodies in accordance with the policies and limits determined by the Council. Details of current policies are shown in Annex A.   |
| 7. To undertake or arrange for all necessary transactions associated with the management of the assets of the Pension Fund.   |
| 8. Subject to subsequent report to the Value for Money Scrutiny Committee, to authorise an increase in the target area budget of that Committee to fund any shortfall in expenditure necessary towards the realisation of a capital receipt and which cannot be capitalised.  |
| 9. To determine a current maximum annual rental for contract hire cars under the modified contract hire car scheme for the Chief Executive, Executive Directors, Director, Heads of Function and other qualifying Officers of the Council.  |
| 10. To act as Chief Finance Officer in pursuance of the Local Government Finance Act 1988.  |
| 11. In connection with the estate management of the County Council's land and premises, in consultation with the local Councillor:  |
| (a) to acquire land and premises;   |
| (b) to dispose of land and premises surplus to requirement;   |
| (c) to dispose of surplus County Farms land and property surplus to requirements subject to discount, in accordance with the County Farms Management Plan and policies approved by the Executive and following consultation with the appropriate Executive Councillor;  |
| (d) to accept and grant leases of land and premises and such other rights over land and premises as may be deemed necessary or appropriate;   |
| (e) to manage and let County Farms holdings as may be deemed necessary or appropriate in accordance with the Management Plan approved by the Executive following consultation with the appropriate Overview and Scrutiny Committee or Panel and (except in cases where the Council's seal must be affixed thereto) to sign agreements to give effect to such acquisitions, disposals, acceptances, grants or lettings, provided that the form of any such agreement has been approved by the Solicitor(s) to the Council. |
| 12. To seek permission for any development referred to in regulation 3 of the Town and Country Planning General Regulations 1992.   |
| 13. To determine and serve notices under the terms of any agreement for   |

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| the use of land or premises.  |
| 14. To agree appropriate means of securing external representation on the Pension Committee, in consultation with relevant external bodies.   |
| 15. To maintain an adequate and effective internal audit service.   |
| 16. To effect all insurance cover in respect of County Council activities and responsibilities, including making appropriate arrangements for the investigation and settlement of claims.   |
| 17. To approve allocations from the corporate contingency revenue budget in consultation with the Executive Councillor with responsibility for finance and any other appropriate Executive Councillors.   |
| 18. To arrange appropriate banking and related services on behalf of the Council including opening and closing bank accounts.   |
| <b>Fire and Rescue Service</b>  |
| 1. To make appropriate arrangements for dealing with matters relating to the discipline and dismissal of uniformed Fire Officers pursuant to the relevant legislation   |
| 2. To reduce retaining fees in cases in which attendance is required only during limited periods, and in cases of failure to attend for training, fires and other duties.   |
| 3. To review from time to time risk categories and pre-determined attendances.  |
| 4. To waive or make nominal charges in respect of special services.   |
| 5. To approve or refuse applications from members of the Lincolnshire Fire and Rescue Service ("the Service") to engage in outside employment.  |
| 6. To measure the provision of water for firefighting purposes.   |
| 7. To make, vary or revoke reinforcement schemes and other arrangements with other Fire and Rescue Authorities for the discharge of the Council's functions as Fire and Rescue Authority.   |
| 8. To be directly responsible to the relevant Executive Councillor acting on behalf of the Council in its capacity as Fire and Rescue Authority for the Service as maintained under the Fire and Rescue Service Act 2004 having regard to the Fire and Rescue National Framework.   |
| 9. Powers to issue, amend or replace safety certificates (whether general or special) for sports grounds under the Safety of Sports Grounds Act 1975.   |
| 10. Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds under Part III of the Fire Safety and Safety of Places of Sport Act 1987.   |
| 11. Power to enter into an agreement under Section 39 of the Fire and Rescue Services Act 2004 with a water undertaker for securing that an adequate supply of water will be available for use in the event of fire.  |
| 12. Power to enter into an agreement under Section 41 of the Fire and Rescue Services Act 2004 (a) to secure the use of water under the control of a person other than a water undertaker; (b) to improve access to any such water; or (c) to lay and maintain pipes and to carry out other works in connection with the use of such water. |
| 13. Power to authorise in writing named employees to carry out those  |

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| actions provided for in sections 44 (Powers of fire-fighters etc in an emergency etc), 45 (Obtaining information and investigating fires) and 46 (Supplementary powers) of the Fire and Rescue Services Act 2004.  |
| <p>14. Power, in consultation with the Assistant Practice Director for Shared Services, to prosecute:</p> <p>(i) those offences falling under the following provisions of the Fire and Rescue Services Act 2004 namely:</p> <ul style="list-style-type: none"> <li>• Section 40 (water undertaker's failure to comply with request regarding emergency supply of water);</li> <li>• Section 42 (improper use of, or damage to, a fire hydrant);</li> <li>• Section 43 (failure to give notice of intended works to a fire hydrant);</li> <li>• Section 44 (obstruction of or interference with officers exercising Section 44 powers);</li> <li>• Section 46 (obstruction of officers exercising section 45 powers or failure to provide information in response to exercise of section 46 powers); and</li> <li>• Section 49 (false alarms of fire); and</li> </ul> <p>(ii) the various offences falling within the provisions of Article 32 of the Regulatory Reform (Fire Safety) Order 2005.</p> |
| 15. To appoint in writing a named Inspector or Inspectors for the purpose of enforcing the provisions of the Regulatory Reform (Fire Safety) Order 2005.   |
| 16. Power to issue and serve an alterations notice pursuant to Article 29 of the Regulatory Reform (Fire Safety) Order 2005.   |
| 17. Power to issue and serve an enforcement notice pursuant to Article 30 of the Regulatory Reform (Fire Safety) Order 2005.   |
| 18. Power to issue and serve a prohibition notice pursuant to Article 31 of the Regulatory Reform (Fire Safety) Order 2005.  |
| <b>Civil Protection</b>  |
| 1. To implement any legislation pertinent to Emergency Planning.   |
| 2. To act in pursuance of all statutory and other powers relating to services for which the Service is responsible.  |
| 3. To implement the Control of Major Accident Hazard Regulations 1999.   |
| <b>Crime and Disorder</b>  |
| 1. To lead the County Councils efforts to fulfil its obligations and duties under Sections 5 and 6 of the Crime and Disorder Act 1998 (as amended and extended by Schedule 9 of the Police and Justice Act 2006) by actively engaging as a County Council and Fire Authority at all levels in the Community Safety Partnerships of Lincolnshire.   |
| 2. To establish and lead the county-wide Community Safety Board. To develop and implement the County Community Safety Agreement encompassing the priorities for Lincolnshire, as required by the Police and Justice Act 2006.  |
| 3. To lead the County Council's efforts to embed the principles of Section 17 of the Crime and Disorder Act 1998 in every aspect of policy development, budget setting and service delivery in line with the   |

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| statutory duty that the Act imposes.  |
| 4. To drive the County Council's commitment to sharing information with partners as allowed by Section 115 of the Crime and Disorder Act 1998.  |
| 5. To exercise the functions of the County Council in relation to the Youth Offending Service.  |
| <b>Safer Communities Service – Trading Standards</b>  |
| 1. Without prejudice to General Powers, to exercise the functions and duties of the Council as local weights and measures authority, food authority, in connection with legislation relating to standards of trade in the county and for the purposes of the enforcement of animal health and welfare legislation, as part of which, for the correct discharge of these functions, the following direct delegations are made: |
| <b>Head of Safer Communities</b>  |
| 1. To institute legal proceedings in the relevant Court for the prosecution of offences and the enforcement and administration of legislation relevant to standards of trade, community safety, food and animal health and welfare in the County which the Council has either a statutory duty to enforce or may enforce by virtue of Section 222 of the Local Government Act 1972.   |
| 2. Responsibility to ensure that the duties associated with Section 72(1) (a) of the Weights and Measures Act 1985 is discharged within the service.  |
| 3. To issue notices with the effect of requiring the marking of, requiring warnings to be issued in respect of, suspending the supply of, requiring the withdrawal from the market of and requiring the recall from the market of products as provided for under legislation which is enforced by the County Council and is relevant to standards of trade, community safety, food and animal health and welfare.             |
| 4. To act as "Inspector", "Superior Officer", "Authorised Officer" or "Sampling Officer" as the case may be for the purposes of enforcement of legislation which is enforced by the County Council and is relevant to standards of trade, community safety, food and animal health and welfare and to authorise in writing officers to act in these capacities.   |
| 5. To appoint public analysts and agricultural analysts for the County Council for the purposes of the Food Act 1984, the Food Act 1990 and the Agriculture Act 1970.   |
| 6. To nominate in writing Officers for the purposes of enforcing the Food and Environment Protection Act 1985.  |
| 7. To enter into appropriate arrangements with Officers of District Councils where it is expedient to do so for the purpose of enforcing the Food Safety Act 1990.  |
| 8. To appoint suitable persons under the Health and Safety at Work Act 1974 for the purposes of enforcing the Explosives Acts 1875 to 1976.   |
| 9. To initiate appeals against the decisions of the relevant Court where, in the Head of Safer Communities professional opinion, it is proper so to do.   |
| 10. To initiate and co-ordinate all activities necessary for the Council to   |



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| discharge its responsibilities under the Animal Health Act 1981 in order to prevent, control or deal with an outbreak of rabies or other animal disease in the county.   |
| 11.To conduct hearings and to give assent or otherwise under the Explosives Act 1875 in relation to applications for the establishment of new factories or magazines.  |
| 12.To discharge the functions of the County Council as a responsible authority under the licensing Act 2003 and to appoint other officers of the authority to do so.   |
| <b>Service Manager – Safer Communities</b>   |
| 1.In the absence of the Head of Safer Communities, the Service Managers Safer Communities are authorised to exercise the powers delegated to the Head of Safer Communities under 1, 3, 6, 7, 8, 10, 11 and 12 above.   |
| <b>Duly Appointed Officers</b>   |
| 1. At all times the duly appointed Officers of the service are, for the purpose of enforcing the relevant legislation, authorised to exercise the powers delegated to the Head of Safer Communities under 1 and 3 above after having, in each case, obtained the permission of the Head of Safer Communities, or, in his absence, a Service Manager – Safer Communities. |

## ANNEX A

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| <b>LOANS AND ADVANCES TO OUTSIDE BODIES</b>   |
| In the event that an organisation from outside the County Council seeks temporary funding from the Council which is repayable to the Council and is for a short period of time, the following rules apply:  |
| 1. Where:   |
| (i) the need for the money is related to an established County Council Policy or initiative; and  |
| (ii) the money is expected to be recovered within a 6 month period;   |
| then:   |
| (a) Where the money is less than £20,000 Executive Director of Finance and Public Protection shall have the power to approve such cases;  |
| (b) Where the money lent is greater than £20,000 but less than £50,000, the Executive Director of Finance and Public Protection shall have the power to approve such cases but shall report such instances in writing to the Executive Councillor responsible for finance.  |
| (c) Where the money lent is £50,000 or more, then the Executive Director of Finance and Public Protection shall consult with the appropriate Executive Councillors before approving and shall report the arrangements made to the first available meeting of the Value for Money Scrutiny Committee.  |
| 2. In all cases it is expected that interest at appropriate market rates would be charged. There may, however, be instances where an interest charge would be inappropriate. In that case Executive Director of Finance and Public Protection be given the power to waive the interest element where in his opinion it would be inappropriate. Where the interest involved is significant (over £10,000) then such waiver would be after consultation with the appropriate Executive Councillor |

responsible for finance.

## **EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES**

**To act as Director of Children's Services in accordance with Section 18 Children Act 2004 and in particular in relation to the following functions:-**

### **Education**

1. To make grants within a framework approved by the Council including:
  - (a) for the establishment, maintenance, staffing or equipment of youth clubs and groups;
  - (b) to support the provision made by voluntary and other organisations where there are educational benefits to the people of Lincolnshire;
2. To make, suspend and reinstate grants and pay tuition or ancillary fees and/or grants to, or in respect of:
  - (a) students attending establishments of higher or further education or taking other approved courses of education and/or training and to authorise transfer between courses;
  - (b) pupils attending boarding schools and independent or direct grant schools and schools not maintained or assisted by the County Council;
  - (c) maintenance, uniform or free school meals;
  - (d) other young people of particular merit.
3. To authorise the attendance of pupils and teachers on courses or activities outside of school.
4. To discharge the statutory duties of the County Council as schools admission authority and to arrange for the admission and allocation of pupils to schools and in the case of grant-maintained schools to direct the admission of a pupil to such schools.
5. To exercise the functions of the Council in relation to home to school and college transport, school attendance, the employment of children and young persons, cleanliness of pupils and the ascertainment of need and provision for special educational treatment.
6. To appoint lay Members and Local Authority Members to School Admission Appeal Committees, under Section 43 and Schedule 33 of the Education Act 1996.
7. To approve, in circumstances which the Executive Director considers to be exceptional, any change to the admission policy of County and Controlled schools, excluding any change which would constitute a change in character of the school.
8. To make all necessary arrangements to implement the approved Scheme for the Local Management of Schools.
9. To make minor alterations to the "designated areas" associated with County primary and secondary schools.
10. To make all appropriate arrangements to secure the assessment of any pupil's special educational needs as may be required under the terms of the Education Acts.
11. In relation to schools identified as "needing special measures" consequent upon OFSTED inspections to submit to the Secretary of State and HM Chief Inspector, the comments of the County Council as the local education

3/26

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| authority on governors' action plans together with a statement of action which the County Council intends to take.  |
| 12. Following consultation with the relevant Committee, to issue warning notices under the School Standards and Framework Act 1998, and to appoint such additional governors as seen fit following a governing body's failure to comply with the terms of the notice issued by the Authority.   |
| 13. To set the yearly indicative targets for permanent exclusions and unauthorised absence from schools for Lincolnshire, to be included in the Education Development Plan.   |
| 14. To take and implement decisions and to exercise statutory powers relating to the health and welfare or school attendance of individual children, and to take all steps in any related statutory process.  |
| <b>Services for Children in Need</b>  |
| 1. To exercise the functions of the Council in relation to:   |
| (a) adoption and fostering  |
| (b) admission to all forms of accommodation including secure accommodation;   |
| (c) promotion of the welfare, protection, supervision, care and after care of children and young persons;   |
| (d) Children in need.   |
| 2. To act as guarantor in the matter of hire purchase agreements on behalf of children in care.   |
| 3. To make grants or incur expenditure:   |
| (a) to prevent or diminish the need to bring children into care or to keep them in care;  |
| (b) in respect of rent and damage guarantees;   |
| (c) to provide any child or young person in care with such equipment considered necessary for their well-being;   |
| (d) in respect of any child or young person in care participating in a holiday either through a school or with foster parents;  |
| (e) in respect of special clothing grants to children in care;  |
| (f) in respect of extra grants to children for special purposes;  |
| (g) in respect of payments to children formerly in care;  |
| (h) in respect of adoption allowances;  |
| (i) in respect of playgroups (Capital and Revenue);   |
| (j) in respect of children in need.   |
| 4. To pay enhanced boarding out allowances in exceptional circumstances.  |
| 5. To take decisions in respect of the Council's functions acting as Accountable Body in connection with Sure Start.  |
| 6. To take decisions in the exercise of the power to licence the employment of children.  |
| 7. To approve variations of fees so far as they have been agreed by the "Examining Authority" and for which the Council have accepted responsibility for children, young persons or adults attending or residing in establishments not maintained or assisted by the Council and to approve alterations in charges for the maintenance of such residents. |
| 8. To authorise payment for maintenance of people for whom the Council is financially responsible in homes provided by other local authorities and bodies.  |
| 9. To approve, following consultation with the appropriate Executive Councillor,  |

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| the appointment of replacement visiting members of Social Services establishments.   |
| 10. To approve agreements and contracts with or grants to voluntary organisations in undertaking the functions of Children's Social Services and the services for which the Director is responsible. |
| <b>People Management</b>   |
| 1. To be responsible for Human Resources and Organisational Development.   |

## **EXECUTIVE DIRECTOR FOR ENVIRONMENT & ECONOMY**

### **Monitoring Officer & Democratic Services**

1. To act as Monitoring Officer under Section 5 of the Local Government and Housing Act 1989. As Monitoring Officer to consider applications for dispensations in respect of disclosable pecuniary interests.
2. To manage support for the Leader and Chairman's Office.
3. To operate Members' Allowances in line with the resolution of the County Council on this matter.

### **Complaints**

1. To act as the complaints manager under Regulation 22 of the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012 and to make arrangements for dealing with complaints under Regulation 21 of the said Regulations.

### **Highways, Construction and Maintenance**

1. To act as Engineer in Civil Engineering Contracts where the County Council, Highways Agency, or Lincolnshire's Partners are the Employer.
2. To take the role of Employer in Civil Engineering Contracts where the County Council is the employer in respect of:
  - (i) deduction of liquidated damages;
  - (ii) other matters within the limits imposed by the Financial Regulations.
3. To accept appointments to prepare and supervise civil engineering works on behalf of the Highways Agency and other public bodies, private individuals, firms and other bodies.
4. To provide and maintain cattle grids, fences, boundary posts and road footway lighting systems.
5. To carry out minor maintenance activities under the Highways Act 1980 and the Countryside Act 1968 and make decisions on related payments, land exchanges, gifts, rents, speed regulations and similar accommodations.
6. To determine, after consultation with the local Councillor and Chairman and Vice-Chairman of the Planning and Regulation Committee, applications for pedestrian crossings falling within defined criteria.
7. To object to other authorities' formal traffic proposals where they adversely affect highways in Lincolnshire.
8. To convert lengths of footway into combined footway and cycle tracks, subject to no objections being received.
9. To make changes to the Road Hierarchy.
10. To submit proposals for road classification, re-classification or re-numbering, to the Government Office for the East Midlands.

3/28

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| 11. To incur capital expenditure on highway improvement and maintenance schemes subject to:   |
| (i) a maximum scheme cost of £100,000, additional expenditure to be contained within the approved total Highways Capital Programme;   |
| (ii) prior consultation with the Executive Director of Finance and Public Protection and the appropriate Executive Councillor.  |
| 12. In connection with the New Roads and Street Works Act 1991 and any other relevant enabling legislation:   |
| (a) to approve the declaration of an existing highway to be a new street;   |
| (b) to settle payments to be made by owners of new buildings in respect of street works;  |
| (c) to make up, vary the width of and adopt after the execution of street works.  |
| 13. Following consultation as appropriate, to designate County roads as protected Streets and/or Streets with Special Engineering Difficulty under the New Roads and Street Works Act 1991, and to withdraw such designations as appropriate.   |
| 14. To agree with, and for exercise by, the Secretary of State certain functions of the Council in respect of highways affected by the construction, etc, of a trunk road.  |
| 15. To comment to the Highways Agency on their proposed Orders, except where formal objection is to be made.  |
| 16. Following consultation with the appropriate Executive Councillor, to determine future percentage rates and/or thresholds at which the development road fee could be reduced for certain developments.   |
| 17. To carry out the statutory requirements acting on behalf of Lincolnshire County Council as the Enforcement Authority for all aspects of Civil Parking Enforcement and appeals processes as specified in the Traffic Management Act 2004 part 6, the Road Traffic and Regulation Act 1984, the Road Traffic Act 1991, Civil Enforcement of Parking Contraventions (England) General Regulations 2007 and Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007. |
| <b>Management of Highways</b>   |
| 1. To advertise proposals for Road Traffic Regulation Orders and to pursue and progress proposals for the stopping-up of highways which are in accordance with Council policy and which, at preliminary consultation stage, are supported by the Chief Constable and the relevant local Council, and to confirm orders to which no objections are received.   |
| 2. To advertise and consult concurrently on all Traffic Regulation Order proposals other than those relating to speed limits.   |
| 3. Following consultation with the appropriate Executive Councillor, to proceed to public advertising and consultation of speed limit proposals where the Executive Director considers that appropriate.  |
| 4. To make representations to the Highways Agency on draft orders for the stopping-up or diversions of Highways to enable development to be carried out in accordance with planning permission.   |
| 5. Under any legislation relating to the functions administered by the Executive Director for Environment & Economy:  |
| (i) to serve or display notices;  |
| (ii) to grant or refuse consents, approvals, licences, authorisations and   |

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| permissions;  |
| (iii) to impose requirements;   |
| (iv) to exercise any powers preliminary to or subsequent upon (i) to (iii).   |
| Note: Powers under 5(ii) above in respect of the siting of tables and chairs on highways and in pedestrian areas within the highway, are subject to the Planning and Regulation Committee considering adverse comments and objections.                  |
| 6. To make temporary orders regulating traffic and diverting highways.  |
| 7. To assert and protect the rights of the public on highways including the removal of anything that represents an obstruction, nuisance, danger or interference to any highway.  |
| 8. To make observations and lodge formal objections to District Councils in respect of Public Path Orders proposed to be made by them under sections 26, 118 and 119 of the Highways Act 1980 or section 257 of the Town and Country Planning Act 1990. |
| 9. To make and to authorise the making of Orders under the following statutory provisions:  |
| (i) Highways Act 1980, Section 25 (creation of footpaths, bridleways and restricted byways by agreement).   |
| (ii) Highways Act 1980, Section 26 (creation of footpaths, bridleways and restricted byways by order).  |
| (iii) Highways Act 1980, Section 118 (extinguishment of footpaths and bridleways and restricted byways).  |
| (iv) Highways Act 1980, Section 118A (power to make a rail crossing extinguishment order).  |
| (v) Highways Act 1980, Section 118B (power to make special extinguishment orders).  |
| (vi) Highways Act 1980, Section 119 (diversion of footpaths and bridleways).  |
| (vii) Highways Act 1980, Section 119A (power to make a rail crossing diversion order).  |
| (viii) Highways Act 1980, Section 119B (power to make special diversion order).   |
| (ix) Highways Act 1980, Section 135 (power to authorise and make a Diversion Order allowing for the temporary disturbance of a footpath, bridleway or restricted byway).  |
| (x) Highways Act 1980, Section 132 (power to remove items painted, inscribed or affixed to the surface of or tree structure or works on or in the highway).   |
| (xi) Highways Act 1980, Section 134(6) (power to enforce provisions regarding inter alia ploughing).  |
| (xii) Highways Act 1980, Section 134(8) (power to grant an extension).  |
| (xiii) Highways Act 1980, Section 137A (power to enforce the provisions in relation to interference by crops).  |
| (xiv) Highways Act 1980, Section 143 (power to remove structures from highways and to recover costs from the person having control or possession of the structure).   |
| (xv) Highways Act 1980, Section 145 (power to enforce minimum widths for gates across highways).  |
| (xvi) Highways Act 1980, Section 154 (power to require removal of overhanging trees or shrubs).   |
| (xvii) Highways Act 1980, Section 164 (power to require removal of barbed wire).  |

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| (xviii) Highways Act 1980, Section 297 (power to require information as to ownership of land).  |
| (xix) Highways Act 1980, Section 300 (right to use appliances and vehicles on footpaths, bridleways and restricted byways).   |
| (xx) Highways Act 1980, Schedule 12A (power to carry out works in relation to interference with highways).  |
| (xxi) Cycle Tracks Act 1984, Section 3 (power to designate footpath as cycle path).   |
| (xxii) Housing Act 1981, Section 294 (power to extinguish public right of way over land acquired for clearance).  |
| (xxiii) Countryside and Rights of Way Act 2000, Section 35 (power to enter into agreements with respect to means of access).  |
| (xxiv) Countryside and Rights of Way Act 2000, Section 37 (power to provide access in absence of agreement).  |
| (xxv) Wildlife and Countryside Act 1981, Section 57A (power to prepare map and statement by way of consolidation of Definitive Map and Statement).  |
| (xxvi) Town and Country Planning Act 1990, Section 257 (stopping up and diversion of footpaths and bridleways).   |
| (xxvii) Town and Country Planning Act 1980, Section 258 (power to extinguish public rights of way over land held for planning purposes).  |
| (xxviii) Town and Country Planning Act 1990, Section 261 (temporary stopping up of footpaths and bridleways for mineral workings).  |
| and, where appropriate, in the event of no objections being made or any objections made being withdrawn, to confirm the same.   |
| 10. To enter into agreements in respect of permissive (or concessionary) paths.   |
| 11. To take prosecution action under National Parks and Access to the Countryside Act 1949, Section 57 and to serve notices, to take appropriate default action and/or prosecution action and reclaim full costs under the Highways Act 1980 as amended.  |
| 12. Power to act in accordance with any court order made under Section 130B of the Highways Act 1980 including any application to the Court to vary or appeal any order made.   |
| 13. To make and authorise the making of Modification Orders to keep the Definitive Map and Statement up-to-date in respect of changes resulting from the events specified in sections 53 and 54 of the Wildlife and Countryside Act 1981 and to determine the relevant date for such Orders pursuant to Section 56(3) of the 1982 Act and in the event of no objections being made or objections being made and being withdrawn, to confirm the same. On the receipt of an objection to submit the Order to the Secretary of State. |
| 14. To make and, where appropriate, waive charges in respect of Public Path Orders.   |
| 15. Power to make an application to the Magistrates' Court to authorise the stopping up or diversion of a highway under Section 116 of the Highways Act 1980.   |
| 16. For the purpose of assessing priority for Public Rights of Way maintenance, to set, upgrade and downgrade Public Rights of Way within priorities determined.  |
| 17. To nominate members of the public to carry out site inspections in relation to non-statutory stages in the implementation of the Highways Act 1980 as   |

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| amended and the Wildlife and Countryside Act 1981.  |
| 18. Power to make byelaws as respects access to land under Countryside and Rights of Way Act 2000, Section 17.  |
| 19. Power to appoint wardens as respects access to land under the Countryside and Rights of Way Act 2000, Section 18.   |
| 20. Power to erect and maintain notices as respects access to land under the Countryside and Rights of Way Act 2000, Section 19.  |
| 21. Power to apply to the Magistrates' Court for an Order to remove an obstruction to access under the Countryside and Rights of Way Act 2000, Section 39.  |
| 22. Duty to establish Local Access Forum including power to establish new forums withdraw from joint forums and merge forums and to publish annual Local Access Forum Report under the Countryside and Rights of Way Act 2000, Section 94 and statutory regulations.  |
| 23. To act as Traffic Manager as referred to in the Traffic Management Act 2004 generally through authorisation to the Assistant Director for Highways and Traffic.   |
| <b>Spatial Planning, Conservation and Environment</b>   |
| 1. To make grants towards landscape schemes.  |
| 2. To maintain the Historic Environment Record.   |
| 3. To take the appropriate action in respect of certain functions of the County Council as local planning authority (after consultation with the Chairmen of the appropriate Committees where considered necessary), those functions being:   |
| <ul style="list-style-type: none"> <li>• Tree Preservations Orders and Trees in Conservation Areas;</li> <li>• Forestry Commission Matters;</li> <li>• Regulation 3 of the Town and Country Planning General Regulations 1992;</li> <li>• Plan Briefs and Similar Documents;</li> <li>• Certificate of Lawfulness of Existing Use or Development (CLEUD) (Planning and Compensation Act 1991 (S.191));</li> <li>• Certificate of Lawfulness and Proposed Use or Development (CLOPUD) (Planning and Compensation Act 1991 (S.192));</li> <li>• Planning applications affecting the interests of the County.</li> </ul> |
| 4. To initiate appropriate enforcement action in respect of development carried out without the grant of planning permission or in breach of a condition of planning permission. Also, to take such actions as may be considered appropriate including, if necessary, the issue of enforcement and/or stop-notices under the Town and Country Planning Act 1990 as amended by Planning and Compulsory Purchase Act 2004.  |
| 5. To approve matters reserved by a condition of any planning permission in respect of County Council, waste or minerals development.   |
| 6. To issue any Direction pursuant to any requirement under Article 7 of the Town and Country Planning (General Permitted Development) Order 1995.  |
| 7. To issue any Opinion or Direction pursuant to the Town and Country Planning (Environmental Assessment and Permitted Development) Regulations 1999.   |
| 8. To issue Certificates of Conformity/Non-Conformity in respect of local plans under Section 46 of the Town and Country Planning Act 1990.   |
| 9. To prescribe improvement building frontage and sight lines.  |



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| 10. To make grants in respect of Historic Buildings and premises included in Enhancement Schemes.  |
| 11. To make observations and recommendations on behalf of the Council as highway authority in reply to consultation by district planning authorities on planning applications of the description in paragraphs (f), (g) and (h) of the table to article 18(1) of the Town and Country Planning General Development Order 1988. |
| 12. To enter into agreements under section 278 of the Highways Act 1980 relative to highway improvement works provided the costs of the works are secured by the agreement and to execute the works.   |
| 13. To adopt highways.   |
| 14. To comment to the Department for Transport on applications made to Department for grants under S.36 of the Transport Act 1981.   |
| 15. To approve planning permission for:-   |
| (a) mobile classrooms, siting and retention  |
| (b) re-roofing of County Council buildings   |
| (c) erection of fire escapes   |
| (d) erection of flag-poles   |
| (e) erection of fencing and means of enclosure   |
| (f) the provision of school/education building where the floor space to be created by the development is up to and including 1,000 square metres of floor space  |
| (g) external alterations to buildings arising from internal modifications  |
| (h) comments on Listed Building and Conservation Area Consent Applications which are to be determined by the Secretary of State  |
| (i) the erection of minor buildings up to 15 metres in height and 1,000 square metres in area on established sewage treatment works (plant and machinery can already be erected within these limits without planning permission)   |
| (j) construction of car parks, all weather pitches and play areas  |
| (k) non-material changes to planning permission in accordance with section 190, Planning Act 2008  |
| Provided no objections are received after appropriate consideration.   |
| 16. To negotiate section 106 agreements in connection with planning applications relating to applications dealt with by district councils concerning infrastructure which the County Council would be responsible for providing.   |
| 17. To act under any powers or duties under legislation imposed on the County Council with respect to flood risk management.   |
| <b>Transport Services</b>  |
| 1. To enter into agreements providing for subsidies of public passenger transport services under Section 88 of the Transport Act 1985.   |
| 2. To make grants to provide, maintain or improve any passenger carrying vehicles, equipment or facilities provided for the purpose of facilitating travel by disabled persons under Section 106 of the Transport Act 1985.  |
| 3. To enter into agreements with local bus operators to make quality bus partnerships, quality contract schemes or ticketing schemes under the Transport Act 2000.   |
| 4. To enter into agreements with local bus operators for non-statutory quality bus partnerships.   |

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| 5. To enter into agreements providing for the supply of passenger transport services including those for: <ul style="list-style-type: none"> <li>• mainstream education pupils;</li> <li>• special educational needs pupils;</li> <li>• social services clients.</li> </ul>  |
| 6. To make grants to Parish Councils for improvement of bus shelters.  |
| 7. To enter into agreements for car contract hire scheme for employees of the Authority fleet services and contract hire arrangements for Specialist vehicles.   |
| 8. To take such decisions on the withdrawal of local bus services to remain within budget, subject to consultation with the appropriate Executive Councillor.  |
| <b>Other</b>   |
| 1. To determine, following consultation with the appropriate Executive Councillor and Overview and Scrutiny Committee or Panel and the Executive Director of Finance & Public Protection, where there is an immediate threat to a site, requests to the County Council for support towards habitat and environmental site acquisitions.  |
| <b>Economic Development</b>  |
| 1. To make grants and loans within a framework approved by the Council including <ul style="list-style-type: none"> <li>(a) Lincolnshire Loan Fund for Business Development</li> <li>(b) Lincolnshire Community Business Development Finance Initiative and</li> <li>(c) Specific initiatives to support rural communities</li> </ul>  |
| 2. To develop sites and premises for economic development purposes <ul style="list-style-type: none"> <li>(a) to procure services in accordance with the regulations and established policies and principles of Lincolnshire County Council</li> <li>(b) to work together with public and private sector partners to bring forward new capital projects</li> <li>(c) to agree the sale and letting of sites within the economic development portfolio</li> </ul> |
| 3. To deliver the tourism policy and function for Lincolnshire County Council and to manage any contracts for the delivery of tourism services   |
| 4. To ensure that external funding programmes are delivered in accordance with the guidelines set out in offer letters.  |
| 5. To implement capital projects which will bring about an improvement in the economic wellbeing of the County and its population  |
| 6. To lead an integrated policy and service delivery operation.  |

## EXECUTIVE DIRECTOR OF COMMUNITY WELLBEING AND PUBLIC HEALTH

|   |
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| 1. To support delivery of strategic and supported housing.  |
| 2. To promote general health and wellbeing.   |
| 3. To promote community engagement and development.   |
| 4. To exercise the functions of the County Council in relation to the Drug and Alcohol Action Team. |
| 5. To produce the Annual Health Report.   |

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| 6. To carry out and publish health needs and health impact assessments   |
| 7. To contribute to the development of the Joint Strategic Needs Assessment.   |
| 8. To commission health improvement services.  |
| 9. To administer the Health and Wellbeing Fund.  |
| 10. To facilitate the Health and Wellbeing Board.  |
| 11. To act as Director of Public Health in accordance with Section 73A of the National Health Services Act 2006 and to carry out the functions as set out in that section.   |
| 12. To take decisions in respect of the Council's functions as Administering Authority in connection with Supporting People.   |
| <b>Cultural Services</b>   |
| 1. To make grants within a framework approved by the Council including:  |
| (a) towards the cost of establishing, promoting or holding music, dance, arts or other cultural events and activities, as well as Lincolnshire Communities within the overall policies of the Council;   |
| (b) to support the provision made by voluntary and other organisations where there are educational benefits to the people of Lincolnshire;   |
| 2. After consultation with the appropriate Executive Councillor, to approve use of Lincoln Castle for charity events and to determine financial arrangements.  |
| 3. To exercise the functions of the Council as library authority under the Public Libraries and Museums Act 1964 and as archive authority under the Local Government Act 1972, s. 224 and the Public Records Act 1958 and 1967.  |
| <b>General</b>   |
| 1. In respect of the Registration Service:   |
| (a) to approve payments to Registrars, Deputy Registrars of Births, Deaths and Marriages in circumstances justifying payments in excess of the normal allowances to registrars for their services;   |
| (b) to arrange for premises to be leased for the use of Registrars of Births, Deaths and Marriages at rents approved by the Chief Property Officer;  |
| (c) to issue a licence for the approval of premises for the solemnisation of marriages under the Marriage Act 1994 and civil partnerships under Civil Partnership Act 2004;  |
| (d) to issue certificates and arrange citizenship ceremonies under British Nationality Act 1981.   |
| 2. To undertake the statutory role of "Proper Officer", ensuring that Registration of Births, Deaths and marriages service is provided in Lincolnshire, including the licensing of approved premises for the solemnisation of marriages, civil partnership and citizenship ceremonies. |
| 3. To undertake the role of Travellers Liaison Officer in consultation with other Directorates in matters of illegal camping and site provision.   |
| 4. To exercise the function of the Council in relation to the use of badges for display on disabled persons' motor vehicles.   |

## DIRECTOR OF ADULT SOCIAL SERVICES

### Services for Adults and Older People

1. To accept Guardianship applications under Section 8 of the Mental Health Act 1983
2. To consent under Section 8(4) of the Mental Health Act 1983 to any amendment of any Guardianship application which has been accepted or any medical recommendation.
3. To designate Approved Social Workers as Officers for the purposes of the Mental Health Act 1983.
4. To maintain registers of sensory impaired and disabled persons.
5. To approve the disposal of assets belonging to deceased residents to persons entitled to them after payment of proper claims on account of funeral expenses and sums due to the Council.
6. To incur expenditure either directly or via provision of
  - (a) equipment to persons permanently and substantially disabled;
  - (b) for special purposes, e.g. recreational, educational and social facilities;
  - (c) of adaptations to property occupied by persons permanently and substantially disabled.
7. To approve augmentation for a person on a Blind Homeworker Scheme.
8. To authorise the admissions and payment of purchases of all forms of residential, day and domiciliary care.
9. To approve variations of fees so far as they have been agreed by the "Examining Authority" and for which the Council have accepted responsibility for children, young persons or adults attending or residing in establishments not maintained or assisted by the Council and to approve alterations in charges for the maintenance of such residents.
10. To authorise payment for maintenance of people for whom the Council is financially responsible in homes provided by other local authorities and bodies.
11. To approve expenditure incurred in the protection of movable property or persons and to recover such expenditure where applicable.
12. To make assessment of contributions by persons provided with services and to approve variation of assessed charges to avoid hardship.
13. To add additional persons to the list of Independent Chairmen of the Complaints Review Panel established under the National Health Service and Community Care Act 1990.
14. To approve, following consultation with the appropriate Executive Councillor, the appointment of replacement visiting members of Social Services establishments.
15. To approve agreements and contracts with or grants to voluntary organisations in undertaking the functions of Social Services Directorate and the services for which the Director is responsible.
16. To authorise under the provisions of the Human Tissue Act 1961 (where the Council is in lawful possession of the body) the removal of parts of the body of a deceased resident in accordance with the wish expressed by the resident during his/her lifetime.

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|---|---|
| 17. To exercise the functions of the Council in relation to adult safeguarding and in particular to |   |
| (i)   | Maintain a clear organisational and operational focus on safeguarding vulnerable adults                   |
| (ii)  | Ensure that relevant statutory requirements and other national standards are met                          |
| (iii)   | Encourage a culture of vigilance against the possibility of adult abuse                                   |
| (iv)  | Ensure all services within the remit of the post remain focused appropriately on safeguarding adults; and |
| (v)   | Promote equality of opportunity and eliminate discrimination in respect of adult care services            |

**ASSISTANT PRACTICE DIRECTOR OF THE LEGAL SHARED SERVICE CHIEF LEGAL OFFICER**

1. To act as solicitor to the Council for any purposes and subject to consultation with such of the Executive, Executive Councillor, Committee or Chief Officer as may be appropriate, to exercise discretion whether to issue or defend proceedings on behalf of the County Council in any Court or Tribunal or before any other body with jurisdiction, including arbitration or adjudication, to enter into mediation or other alternative dispute resolution processes or otherwise to settle claims disputes and proceedings and to take such other actions as are appropriate for the solicitor to the Council and which are necessary to protect, maintain and fulfil the interests, rights and duties of the Council.

## “PROPER OFFICER” PROVISION

1a Each of the Officers of the Council mentioned in column 1 is the Proper Officer of the Council in relation to the provisions of the Local Government Act 1972 specified against the Officers title in column 2.

| <u>Column 1</u><br><u>Proper Officer</u> | <u>Column 2</u><br><u>Section of</u><br><u>1972 Act</u> | <u>Column 3</u><br><u>Proper Officers’</u><br><u>Functions</u>   |
|--|---|--|
| Chief Executive                          | 83(1) to (4)  | Witness and receipt of declarations of acceptance of office.   |
| Chief Executive                          | 84  | Receipt of declaration of resignation of office.   |
| Chief Executive                          | 88(2)   | Convening of meeting of Council to fill casual vacancy in the office of the Chairman.  |
| Chief Executive                          | 89(1)(b)  | Receipt of notice of casual vacancy from two local government electors.  |
| Chief Executive                          | S100B   | Determination of which reports or parts of reports should not be disclosed on the grounds that they include exempt information which is likely to be considered private. |
| Chief Executive                          | S100C   | Minuting of meetings and preparing where necessary a written summary of such part of meetings at which the public are not present.                                       |
| Chief Executive                          | S100F   | Determination of which documents should not be disclosed to an elected Member on the grounds that they disclose confidential or exempt information.                      |
| Designated Corporate Officer             | S100D   | Preparation of list of background papers for reports.  |

| <u>Column 1</u><br><u>Proper Officer</u>            | <u>Column 2</u><br><u>Section of</u><br><u>1972 Act</u> | <u>Column 3</u><br><u>Proper Officers'</u><br><u>Functions</u>   |
|---|---|--|
| Executive Director of Finance and Public Protection | 115(2)  | Receipt of money due from Officers.  |
| Executive Director of Finance and Public Protection | 146(1)(a) and (b)                                       | Declarations and certificates with regard to securities.   |
| Executive Director for Environment & Economy        | 191   | Functions with respect to ordnance survey.   |
| Chief Executive                                     | 210(6) and (7)  | Charity functions of holders of offices with existing Authorities transferred to holders of equivalent office with new Authorities or, if there is no such office, to Proper Officers. |
| Executive Director for Environment & Economy        | 225(1)  | Deposit of documents.  |
| Executive Director for Environment & Economy        | 229(5)  | Certification of photographic copies of documents.   |
| Executive Director for Environment & Economy        | 234(1) and (2)  | Authentication of documents.   |
| Executive Director for Environment & Economy        | 236(10)   | To send copies of byelaws to each District Council in the county.  |
| Executive Director for Environment & Economy        | 238   | Certification of byelaws.  |
| Chief Executive                                     | Schedule 12<br>Para 4(2)(b)                             | Signature of summonses to Council meetings.  |
| Chief Executive                                     | Schedule 12<br>Para 4(3)                                | Receipt of notices regarding address to which summons to meetings is to be sent.   |
| Executive Director for Environment & Economy        | Schedule 16 Para<br>28                                  | Receipt of deposit of lists of protected buildings (Section 54(4) of the Town and Country Planning Act 1971).  |

Column 1  
Proper Officer

Executive Director of  
Community Wellbeing  
and Public Health

Column 2  
Section of  
1972 Act

Schedule 29 Para  
41

Column 3  
Proper Officers'  
Functions

Exercise of functions under  
Sections 9(1) and (2), 13(2)(h) and  
(3)(b) and 20(b) of Registration  
Services Act 1953.



1b Each of the Officers mentioned in Column 1 is the Proper Officer of the Council in relation to the provisions specified against the Officers title in Column 2.

| <u>Column 1</u><br><u>Proper Officer</u>                             | <u>Column 2</u>  | <u>Column 3</u><br><u>Proper Officers'</u><br><u>Functions</u>  |
|--|--|---|
| Executive Director for Environment & Economy                         | Local Government Act 2000 S81  | Keeping record of disclosures of pecuniary interest under Section 94, and of notices under Section 96(1). |
| Executive Director for Environment & Economy                         | Local Government Act 2000 S81  | Receipt of record of interest.  |
| Executive Director for Environment & Economy                         | S41(1) and (3) of the Local Government (Miscellaneous Provisions) Act 1976 | Certification of resolutions and minutes, etc, for evidential purposes.                                   |
| Executive Director for Environment & Economy                         | S59 of the Highways Act 1980   | Certification of extra-ordinary expenses.   |
| Executive Director for Environment & Economy                         | S321 of the Highways Act 1980  | Authentication of documents.  |
| Executive Director for Environment & Economy                         | S295(1) of the Highways Act 1980   | Service of notice requiring removal of materials in any street.   |
| Executive Director for Environment & Economy                         | Schedule 9 Para 4 of the Highways Act 1980                                 | Prescribing Improvement Lines or Building Lines.  |
| Chief Executive  | S15 and S16 Local Government and Housing Act 1989                          | For the purposes of the Local Government (Committee & Political Groups) Regulations 1990.                 |
| Executive Director for Environment & Economy                         | S18 of the Local Government and Housing Act 1989                           | For the purposes of the Members' Allowance Scheme.  |
| Executive Director for Environment & Economy (as Monitoring Officer) | S19(1)(a) of the Local Government and Housing Act 1989                     | Receipt of notice of Councillors' interests.  |

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|--|--|---|
| Executive Director for Environment & Economy | S321 of the Local Government and Housing Act 1989              | Deposit of lists of posts politically restricted by virtue of remuneration. |
| Statutory Scrutiny Officer                   | S31 of the Local Democracy, Economic and Construction Act 2009 | Promotion of Overview and Scrutiny  |

2. Each of the Officers mentioned in Column 1 is the Proper Officer of the Council in relation to any reference in any legislation (other than the Local Government Act 1972) to the corresponding Officer of a Council (whether specified or not) mentioned in Column 2 which by virtue of any provision of the said Act or of any Order made thereunder is to be construed as a reference to the Proper Officer of the Council.

Column 1

Column 2

Chief Executive

Clerk of the Council or Town Clerk of a Borough

Executive Director of Finance and Public Protection

Treasurer of a Council

Executive Director for Environment & Economy

County Surveyor or Surveyor of a Council

Chief Executive

Clerk to the Fire Authority

3. The Officers mentioned in Column 2 are to act as Proper Officers of the Council in relation to the matters assigned to the corresponding Officer mentioned in Column 1 in the event of that Officer being absent or otherwise unable to act as Proper Officer.

Column 1

Column 2

Chief Executive

Such of the Executive Directors, as may be nominated by the Chief Executive

Executive Director of Finance and Public Protection

~~Assistant Director (Finance and Resources)~~ County Finance Officer

Executive Director for Environment & Economy

~~Assistant Director Highways and Transportation~~ County Commissioner of Economy and Place or Chief Operating Officer

Executive Director for Environment & Economy as

4. The Executive Director of Finance and Public Protection is to have responsibility for the proper administration of the Council's financial affairs in accordance with S151 Local Government Act 1972. The Executive Director of Finance and Public Protection may elect to delegate the day to day responsibilities to the Assistant Director Finance and Resources.
5. The Executive Director of Finance and Public Protection is, under the nomination at 4 above, the Officer responsible under S114 of the Local Government (Finance) Act 1988. Executive Director of Finance and Public Protection may elect to delegate the day to day responsibilities to the Assistant Director Finance and Resources.

## **D GENERAL CONDITIONS APPLYING TO ALL OFFICER DELEGATED POWERS**

1. The powers delegated to Officers shall be exercised in accordance with the:
  - (ii) Rules of Procedure;
  - (iii) Financial Regulations;
  - (iv) Contract Regulations; and
  - (v) Established policies and principlesof the Council as current from time to time.
2. Any decision or action shall comply with all relevant resolutions, orders and directions of the Council, the Executive and of any Committee.
3. Where any matter involves professional or technical considerations within the sphere or competence of another Officer, the Officer taking the decision shall consult with that Officer before authorising action.
4. Delegation to an Officer does not include:
  - (i) any matter reserved to the full Council;
  - (ii) any matter which by law may not be delegated to an Officer;
  - (iii) any matter reserved to the Chief Executive or a Committee, Sub-Committee or Panel;
5. Without derogating from the discharge of functions under these arrangements Chief Officers shall:
  - (a) Maintain close liaison with the Executive Councillor(s) in whose scope the Chief Officer's functions exist particularly in respect of controversial and sensitive issues.
  - (b) Each Chief Officer shall also maintain close liaison with Councillors representing the political groups in relation to any matter which in the opinion of the Chief Officer may be regarded as sensitive or contentious by any such group. The Chief Officer shall also notify the Executive Councillor and/or Leader of such items and keep them informed of progress.
  - (c) Where a Councillor has made known to a Chief Officer his/her legitimate interest in a matter or where a matter relates to or affects the Councillor's electoral division, the Chief Officer shall consult with that Councillor and shall keep the Councillor informed of significant developments relating to that matter.

6. The existence of a delegation to an Officer shall not require the Officer to take a decision on that issue. Officers need to be aware of particularly controversial issues of concern to the Executive and Committees Panels and Groups of the Council. In such circumstances he/she may refer the matter for guidance or decision by members of the Executive or a Committee Panel or Group of the Council if he/she considers it is appropriate to do so. In so doing the Officer shall advise the Councillors concerned of the extent of his/her delegated powers relating to the matter.
7. The authority conferred upon a Chief Officer may be exercised in his/her absence or at other times by an Officer authorised by the Chief Officer.
8. The Chief Executive, in consultation with the Monitoring Officer, shall determine any case in which there is uncertainty whether a Chief Officer is authorised to act under these arrangements.
9. Reference in these arrangements to the discharge of functions of the Council include references to the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of those functions and each Chief Officer is authorised to act accordingly.
10. Chief Officers are responsible within their areas of responsibility for ensuring that in making decisions and delivering services they apply sound risk management principles and practices in accordance with the Council's corporate risk management strategy and that they comply with the obligations and principles of the Council in respect of equality and diversity.

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**AUDIT COMMITTEE  
23 JUNE 2014**

**PRESENT: COUNCILLOR MRS S RAWLINS (CHAIRMAN)**

Councillors Mrs E J Sneath (Vice-Chairman), N I Jackson, Miss F E E Ransome, S M Tweedale, W S Webb and P Wood

Also in attendance: Mr P D Finch (Independent Added Person)

Councillors: M S Jones and C E D Mair attended the meeting as observers

Officers in attendance:-

Chris Avis (Programme Manager – Procurement and Contracting), Alex Botten (Procurement Lincolnshire), Tony Crawley (KPMG), David Forbes (Assistant Director Finance and Resources), Maggie Freeman (Head of Service - 14 to 19), Stephanie Kent (Audit Manager), Mike Norman (KPMG), Lucy Pledge (Head of Audit and Risk Management), Dave Ramscar (Chief Fire Officer), Sean Taylor (Lincolnshire Fire and Rescue - Group Manager), Sarah Tennant (Strategic Risk Manager), Tony Warnock (Head of Finance - Children's and Specialist Services) and Rachel Wilson (Democratic Services Officer)

1 APOLOGIES FOR ABSENCE

There were no apologies for absence.

2 DECLARATIONS OF MEMBERS' INTERESTS

There were no declarations of interest at this point in the meeting.

3 MINUTES OF THE MEETING HELD ON 31 MARCH 2014

RESOLVED

That the minutes of the meeting held on 31 March 2014 be agreed and signed by the Chairman as a correct record.

It was noted that the Serco contract had been publicly signed at the Lincolnshire Show, where Members had been provided with the opportunity to discuss any general queries in relation to the contract.

In relation to minute 60, it was noted that Members would be provided with an opportunity to discuss the assurance map in more detail at the workshop which was planned for the afternoon.

**2**  
**AUDIT COMMITTEE**  
**23 JUNE 2014**

**4**      CORPORATE AUDIT PROGRESS REPORT TO 31 MAY 2014

Consideration was given to a report which provided an update on progress made against the Audit Plan 2014/15 and provided summaries of all audits completed within the period March to May 2014. A more in depth update was provided for those audits which received 'limited' or 'no' assurance, Members were informed that managers from each of these areas would be in attendance to discuss actions taken since the audits were carried out.

It was reported that the most significant piece of work this year would be input into the Agresso project, regular highlights would be provided to the Section 151 Officer and Project Board, as well as this Committee over the coming year. Officers from internal audit would be involved in the project at key stages.

Members were informed that 24 audits had been completed since the last progress report in March 2014, of these 2 had received 'full' assurance, 17 received 'substantial' assurance, 4 received 'limited' assurance and 1 had received 'no' assurance. Of the 4 that received 'limited' assurance, 1 received a split assurance (substantial/limited). It was noted that audits in 2014/15 would be based on a new set of definitions. Seven audits were at the draft report stage, and details of these audits would be brought to the next meeting of this committee.

The Committee was provided with the opportunity to ask questions to the officers present in relation to the information contained within the reports, and some of the points raised during discussion included the following:

- Concerns were raised regarding the change of assurance definitions, and whether they would devalue the audit. Members were reassured that this would not happen as all four of the definitions would be changed. Further details would be brought to the next meeting of the Committee;
- It was clarified that payment to the contractor for the Agresso system was related to completion of key milestones. For the payroll system, there would be 3 parallel test runs;
- It was noted that the frequency of visits from HMRC was dependent on a risk assessment. The County Council had been assessed as a low risk and so would expect visits to be every 5-10 years. It was important to carry out internal audits into tax compliance to ensure that the authority remained as a low risk;
- The Lincoln Castle revealed project had been given a 'substantial assurance' opinion following its audit, and officers had a reasonable level of confidence that the project was on track. It was confirmed that the project was on time and on budget;
- Members were assured that the role of internal audit would not be compromised by its involvement in the Agresso project, as once the system is implemented the auditors involved would not be able to audit the system for at least two years;
- In relation to Agresso, there was a challenge in convincing the project team that the audit team was there to be helpful. The audit team were clear about how they could help and where they should not;



- Both the Agresso system and the Mosaic system for Adult Care were being developed at the same time so they should link together;
- An audit around safeguarding in adult social care would be undertaken following a serious case review;

#### Additional Needs

The Head of Service -14 to19 attended the meeting to respond to the audit of the Additional Needs service which had been assessed as 'no assurance'.

It was acknowledged that the management of the Additional Needs service had changed immediately prior to the commencement of the audit, and it was recognised that substantial effort had been put into establishing robust processes to improve the systems.

Members were advised that following the audit, work had very quickly been put in place, and all year 11 pupils in need of a Transition Plan had been identified. However, it was noted that some young people did not make a decision about what they would do next until quite late in year, sometimes when they received their exam results. It was reported that there were 453 pupils in year 11 this year who needed a Transition Plan, of those, there were only 18 who were undecided or the authority did not know what their plans were.

Members were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report, and some of the points raised during discussion included the following:

- It was clarified that if a school converted to an academy, the local authority was still responsible for conducting the section139a assessment. However, it was the schools' responsibility to implement it;
- From September 2014, transition arrangements would be built into the Education and Healthcare Plans, therefore staff would be engaging with the young person from an earlier stage (year 9);
- Directorates received training on risk and the risk register;
- Officers were confident that the deadline of 31 August 2014 would be met in terms of transferring all pupils over to EHC plans;
- If a young person failed to attend college, the County Council would be able to recoup that cost;

#### Tax Compliance (LF&R)

The Chief Fire Officer and Group Manager attended the meeting to respond to the audit of Tax Compliance for Lincolnshire Fire and Rescue, which was assessed as having 'limited assurance'.

Members were advised that Lincolnshire County Council was responsible for complying with tax legislation set by HM Revenue and Customs. Lincolnshire Fire and Rescue (LF&R) were excluded from the 2012/13 tax compliance audit due to the ongoing negotiations with HMRC to agree the tax liability relating to emergency vehicles used by LF&R Senior Officers.

**4**  
**AUDIT COMMITTEE**  
**23 JUNE 2014**

It was reported that the key issue affecting the overall confidence in this area was the compliance issues associated with the HMRC agreement as well as leased vehicles which were also used for emergency purposes. It was noted that there was an exemption from the HMRC tax conditions, which related only to the Chief Fire Officer. It was found that this exemption had been applied by LF&R to four additional officers within the Chief Officers Group.

Members were informed that the relationship between HMRC and LF&R was currently exceptional, and officers were working on the exemption so it could be applied to the additional senior officers. LF&R were just waiting for the report to be submitted, but it was thought that it had now been agreed.

In relation to the leased vehicles, they were not classed as company cars, but emergency vehicles as their primary use was emergency response.

It was queried whether business mileage applied to travel between the work base and home. It was noted that there was not a consistent approach on this issue, either across all workplaces or occupational groups. However, the importance of good record keeping in relation to mileage was recognised.

It was also noted, that in terms of dealing with HMRC it was important to ask the right questions.

Members were advised that officers within Fire and Rescue would be undergoing a training exercise to ensure that mileage was being completed properly.

Public Health Contract Management

The Programme Manager – Procurement and Contracting attended the meeting to respond to the audit of Public Health Contract Management which was assessed as 'limited assurance'.

Members were informed that five key areas where improvement was required had been identified as follows:

- Regular Quality Assessment Framework (QAF) audits and Contract Management meetings should be held with providers;
- The number of extensions to contracts needed to be kept to a minimum;
- A central record of contracts and key data should be maintained and used for monitoring purposes;
- A routine quality review of Contract Management arrangements by Senior Officers should be undertaken to ensure consistency, quality and compliance with the toolkit;
- Documentation in relation to QAFs and Contract Management meetings needed to be completed promptly to ensure timely reporting;

Clarification was sought regarding contract extensions and what they were defined as. It was noted that all contracts had now been reviewed along with their timescales, and they had been going through Executive for approval;

It was reported that contract management meetings were taking place across all contracts and a programme of quality assessment framework (QAF) visits were also taking place during spring/summer 2014. These visits would combine a review of a provider's key policies and procedures, consultation with service users, staff and key stakeholders and key management personnel. Members were advised that all contract details were now included on the LCC Firefly system.

The Committee was informed that a Public Health assurance and clinical governance board had been recently established and the contract management processes were on the agenda to ensure that wider assurance within the directorate took place.

#### Procurement Card (Users)

Alex Botten, Procurement Lincolnshire, attended the meeting to respond to the audit of the procurement card (users) system, which was assessed as Limited assurance. It was noted that this had received split assurance – with substantial assurance for the central process and Procurement Lincolnshire's activities, and limited assurance for directorates and users.

It was reported that the procurement card process and control framework was sound and the Procurement Card team were proactive in identifying and addressing poor practice/non-compliance, but there were three compliance issues which were affecting the overall level of confidence which were:

- VAT – this was an ongoing issue and continuous training was being carried out;
- Security of cards – the importance of security and fraud awareness would be highlighted in the newsletter circulated to all procurement card users;
- Business Travel Policy – there was a lack of awareness of the approved process for procuring overseas travel;

Members were informed that there were 700 card holders and 3000 transactions were carried out each month. It was found that in all cases the transactions were valid, although more details could have been provided. It was confirmed that cards were being used for legitimate purposes, but there was a need to ensure that sufficient details was provided to accompany these transactions.

It was confirmed that individual members of staff would be spoken to directly if it was felt that the procurement cards were not being used correctly. The newsletters would then be circulated as a follow up to all card users to make them aware of the issues.

#### Debtors

The Head of Finance for Children's and Specialist Services was in attendance to respond to the audit regarding debtors, which was assessed as having limited assurance.

## 6

### AUDIT COMMITTEE

23 JUNE 2014

It was acknowledged that there was a difference of opinion between management and internal audit in relation to the assurance level. The Council's senior financial managers had overall confidence in the debt recovery processes and did not share the opinion of audit on risk in this area. However, the ongoing and planned improvements were significant pieces of work which would assist in the transition to the new systems due to go live in April 2015. Whilst audit did concur with management in some areas it was believed that improvements were required to:

- Take decisive action on tackling long term debt;
- Reduce invoicing errors;
- Continue improving Adult Care systems to minimise the Authority's level of debt and reduce delays in raising debtor accounts;

Members of the Committee were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report, and some of the points raised during discussion included the following:

- The total value of debts which were greater than £25,000 was over £2m, but this had now reduced to approximately £800,000 within the past year. It was noted that there was an ongoing commitment to continue to reduce this debt;
- It was important to continue to educate and train people to understand the implications of this issue as a key strategy in making significant continuing progress in reducing outstanding debt. The recognition of this need to continue to identify training needs was welcomed by the Committee;
- It would be useful for the Value for Money Scrutiny Committee to be made aware that training needs were being identified and addressed;
- A lot of the outstanding debt was with other public sector bodies, and so there was considered to be a low risk of default;
- Work had taken place to raise the profile of this issue in order to change the culture. A model had been produced, and this now needed to be put in place and delivered;
- The amount of outstanding debt at any given time was approximately £10m. However, a lot of this was secured against property, so this was considered low risk;

#### RESOLVED

That the outcomes of the Corporate Audit Work be noted.

## 5

### RISK MANAGEMENT PROGRESS REPORT TO 23 JUNE 2014

One of the key roles of the Audit Committee was to ensure that the Council had effective risk management arrangements in place. Members received a report which assisted the Committee in fulfilling that role, and provided an update on how well the Council's biggest risks were being managed as well as reporting on the progress made in assisting the Council to adapt and change the way it thought about risk.

The Committee was advised that over the past few months, officers had undertaken a complete refresh of the strategic risk register. In doing so, senior management

were consulted together with the Corporate Risk & Safety group for guidance as to what the strategic key risks were for the Council.

It was reported that the number of key risks had been reduced from 15 to 11. One new one had been added, which was the Integration of Health and Social Care Services, and a number of others had been merged together.

It was noted that the first risk on the register – Resilience (Business Continuity) did not have a risk score. The risk scores were in the process of being calculated and officers did not want to speculate.

Within the risk register there were some common themes, such as all directorates identified risks around finance. There was also now, a high level of management assurance for each of the top 5 risks. It was noted that none of these risks had been assessed as 'no' assurance.

Members were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report and some of the points raised during discussion included the following:

- A risk had been identified in terms of the recruitment and retention of staff, and it was queried if there was a budget allocated to this? Members were advised that this had been identified in a number of directorates, whilst there was not a dedicated budget for training, there was a budget code for training, and the authority would provide support to enable staff to be more resilient. It was also noted that training was carried out in ways other than running courses, such as secondments, shadowing and mentoring, which would not be coded to a particular budget;
- The top five risks to the Council were forward looking;
- It was planned to hold a series of fundamental budget review workshops, and risk assessments for each service area in relation to potential budget reductions would be factored in;
- Members commented that the new format was very readable;

#### RESOLVED

That the current status of the strategic risks facing the Council be noted.

#### 6 COUNTER FRAUD ANNUAL REPORT 2013/14

Consideration was given to a report which provided information in relation to the overall effectiveness of the Authority's arrangements to counter fraud and corruption and reviewed the delivery of the counter fraud work plan.

It was reported that Lincolnshire County Council's commitment to reducing fraud and error had been consistently strong over the past few years and had achieved savings and recoveries which compared favourably with similar authorities.

8

## **AUDIT COMMITTEE**

**23 JUNE 2014**

In relation to investigations, Members were advised that 10 potential new fraud referrals had been received during 2013/14 – this was four fewer than the previous years. The total estimated value of fraud associated with the live cases running during the year was £460,150. The most common type of fraud was financial abuse of vulnerable adults, followed by abuse of position. Work in relation to direct payments had resulted in 6 referrals, but there was only one where there was sufficient evidence to refer to the police, and that person had now been charged.

Members were informed that data analytics had been used in due diligence audits of procurement to identify potential fraudulent use. This had identified unusual spending patterns, and all testing results were satisfactory. The same approach was also used throughout the year on the Council's key financial systems, such as creditors and payroll.

It was believed that the Council's counter fraud activities remained effective, and it was hoped to boost fraud awareness throughout 2014/15 by working with teams with the highest fraud risks e.g. procurement, contract teams and social care practitioners. The aim would be extend the fraud awareness work to key partners, service users and carers, where appropriate.

One member commented that they had been approached by a member of staff regarding the whistleblowing policy who had expressed how confident they felt with the process which was in place.

### **RESOLVED**

That the overall effectiveness of the Council's arrangements to counter fraud and corruption and the progress made to implement the policy be noted.

## **7 EXTERNAL AUDIT PROGRESS REPORT**

The Committee received a report from the Council's External Auditors, KPMG which set out the work performed by KPMG for 2013/14 financial year to date, as well as the work proposed over the next quarter. The report also provided an update on the Audit fee.

Members were advised that the draft statement of accounts had been received by KPMG on the previous Friday, as scheduled. Officers were confident that they would be ready for September, and that they would be completed to the same standard as the previous year.

It was reported that from the work which had been carried out already, there was nothing which needed to be raised with the Audit Commission in relation to the audit of accounts.

RESOLVED

That the progress report be noted.

8     WORK PLAN

The Committee received a report which provided information on the core assurance activities currently scheduled for the 2014/15 work plan.

Members were advised that the work plan was in draft form and was open for discussion at the workshop to be held in the afternoon following this meeting. It was noted that this workshop was a follow up to the one held following the meeting on 31 March 2014.

It was also noted that the CIPFA Audit Committee guidelines had been circulated to members and would be of help when looking at the effectiveness of this Audit Committee.

RESOLVED

That the Audit Committee's work plan be noted.

The meeting closed at 12.15 pm

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**AUDIT COMMITTEE  
21 JULY 2014**

**PRESENT: COUNCILLOR MRS S RAWLINS (CHAIRMAN)**

Councillors Mrs E J Sneath (Vice-Chairman), N I Jackson, Miss F E E Ransome, S M Tweedale, W S Webb and P Wood

Also in attendance: Mr P D Finch (Independent Added Person)

Officers in attendance:-

Tony Crawley (KPMG), David Forbes (County Finance Officer), Claire Pemberton (Assistant Head of Finance), Lucy Pledge (Audit and Risk Manager) and Rachel Wilson (Democratic Services Officer)

Ian Fifield from LG Futures was also in attendance.

9 APOLOGIES FOR ABSENCE

Apologies for absence were received from Pete Moore, Executive Director for Finance and Public Protection.

10 DECLARATIONS OF MEMBERS' INTERESTS

There were no declarations of interest at this point in the meeting.

11 MINUTES OF THE MEETING HELD ON 23 JUNE 2014

RESOLVED

That the minutes of the meeting held on 23 June 2014 be agreed as a correct record and signed by the Chairman.

12 DRAFT STATEMENT OF ACCOUNTS 2013/14

Consideration was given to a report which presented the draft Statement of Accounts for Lincolnshire County Council for the financial year 2013/14. Members of the Audit Committee were asked to scrutinise and comment on the draft Statement of Accounts. The final Statement of Accounts would be presented to the Audit Committee in September for approval. Ian Fifield from LG Futures was in attendance at the meeting to guide the Members through the Statement of Accounts and help them to fulfil their role to scrutinise and comment on the financial statements.

The Members of the Committee were guided through the draft Statement of Accounts, and were provided with the opportunity to ask questions on each section. Some of the points raised during discussion included the following:

- The outturn report was currently being circulated which set out the source of the underspend for the year and proposals for its use. This would need to go to Full Council in September for approval;
- The final Statement of Accounts would be approved by the Audit Committee at its meeting in September 2014;
- There was a rolling 5 year programme for the valuation of land and buildings. In addition to this an assessment of the fair value of these assets would be made on 31 March each year;
- In relation the Castle, this was classes as a heritage asset and was included in the Council's books at historic cost. However, it was reported that it would be possible to have a current valuation on the Magna Carta exhibit as a new asset;
- There would be an opportunity with the Statement of Accounts for 2014/15 to look at what is included in the published accounts, in order to make the document shorter. The Committee had some discretion in deciding what should be included in the statement of accounts, and this was something which had the support of the officers;
- Page 81\* - the county council was wholly accountable for public health. The authority was the accountable body in terms of Learning Disability services, but not for mental health in terms of its joint working with health in these service areas;
- Clarification was sought regarding the contribution to reserves. It was noted that underspends would be transferred to a variety of reserves, but the majority would go to the financial volatility fund. This would however, need to be approved by the full Council in September. Note 10 provided further detail on all the different reserves;
- Directorates that underspend were able to keep the first 1% of that underspend;
- The difference between reserves and balances was clarified for the Committee;
- Page 83 – this provided a summary of the revenue outturn;
- The Committee was informed that there had been an underspend on the construction of the Energy from Waste plant, which was due to problems which were experienced during the commissioning phase, which led to this being extended. This provided a benefit to the authority as the price per tonne sent for processing during the commissioning phase was lower than the contractual rate which had been in place since the commissioning period ended;
- Money had been saved by not using external borrowing to fund capital projects;
- The authority benefitted if academies wished to purchase any services from the local authority;
- The difference between usable and unusable reserves was highlighted to the Committee. It was noted that the majority of reserves were in unusable reserves, and these tended to be valuations of assets and land;

- The authority did have a policy of not using external borrowing to fund projects, if capital receipts were not available as the preferred funding source;
- Any surplus or deficit from the Legal Shared Service was ring fenced for re-use by the shared service, or divided up amongst the partner authorities;
- Note 13 – it was noted that Council Tax income had fallen materially between the two years due to the impact of local council tax support schemes replacing the abolished national council tax benefit scheme. There was a new business rates system in place, which was provided locally and the county council received a local share and a top up grant from government. It was also noted that the Council Tax Freeze Grant had dropped and had been amalgamated into the Revenue Support Grant;
- In terms of government funding, it was difficult to compare one year with another as figures had been moved around and systems had changed;
- In relation to business rates, if a big business decided to move out of the county, the County Council would not lose out by a great deal, but it would have a significant impact on the appropriate district;
- The opportunity to charge for services within planning were limited;
- PFI contracts would only be included within the short term creditors depending on the timing of the payments, but generally they would not be included within this group;
- Note 24 – employee benefits accrual related to any unpaid leave;
- The Pension fund was very sensitive to long term interest rates;
- Short term borrowing had appeared to increase, but it was noted that this was due to a change in presentation between 2012/13 and 2013/14. Long term borrowing that only had one year of the term left had previously been included within Short Term Creditors rather than Short Term Borrowing;
- Questions were raised regarding Note 55 – Contingent Liabilities, particularly in relation to the Expansion of ESPO and the Lincoln Southern Bypass Blight Payments. In relation to the Lincoln Southern Bypass, it was noted that there were no plans to build the road at this time, but it was important to protect the route of the road;

Other noted brought to the attention of the Committee included the following:

- Note 3 – Critical judgements in applying accounting, and Note 4 – Assumptions made about the future and other major sources of estimation uncertainty. It was suggested that member review these notes and satisfy themselves with the judgements which had been made;
- The Council's County Farms Estate was valued on 31 March each year, and was currently valued at £82m. This was not an operational asset, but was a very valuable investment;
- Academies were classed as a leased asset, as the land and buildings were owned by the authority but not operated by it, and were given a de minimis value due to the length of the lease. If an academy closed, the asset would pass back to the authority, similarly, if the academy gave up the site, the lease would end and the asset would return to the local authority. If the academy chose to relocate and this was funded by the local authority, the new buildings would become a local authority asset (if the academy funded it themselves, they would own the asset);

**4**  
**AUDIT COMMITTEE**  
**21 JULY 2014**

Pension Fund Accounts

- Page 198 – it was clarified that transfers in referred to anyone who had chosen to transfer pension benefits from another scheme into the Lincolnshire scheme;
- The pension fund was invested in companies worldwide;
- The Pension Fund Accounts would be considered in more detail by the Pensions Committee at its meeting on 24 June 2014;
- All work on the accounts was on time, and was prepared by the deadline.

(\*page numbers refer to the page of the agenda pack, not the Statement of Accounts)

It was reported that the Annual Governance Statement would need to be amended to include consideration of the decision of the High Court in relation to the libraries review.

RESOLVED

That the comments made in relation to the draft Statement of Accounts 2013/14 be noted.

13     REVIEW OF THE EFFECTIVENESS OF INTERNAL AUDIT

Consideration was given to a report which discharged the statutory responsibility for bodies such as the County Council to review the effectiveness of internal audit once a year and for the findings of the review to be considered by an appropriate committee of the Council. The paper reported the findings of work undertaken by a joint officer/councillor working group. Whilst a few areas for ongoing monitoring and improvement were identified, the group concluded that the Council did have an effective system of internal audit.

It was noted that this was something the authority had been doing for a number of years, and there were two aspects to it – to review the effectiveness of internal audit and also the effectiveness of the Committee.

Members of the Committee were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report, and some of the points raised during discussion included the following:

- Services such as direct payments were audited, and this would be done by looking at a sample of people to ensure that they were spending their payments on what they were meant for. It was noted that as part of the audit quality assurance framework, direct payments were looked at in terms of system operation, counter fraud, contract management etc., Internal audit had a full right of access to look at any part of the business;
- Concerns were raised regarding the effect that potential reductions in resources could have on the service provided. Members were advised that risk assessments had been carried out in relation to this and how the service would be affected according to differing levels of budget reductions;

- The authority had a combined assurance model, and directors had been asked to attend the meeting in November 2014 in order to answer any queries the Committee had;

RESOLVED

That the Committee endorsed the opinion of the Review Group that the County Council maintained an effective system of internal audit.

14     INTERNAL AUDIT ANNUAL REPORT - 2013/14

Consideration was given to a report which gave the Head of Audit's opinion on the adequacy of the Council's governance, risk and control environment and delivery of the Internal Audit Plan for 2013/14.

It was reported that as part of this, a significant piece of work had been undertaken on the Council's financial systems, and it was found that the Council had good financial management processes in place, that generally worked well. The work did identify some areas of improvement over compliance with systems and controls. However, these were not significant enough to influence the overall opinion. Key control testing on all fundamental financial systems during the year also gave substantial assurance as a result of the work by Internal Audit.

Members of the Committee were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report, and some of the points raised included the following:

- 98% of the plan had been delivered;
- There should be no longer than two months between starting the field work and completing the final report for each audit. The target from April 2015 would be for 80% of audit work to be completed within this time frame;
- Draft reports should be issued within five days of completion of the fieldwork;
- It was felt that the target of 80% was both achievable and challenging;
- Responses from management for the reports were requested within five working days.

There was a request for volunteers from the Committee to meet before the September meeting to review the draft Annual Report, before it was presented to the Committee for approval. Councillors N I Jackson, P Wood and Mr P D Finch volunteered to take part in this review group.

RESOLVED

That the content of the Head of Audit Annual Report be noted.

15     REVIEW OF GOVERNANCE FRAMEWORK & DEVELOPMENT OF  
ANNUAL GOVERNANCE STATEMENT 2014

Consideration was given to a report which provided the Committee with the opportunity to review the contents of the draft Statement – to ensure that it accurately reflected the Committee's understanding of the Council's governance and assurance arrangements. This was a key activity in the Committee's terms of reference.

It was reported that each year the Council was required to reflect on how well the Council's governance framework had operated during the year and identify any governance issues which needed to be drawn to the attention of Lincolnshire's residents. Good governance underpinned everything the Council did and how services were delivered often came under close scrutiny.

Members were advised that a 'good' Annual Governance Statement was an open and honest self-assessment of how well the Council had run its business across all activities – with a clear statement of the actions being taken or required to address any areas of concern. The development of the Annual Governance Statement was overseen by the Audit Committee.

The Assistant Director Finance and Resources provided a brief update in relation to the outcome of the judicial review of the libraries service. It was noted that the lessons learned would need to be incorporated into the Annual Governance Statement. The final version of the Statement would be presented to the Committee for approval in September. Members were informed that in relation to the judicial review, the judge found in the council's favour in two aspects – that the proposals did not compromise the authority's statutory responsibility to provide a comprehensive library service and it was fully compliant in terms of equality and diversity. There were two areas where the judge asked the Council to re-think which were that the questions in the consultation were closed with limited scope to make alternative suggestions, and that the proposal from Greenwich Leisure should have had further consideration. It was reported that if the Council did wish to pursue the route of Greenwich Leisure's proposal, then a procurement exercise would need to be undertaken, and the library service would effectively be outsourced. Members were advised that there would be an internal review, and this may come to this Committee for consideration.

Members were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report, and some of the points raised during discussion included the following points:

- It was agreed that statistics into the number of contacts and complaints received through the Customer Service Centre could be included in the summary on the first page of the Statement;
- It was requested that the section entitled 'Our Audit Committee' on page 7 of the Statement be re-worded to include reference to the Committee's assurance role;
- All directors had been required to complete a pro-forma which set out the potential risks which could arise from the proposals being considered under the fundamental budget review;

RESOLVED

1. That the Committee agreed that the contents of the Annual Governance Statement accurately reflected how the Council was run;
2. That the Statement included the significant governance issues/key risks it would have expected to be published;
3. That the changes listed above be incorporated into the Statement.

16     WORK PLAN

Consideration was given to a report which provided the Committee with information on the core assurance activities currently scheduled for the 2014/15 work plan.

Members were provided with the opportunity to discuss the new layout of the work plan and the actions and some of the points raised during discussion included the following:

- It was queried whether it would be helpful for the Committee to review its terms of reference sooner rather than later?
- A fully revised Constitution would go to full Council in September 2014. The Head of Audit advised the Committee that she would pass on the CIPFA terms of reference to the Constitution Review group;
- Every paper which was presented to the Committee in future would be cross referenced with the terms of reference. The various ways of doing this was discussed by the Committee;
- It was thought important that a way for the committee to determine whether they had received the assurance they required for each report was included. The Head of Audit agreed to rethink the design of the work plan to see how this could be incorporated;

RESOLVED

That the design of the Work Plan and Action Plan be reworked as requested by the Committee.

The meeting closed at 1.30 pm

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## **PENSIONS COMMITTEE 29 MAY 2014**

### **PRESENT: COUNCILLOR M G ALLAN (CHAIRMAN)**

Councillors R J Phillips (Vice-Chairman), N I Jackson, B W Keimach, Mrs S Rawlins and A H Turner MBE JP

Co-opted Members: Mr A N Antcliff (Employee Representative) and Councillor M Leaning

Officers in attendance: Karen Frith (Investment Finance Officer); Judith Gilbert (Democratic Services Officer); Jo Ray (Group Manager – Pensions and Treasury) and Nick Rouse (Investment Manager)

Visitor: Paul Potter (Investment Adviser to the Fund)

### 1 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from David Forbes (Assistant Director, Finance and Asset Management); James Grant (Non-District Council Employees Representative); Peter Jones (Independent Advisor) and Councillor C E D Mair.

### 2 DECLARATIONS OF MEMBERS' INTERESTS

Councillor M G Allan requested that a note be made in the minutes that he was currently a contributing member of the Pension Fund as a North Kesteven District Councillor and as a County Councillor.

Councillor R J Phillips declared a personal interest in all items on the Agenda as a member of the Upper Witham Internal Drainage Board and as a contributing member of the Pension Fund.

Councillor M Leaning stated he was now a pensioner and in receipt of a pension from the fund.

Mr A Antcliff requested that a note should be made in the minutes that he was currently a contributing member of the Pension fund as an employee of Lincolnshire County Council.

### 3 MINUTES OF THE PREVIOUS MEETING OF THE COMMITTEE HELD ON 10 APRIL 2014

RESOLVED

**2**

**PENSIONS COMMITTEE**

**29 MAY 2014**

That the Minutes of the Meeting held on the 10 April 2014 be approved and signed by the Chairman as an accurate record.

**4**      PENSION FUND DISCRETIONARY POLICIES - UPDATE

The Committee gave consideration to a report which outlined the Local Government Pension Scheme responsibilities and discretions to Lincolnshire County Council as the Administering Authority of the Lincolnshire Pension Fund. It was noted that these discretions had been reviewed by the Pensions Committee in October 2013. A number of new discretions had been introduced as part of the 2013 Regulations and the 2014 Transitional Regulations. The Group Manager, Pensions and Treasury assured the Committee that the discretions outlined in the report were currently being adhered to.

RESOLVED

That the Administering Authority's discretions for the Lincolnshire Pension Fund be approved.

**5**      FUTURE STRUCTURE OF THE LOCAL GOVERNMENT PENSION SCHEME CONSULTATION

The Committee gave consideration to a report which outlined the future structure of the Local Government Pension Scheme which had recently been published by the Department for Communities and Local Government. The consultation, which had been released on the 1 May 2014, had a deadline set for responses to be received by 11 July 2014. The consultation entitled "Local Government Pension Scheme (LGPS): opportunities for collaboration, cost savings and efficiencies", posed five questions for consideration which were:

1. Do you agree that common investment vehicles would allow funds to achieve economies of scale and deliver savings for listed and alternative investments?
2. Do you agree with the proposal to keep decisions about asset allocation with the local fund authorities?
3. How many common investment vehicles should be established and which asset classes do you think should be separately represented in each of the listed asset and alternative asset common investment vehicles?
4. What type of common investment vehicle do you believe would offer the most beneficial structure? What governance arrangements should be established?
5. In light of the evidence on the relative costs and benefits of active and passive management, including Hymans Robertson's evidence on aggregate performance, which of the options set out above offers best value for taxpayers, Scheme members and employers?

The Committee indicated that they were pleased that there were no recommendations for one merged Pension fund and there would still be local involvement and accountability of the area Pensions would be invested in.

RESOLVED

That the Group Manager, Pensions and Treasury, in consultation with the Chairman and Vice-Chairman of the Committee draft a response and circulate it to the Committee for comments ahead of the 11 July 2014 deadline.

6 MANAGER PRESENTATION - MORGAN STANLEY ALTERNATIVES INVESTMENT PARTNERS

Consideration was given to a confidential presentation from Morgan Stanley Alternatives Investment Partners who managed the Fund's allocation to alternative investments. This was also their formal three year review.

RESOLVED

That the confidential report be noted and the recommendations contained in the report be approved.

*(Councillor M Leaning left the meeting due to an emergency appointment)*

7 MANAGER PRESENTATION - MORGAN STANLEY GLOBAL BRANDS FUND

Consideration was given to a confidential presentation from Morgan Stanley who managed the Global Brands Fund, which formed part of the fund's allocation to global equities.

RESOLVED

That the confidential report be noted and the recommendations contained in the report were approved.

8 MANAGER PRESENTATION - F&C - ABSOLUTE RETURN BONDS

The Committee gave consideration to a presentation from F & C who managed the Fund's allocation to absolute return bonds as well as their three year formal review.

RESOLVED

That the confidential report be noted and the recommendations contained in the report be approved.

The meeting closed at 3.45 pm

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## **PENSIONS COMMITTEE 24 JULY 2014**

### **PRESENT: COUNCILLOR M G ALLAN (CHAIRMAN)**

Councillors R J Phillips (Vice-Chairman), N I Jackson, B W Keimach, Mrs S Rawlins and A H Turner MBE JP

Other members: Andy Antcliffe (Employee Representative), Cllr M Leaning (District Council Representative)

Independent Adviser: Peter Jones

Officers in attendance:- Jo Ray (Group Manager, Pensions and Treasury), Nick Rouse (Investment Manager), Catherine Wilman (Democratic Services Officer)

### 9 APOLOGIES FOR ABSENCE/MEMBER REPLACEMENT

Apologies were received from Councillor C E D Mair.

### 10 DECLARATIONS OF MEMBERS' INTERESTS

Councillor M G Allan requested that a note be made in the minutes that he was currently a contributing member of the Pension Fund as a North Kesteven District Councillor and as a County Councillor.

Mr A Antcliff requested that a note should be made in the minutes that he was currently a contributing member of the Pension Fund as an employee of Lincolnshire County Council.

Councillor R J Phillips declared a personal interest in all items on the agenda as a member of the Upper Witham Internal Drainage Board and as a contributing member of the Pension Fund.

Councillor M Leaning stated he was now a pensioner and in receipt of a pension from the fund.

### 11 MINUTES OF THE PREVIOUS MEETING OF THE PENSIONS COMMITTEE HELD ON 29 MAY 2014

RESOLVED

That the minutes of the meeting held on 29 May 2014 be agreed and signed by the Chairman as a correct record.

**2**  
**PENSIONS COMMITTEE**  
**24 JULY 2014**

12     INDEPENDENT ADVISOR'S REPORT

Consideration was given to a report by Peter Jones, the Committee's Independent Advisor, which provided a market commentary on the current state of global investment markets.

Inflation worldwide was too low to be healthy. It was currently below 2% in the US and UK inflation had gone down quite quickly in recent months. However, wage inflation had meant that China was not likely to be a cheap producer of goods any longer.

It was expected that the Bank of England base rate would begin to rise shortly.

RESOLVED

That the update be noted.

13     PENSION FUND UPDATE REPORT

Consideration was given to a report which updated the Committee on current issues and Fund matters over the quarter ending 31 March 2014.

It was noted that the Fund's ten largest single company investments were the same companies as the previous quarter. A request was noted for the full list of holdings to be produced for the Committee. It was agreed to present it at Committee once a year.

Voting had been relatively quiet over the quarter.

Councillor Jackson updated the Committee on the most recent meeting of the Local Authority Pension Fund Forum. The Scheme Governance Regulations were discussed.

There was discussion about the ongoing issue with IRFS reporting requirements and whether banks were fully showing debts on statements. There had been extensive discussion in the UK and US about the legality of the accounting process. The issue was currently in a pre-pre-judicial review stage.

It was highlighted that the contract with Mouchel to provide Pensions Administration services to the Fund would end on 31 March 2015. Committee members had already been notified by email that West Yorkshire Pension Fund had been chosen as the preferred provider for pension administration services from 1 April 2015. A project board and team had been set up to help manage the transfer.

Employers within the scheme had been informed, but not members of the Fund. Members should not experience any change in the service, except for different contact details.

RESOLVED

That the report be noted.

14     INVESTMENT MANAGEMENT REPORT

Consideration was given to a report which updated the Committee on current issues and Fund matters over the quarter ending 31 March 2014.

It was noted that the Fund's ten largest single company investments were the same companies as the previous quarter. A request was noted for the full list of holdings to be produced for the Committee. It was agreed to present it at Committee once a year.

Voting had been relatively quiet over the quarter.

Councillor Jackson updated the Committee on the most recent meeting of the Local Authority Pension Fund Forum. The Scheme Governance Regulations were discussed.

There was discussion about the ongoing issue with IRFS reporting requirements and whether banks were fully showing debts on statements. There had been extensive discussion in the UK and US about the legality of the accounting process. The issue was currently in a pre-pre-judicial review stage.

It was highlighted that the contract with Mouchel to provide Pensions Administration services to the Fund would end on 31 March 2015. Committee members had already been notified by email that West Yorkshire Pension Fund had been chosen as the preferred provider for pension administration services from 1 April 2015. A project board and team had been set up to help manage the transfer.

Employers within the scheme had been informed, but not members of the Fund. Members should not experience any change in the service, except for different contact details.

RESOLVED

That the report be noted.

15     PENSION ADMINISTRATION REPORT

Consideration was given to a quarterly report by the pension administrator from Mouchel. Stuart Duncombe, the Communications Coordinator was present to take the Committee through the report.

It was highlighted that six out of 21 performance indicators had dipped below 100% in the period March to May 2014. It was explained this had been due to the late issuance of the Transitional Regulations, which resulted in a period when the

**4**  
**PENSIONS COMMITTEE**  
**24 JULY 2014**

pensions unit was not in a position to calculate benefits and be confident that they were correct.

This issue was likely to cause a ripple effect in other indicators in the coming months.

RESOLVED

That the report be noted.

**16**     UK EQUITY PORTFOLIO ANNUAL REPORT

The Committee considered the annual report covering the performance of the UK Equity index-tracking portfolio, which was managed internally, for the year ended 31 March 2014. The Investment Manager summarised the report for Members

The objective of the portfolio was to deliver the total return of the MSCI UK IMI index +/-0.5% pa. This was to be achieved while maintaining a predicted portfolio tracking error within 0.5% of the index.

RESOLVED

That the report be noted.

**17**     ANNUAL REPORT ON THE FUND'S PROPERTY INVESTMENT

Consideration was given to a report which outlined the performance of the Fund's property and related investments for the year ended 31 March 2014. The Investment Manager summarised the report and the following points were noted:

- The UK Commercial Property Investments had returned above the benchmarks since inception;
- The retail industry had undergone huge changes due to online sales. There was a high chance that retail properties may not be used as shops again once their businesses had closed;

RESOLVED

That the report be noted.

**18**     PENSION FUND DRAFT ANNUAL REPORT AND ACCOUNTS

Consideration was given to a report which provided the Committee with the draft Annual Report and Accounts for the Pension Fund.

The Pension Fund Annual Report and Accounts for the year ended 31 March 2014 would shortly be presented to the Audit Committee, along with the Council's Annual Report and Accounts, however the Council's external auditors KPMG had requested that the report be approved by the Pensions Committee first.



Once approved by the Pensions Committees, the report would be signed off by the auditors and taken to the September Audit Committee. Once opinion has been given, the Report and Accounts will be made available to all Councillors. Additionally, the report would be available on the Pension Fund website.

RESOLVED

That the draft Annual Report and Accounts be approved and that delegated authority be given to officers to add an addendum to the accounts to meet additional CIPFA reporting requirements, if needed.

19     PENSION FUND POLICIES REVIEW

A report was considered which brought to the Committee the main policies of the Pension Fund for review. As the Administering Authority of the Lincolnshire Pension Fund, the Pensions Committee was required to review a number of key policy documents annually, the last review being in July 2013.

There had been minimal changes to the policies in the intervening year and therefore the Committee approved the policies for another 12 months.

RESOLVED

That the policies be agreed and the report be noted.

20     PENSION FUND RISK REGISTER

The Committee considered a report which presented the Pension Fund Risk Register for annual review and it was reported that there were currently no red risks.

The end of the council's contract with Mouchel was approaching and the project managing the transfer to the new pensions administration provider had its own risk register.

If changes in risks were identified, they would be highlighted in a quarterly update. Changes in risk could be plotted on a risk matrix and Jo Ray offered to complete this for the Committee's next meeting, should any risks change.

RESOLVED

That the risk register be agreed.

21     DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT (DCLG)  
DRAFT SCHEME GOVERNANCE REGULATIONS

## 6

### **PENSIONS COMMITTEE**

**24 JULY 2014**

Consideration was given to the draft Local Government Pension Scheme Governance regulations issued by the Department for Communities and Local Government (DCLG) as part of the Public Services Pensions Act 2013 (PSPA 2013)

PSPA 2013 effected a number of changes to public service pension schemes, some of which would impact on the governance of such schemes and the changes would come into force in April 2015. Of the changes to be made:

- Local pensions boards (PSPA Boards) would be introduced whose role would be to assist in administering authorities to ensure compliance with the LGPS regulations;
- A national scheme advisory board would be set up, and be responsible for providing advice to the Secretary of State on the desirability of making changes to the LGPS.

Officers felt the Council's scheme already had good governance in place and the Local Pensions Boards required by the Act had a "one size fits all" structure, not all of which needed to be implemented by the Council but was required to be in place nevertheless.

The Pensions Committee would continue as normal and its role would not change; the Local Pensions Board would run parallel to it.

The consultation provided two alternatives relating to how procedures would be established for the Local Pensions Boards and was asking authorities to indicate their preferred method:

- For local authorities, Part 6 of the Local Government Act could be made to apply to the LPB as if it was a local authority committee, or
- Each administering authority determined its own procedures.

The Group Manager, Pensions and Treasury, would respond to the consultation on behalf of the committee and Members' views were sought to feed into the response. The following comments were made:

- It was felt that potential Board members would be hard to meet the criteria set out in the Act;
- It was suggested that an East Midlands pension board would be more effective than lots of smaller local ones. This view could be incorporated into the response, however the Act specifically required a Local Pensions Board for each Fund.

The Committee was taken through the suggested responses to the consultation, as detailed in the report. The Committee agreed with all suggested responses and added the following comments:

- Response 25 – Employee events were slightly too infrequent. This had been the feedback after the previous employee event, with a request to have more of them;
- Response 27 – The training schedule provided for the Committee was very comprehensive and setting up a minimum level of required knowledge would be a good suggestion. Training in pensions related issues was an ongoing process which could take many years.

RESOLVED

1. That the report be noted and the suggested response to the consultation be agreed;
2. That the Assistant Director of Resources and the Group Manager, Pensions and Treasury work with Democratic Services and legal Services Officers to progress the requirements.

22 REVIEW OF INVESTMENT STRATEGY

A report was considered which introduced the review of the investment strategy by Hymans Robertson, the Fund's Investment Consultant, following the 2013 Triennial Valuation.

Following the reappointment of Hymans Robertson in December 2013, the company was asked to undertake an asset liability study based on the 2013 Triennial Valuation.

The setting of the high level asset allocation was the most important investment decision the Committee was required to make. Generally 80% of the return of the fund was generated by the asset allocation, with the remaining 20% generated by the performance of managers.

A presentation was received from Paul Potter from Hymans Robertson which provided a series of options to the Committee looking at a range of funding level outcomes, based on the ratio of growth assets to low risk assets.

A recommendation of the report was to create a working group of officers, committee members and the Independent Advisor to consider the detailed asset allocation for the Fund and to report recommendations to the Committee.

Councillor N I Jackson volunteered to be a member of the working group and Jo Ray would email the Committee to seek further members.

RESOLVED

1. That the high level asset allocation strategy for the fund be agreed;

**8**

**PENSIONS COMMITTEE**

**24 JULY 2014**

2. That a working group of officers, committee members and the Independent Advisor be set up to consider the detailed asset allocation for the Fund and to report recommendations to the Committee.

The meeting closed at 12.50 pm



**PLANNING AND REGULATION  
COMMITTEE  
7 JULY 2014**

**PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)**

Councillors D McNally (Vice-Chairman), J W Beaver, D Brailsford, D C Hoyes MBE, D M Hunter-Clarke, Ms T Keywood-Wainwright, N I Jackson, D C Morgan, N H Pepper, Mrs H N J Powell, T M Trollope-Bellew and W S Webb

Councillor B W Keimach attended the meeting as the local Member for minute 28

Officers in attendance:-

Alan Aistrup (Highways Manager (North)), Steve Blagg (Democratic Services Officer), Andy Gutherson (Head of Planning), Charlotte Lockwood (Solicitor), Neil McBride (Development Manager) and Marc Willis (Principal Planning Officer (Development Management))

18 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors M S Jones and C L Strange.

The Chief Executive reported that having received a notice under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990, he had appointed Councillor N I Jackson as a replacement member of the Committee in place of Councillor Mrs J M Renshaw, for this meeting only.

19 DECLARATIONS OF MEMBERS' INTERESTS

No declarations were made at this stage of the meeting.

20 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND  
REGULATION COMMITTEE HELD ON 2 JUNE 2014

RESOLVED

That the minutes of the previous meeting of the Planning and Regulation Committee, held on 2 June 2014, be agreed as a correct record and signed by the Chairman.

**2**  
**PLANNING AND REGULATION COMMITTEE**  
**7 JULY 2014**

21 TRAFFIC ITEMS

22 BLEASBY MOOR, LEGSBY - PROPOSED 30MPH SPEED LIMIT

The Committee received a report in connection with comments made by Legsby Parish Meeting at the public consultation stage with regard to a proposed 30mph speed restriction at Bleasby Moor, Legsby.

Details of the comments from Legsby Parish Meeting and the response of officers to the comments were detailed in the report.

On a motion by Councillor Mrs H N J Powell, seconded by Councillor W S Webb, it was -

RESOLVED (unanimous)

(a) That the comments of the Legsby Parish Meeting, be noted.

(b) That a proposal to introduce a 30mph speed restriction on the lengths of road at Bleasby Moor, as detailed in the report, be advertised and confirmed if no objections are received.

23 PROPOSED NO WAITING AT ANYTIME PARKING RESTRICTIONS - HIGH STREET (PART), HEIGHINGTON

The Committee received a report in connection with objections received to the proposed "No Waiting at Anytime" parking restrictions on part of High Street, Heighington. Officers stated that "Station Road" should be replaced by "Sheepwash Lane", on line four, paragraph 3, page 23, and paragraph 3, under the heading of "Conclusion", page 26, of the report.

The objections and the comments of officers on the objections were detailed in the report.

Comments made by the Committee included:-

1. Heighington had an old village centre with narrow roads suitable for transport from a different era.
2. Had any vehicles hit the wall when vehicles had not parked in the area?
3. Loss of parking for elderly people.
4. Had the installation of a "boxed" junction been considered?
5. HVCs including school buses should be made to use an alternative route.
6. Installation of kerbing to prevent vehicles turning right at the junction.
7. The imposition of a Weight Limit would not prevent access and the diversion of school buses would only cause inconvenience elsewhere.

Officers responded to the comments made by the Committee, including:-

1. The wall had been hit on several occasions when there had not been any parked vehicles.
2. The reasons why waiting restrictions were more appropriate than a "boxed" junction were explained.
3. Further developments to improve traffic management were proposed for this area. In consultation with the Parish Council further work, including the installation of signs advising that the route was unsuitable for large vehicles and the installation of a Weight Limit on Merrycock Lane and Station Road were being examined.
4. The Parish Council supported the proposals and had provided additional car parking for local residents.
5. The installation of kerbing was not suitable as Merrycock Lane was too narrow and used as a main bus route.
6. There were not any elderly people living in the affected properties.
7. The road structure was able to cater for 40 tonne vehicles.

On a motion by Councillor W S Webb, seconded by Councillor D Brailsford, it was –

RESOLVED (unanimous)

That the objections be overruled and the proposal as detailed in the report be implemented as advertised.

24     GAINSBOROUGH, THE AVENUE - PROPOSED 40MPH SPEED LIMIT

The Committee received a report in connection with an objection received to proposals for a 40mph speed limit on The Avenue, Gainsborough.

The objection and the comments of officers on the objection were detailed in the report.

On a motion by Councillor J W Beaver, seconded by Councillor Mrs H N J Powell, it was –

RESOLVED (unanimous)

That the objection be overruled and the draft Order, as detailed in the report, be confirmed and advertised.

25     LILLY'S ROAD AND ERNEST TERRACE, LINCOLN - PROPOSED  
INTRODUCTION OF RESIDENTS' PARKING ZONE 4F, MONDAY TO  
SATURDAY, 8AM TO 6PM

The Committee received a report on an objection received following consultations and public advertisement of proposals for a Residents' Parking Scheme for Lilly's Road and Ernest Terrace, Lincoln,

**4**  
**PLANNING AND REGULATION COMMITTEE**  
**7 JULY 2014**

Details of the objection and the comments of officers on the objection were detailed in the report.

On a motion by Councillor Mrs H N J Powell, seconded by Councillor I G Fleetwood, it was –

RESOLVED (unanimous)

That the objection be overruled and the Order, as detailed in the report, be implemented as advertised.

26     HIGH STREET, LINCOLN - PROPOSED ALTERATIONS TO WAITING RESTRICTIONS & INTRODUCTION OF LIMITED WAITING (2 HOURS)

The Committee received a report on objections received to traffic regulation orders proposed in the Lower High Street area, Lincoln.

Details of the objections and the comments of officers on the objections were detailed in the report.

On a motion by Councillor N I Jackson, seconded by Councillor Ms T Keywood-Wainwright, it was –

RESOLVED (uanamous)

That the objections be overruled and the Order, as detailed in the report, be implemented as advertised.

27     COUNTY MATTER PLANNING APPLICATIONS

28     SUPPLEMENTARY REPORT - TO USE LAND SITUATED WITHIN THE FORMER MANSGATE CHALK QUARRY AS A PRIMARY AGGREGATES STORAGE, PROCESSING AND MERCHANTING SITE AND CONSTRUCTION AND DEMOLITION WASTE RECYCLING FACILITY AND THE RETENTION AND USE OF EXISTING BUILDINGS, WEIGHBRIDGE FACILITIES AND ASSOCIATED VEHICLE PARKING AREAS IN ASSOCIATION WITH THE PROPOSED USE AT MANSGATE QUARRY, NETTLETON - MANSGATE QUARRY PRODUCTS LTD (AGENT: DAVIS PLANNING PARTNERSHIP) - W66/131058/14

(NOTED:- Only those Members of the Committee who had attended the site visit on 17 April 2014, were able to speak and vote on this application - Councillors I G Fleetwood, D M Hunter-Clarke, Ms T Keywood-Wainwright, D McNally and N H Pepper)

Councillor B W Keimach attended the meeting as the local Member and gave his support to the application.



On a motion by Councillor Ms T Keywood-Wainwright, seconded by Councillor D M Hunter-Clarke, it was -

RESOLVED (4 votes and 1 abstention)

That planning permission be granted subject to:-

(a) The applicant first entering into and completing a S106 Planning Obligation to secure a vehicle routeing agreement so as to prevent traffic associated with the development from travelling to the site via Nettleton Village and also Whitegate Hill as well as to secure a scheme for the restoration and maintenance of an area of land identified within the application to be restored to calcareous grassland.

(b) That, upon completion of the S106 Planning Obligation identified in (a), the Executive Director be authorised to issue the planning permission subject to the conditions set out in Appendix C of the report.

29 SUPPLEMENTARY REPORT - TO REMOVE/VARY CONDITION NO. 8 OF PLANNING PERMISSION (E)S86/2390/10 WHICH RELATES TO A PAPER SHREDDING FACILITY AT SPRATT CLOSE, HORNCastle - A RIDDEL & SONS METAL & SCRAP HIRE LTD (AGENT: FOR-WARD PLANNING CONSULTANCY LTD) - (E)S86/0511/14

Officers responded to comments made by the Committee including that the Enforcement Officer was satisfied that the planning conditions were enforceable and that cabling of the waste paper was in place to ensure that the waste paper was properly baled.

On a motion by Councillor Mrs H N J Powell, seconded by Councillor Ms T Keywood-Wainwright, it was -

RESOLVED (unanimous)

That planning permission be granted to erect an industrial unit to house a paper shredding facility in accordance with application reference (E)S86/0511/14 dated 30 January 2014, at land off Spratt Close, Horncastle without compliance with Condition 8 previously imposed on planning permission reference (E)S86/2390/10, dated 19 January 2011, but subject to the other conditions therein, so far as the same are still subsisting and capable of taking effect and subject to the following new condition:

8. The outside storage of baled paper shall be carried out strictly in accordance with 'Litter Management Scheme' (date stamped received 18 June 2014) for the duration of the development hereby approved.

Reason

8. In the interests of the general amenity of the area.

**6**  
**PLANNING AND REGULATION COMMITTEE**  
**7 JULY 2014**

The meeting closed at 11.20 am



**PLANNING AND REGULATION  
COMMITTEE  
28 JULY 2014**

**PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)**

Councillors D McNally (Vice-Chairman), J W Beaver, D Brailsford, D C Hoyes MBE, D M Hunter-Clarke, N I Jackson, Ms T Keywood-Wainwright, N H Pepper and T M Trollope-Bellew

Councillors: C J Davie attended the meeting as observers

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Charlotte Lockwood (Solicitor), Neil McBride (Development Manager) and Marc Willis (Principal Planning Officer (Development Management))

30 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors M S Jones, Mrs H N J Powell, C L Strange and W S Webb.

The Chief Executive reported that having received a notice under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990, he had appointed Councillor N I Jackson as a replacement member on the Committee in place of Councillor Mrs J M Renshaw, for this meeting only.

31 DECLARATIONS OF MEMBERS' INTERESTS

Councillor T M Trollope-Bellew requested that a note should be made in the minutes that he had attended a meeting of Baston Parish Council when this application was considered but had not made any comments while the application was being discussed (minute 34).

Councillor D Hunter-Clarke requested a note should be made in the minutes that he knew the applicant and would not therefore take part in the discussion or vote on this item (minute 35).

32 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND  
REGULATION COMMITTEE HELD ON 7 JULY 2014

RESOLVED

That the minutes of the previous meeting of the Planning and Regulation Committee held on 7 July 2014, be agreed as a correct record and signed by the Chairman.

**2**  
**PLANNING AND REGULATION COMMITTEE**  
**28 JULY 2014**

33 COUNTY MATTER PLANNING APPLICATIONS

34 SUPPLEMENTARY REPORT - (1) TO CONTINUE TO EXTRACT SAND AND GRAVEL WITHOUT COMPLYING WITH CONDITION NUMBERS 2, 3 & 5 OF PLANNING PERMISSION (LCC) REFERENCE S7/2737/10 AND CONDITION NUMBERS 4, 31 & 32 THAT WERE CARRIED FORWARD TO THAT PERMISSION FROM PLANNING PERMISSION (LCC) REFERENCE S7/1083/03. [THE PROPOSAL SEEKS TO AMEND THE SCHEME OF WORKING AND RESTORATION; TO AMEND THE DETAILS RELATING TO THE CONSTRUCTION OF THE AMENITY MOUNDS; TO REVISE THE SPECIFICATION FOR THE CLAY SEAL; AND TO TEMPORARILY RETAIN THE CONVEYOR] AT MANOR PIT QUARRY, BASTON OUTGANG ROAD, BASTON - CEMEX UK OPERATIONS LTD - S7/0046/13 AND (2) TO EXTRACT SAND AND GRAVEL FROM LAND FORMING AN EXTENSION TO THE MANOR PIT QUARRY WITH RESTORATION TO AGRICULTURE AT FOX'S LAND, MANOR PIT QUARRY, BASTON - CEMEX UK OPERATIONS LTD - S7/2618/13

(NOTE: Councillors D Brailsford and Ms T Keywood-Wainwright arrived in the meeting during consideration of this application).

Kirsten Hannaford, representing the applicant, stating that she supported the content of the officer's report and added that this was a strategic site for Cemex.

The Committee welcomed the contribution to highway improvements of Cross Road and the construction of the conveyor belt from the site to the processing plant beneath the highway.

On a motion by Councillor T M Trollope-Bellew, seconded by Councillor N H Pepper, it was -

RESOLVED (8 votes for and 0 votes against, with Councillors D Brailsford and Ms T Keywood-Wainwright not taking part in the discussion or voting thereon as they had arrived late in the meeting)

In relation to application No.S7/0046/13:-

(a) That the applicant be invited to enter into a Section 106 Planning Obligation to:

- maintain the integrity of the site against the ingress of groundwater;
- provide for the internal water management of the low level restoration within the site; and

- restore the site as a whole in connection with Fox's Land, including the removal of the conveyor and infilling of the tunnel to the plant site at the cessation of minerals operations at Fox's Land.

(b) That, subject to the conclusion of the Planning Obligation in (a) above, the Executive Director for Environment and Economy be authorised to grant planning

permission subject to all other conditions, except conditions 4, 31 and 32 as set out in the Council's Decision Notice reference S7/1083/03 and conditions 2, 3 and 5 as set out in the Council's Decision Notice reference S7/2737/10, so far as the same are still subsisting and capable of taking effect and subject to the new conditions as detailed in the report.

In relation to application No. S7/2618/13:-

(a) That the applicant be invited to enter into a Section 106 Planning Obligation to:

- route all HGVs to and from the A16 via Cross Road (except for local deliveries);
- secure a financial contribution of £33,600 towards the improvement of Cross Road;
- secure the completion of archaeology works (post fieldwork);
- maintain the integrity of the site against the ingress of groundwater;
- provide for the internal water management of the low level restoration within the site;
- surrender the use of the western discharge point prior to the eastern discharge point coming into use;
- restore the site as a whole in connection with North Meadow (South), including the tree planting along the southern boundary of North Meadow (South) to be located to enable a nine metre set back distance from the diverted Baston Drain Number 2 to be achieved; and
- secure a scheme for the restoration of the plant site.

(b) That, subject to the conclusion of the Planning Obligation in (a) above, the Executive Director for Environment and Economy be authorised to grant planning permission subject to the conditions detailed in the report.

(c) That the report forms part of the Council's Statement pursuant to Regulation 24 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 which required the Council to make available for public inspection at the District Council's Offices specified information regarding the decision. Pursuant to Regulation 24(1)(c) the Council must make available for public inspection a statement which contains:-

- content of decision and any conditions attached to it;
- main reasons and considerations on which decision is based;
- including if relevant, information about the participation of the public;
- a description, when necessary, of the main measures to avoid, reduce and if possible offset the major adverse effects of the development;
- information recording the right to challenge the validity of the decision and procedure for doing so.

- 35 TO VARY CONDITION 1 OF PLANNING PERMISSION (E)S39/0456/12 - TO EXTEND THE RANGE OF PERMITTED WASTES TO INCLUDE SPECIFIED COMMERCIAL AND INDUSTRIAL WASTES (I.E. BLACK BIN BAG WASTES) AND TO RESTRICT AND DEFINE WHERE SUCH WASTES WOULD BE HANDLED AND STORED WITHIN THE SITE AT HOLLY TREE FARM, CROFT - SID DENNIS AND SONS LTD - (E)S39/0945/14; AND SECTION 73 APPLICATION TO VARY CONDITION 2 OF PLANNING PERMISSION (E)S39/0294/11 - TO REFLECT PROPOSED MODIFICATIONS TO THE BUILDING INCLUDING ADDITIONAL EXTERNAL CLADDING AND INTERNAL ALTERATIONS TO ENABLE THE BUILDING TO ACCOMMODATE A WIDER RANGE OF WASTE TYPES AT HOLLY TREE FARM, CROFT - SID DENNIS AND SONS LTD - (E)S39/0946/14

Since the publication of the report responses to consultation had been received as follows:-

Following the publication of the report a further 21 representations have been received from individuals who own caravans sited on the nearby caravan site. These representations object to the proposals on the same grounds as cited in paragraph 19 of the report.

Croft Parish Council - maintain their original objection (as set out in paragraph 16(b) of the report), however, they are pleased to see amended plans for the waste transfer building and odour management plan and the applicant is taking steps to address the issues that have been raised.

Fire and Rescue Service - have commented that a Fire Strategy and Accident Plan should be provided which can be shared with the Fire Service. Such a plan should aim to reduce fire risk at the site and contain information reflected in the Technical Guidance Note issued by the Environment Agency regarding how to reduce fire risk at Permitted sites.

Head of Planning's response – the site is to be covered by an Environmental Permit and this would impose additional conditions and controls on the general monitoring and management of the site. The Technical Note referred to sets out what needs to be captured within an accident plan that can form part of an Environmental Permit and therefore operators of permitted sites are required to take this guidance into account. If they do not then the Environment Agency can take appropriate action such as varying the terms of the Permit.

Given the above it is not considered necessary to secure an Accident Plan as part of any planning permission as such matters can be adequately addressed through the Permit. However, the comments made by the Fire Service can be drawn to the attention of the applicant by way of an informative.

Environmental Health Officer (EHO) - following the receipt of the Odour Management Plan, the EHO did question the ability of the building to be air-tight given that the drawings submitted indicated that there would be a high level louvre panel on the gable

end of the building. The EHO considered that such a panel would provide an unnecessary route for fugitive emissions from the building and so should be removed. The EHO also suggested some form of leak or integrity testing should be carried out to demonstrate that fugitive emissions can be controlled properly before the building is brought into use.

The EHO has also commented that details of the odour abatement systems should be provided to ensure they are effective and they have also advised that further clarification about certain operational aspects of the Odour Management Plan should be obtained. The EHO, however, adds that there may be merit in the use of a planning condition to secure details of these before the building is brought into use.

Head of Planning's response - a further revised Odour Management Plan has been submitted which addresses the operational issues raised by the EHO and also a further revised drawing of the building which removes the high louvre panel. The revised drawing is attached to this update (ref: 1833-06 Revision E) and it is recommended that conditions 2 and 11 on page 147 of the Report therefore be updated to reflect this new drawing should planning permission be granted.

A planning condition has already been recommended to secure further details of the odour mitigation systems to be installed within the building (see condition 11 on page 147 of the Report). This condition is an appropriate mechanism by which further details and clarification about those systems can be sought. Officers do not consider leak or integrity testing to be necessary in this instance as the building at Holly Tree Farm would be a new purpose built building (unlike the building at Addlethorpe where such testing was considered necessary) and the building will not be able to operate until details of the odour mitigation systems to be installed have been agreed with Officers which would need to demonstrate that any odours from the building can be effectively managed with minimal impact.

In terms of the revised Odour Management Plan, Officers are satisfied that it addresses all the key aspects necessary and is proportionate to the scale and complexity of the process. The site itself would also be covered by an Environmental Permit that would add weight to the general monitoring and management of the site.

East Lindsey District Council – confirmed they have no objections to the revised building following the removal of the high level louvre panel.

Sid Dennis, representing the applicant commented as follows:-

1. Had been a family business since 1884.
2. Had been receiving black bin waste in a designated open bay for more than 10 years and there was a need to update the planning approval for the site to recognise changing waste definitions, introduced by the Environment Agency.
3. The business served many businesses on the east coast.
4. An Odour Management Plan had now been provided.
5. The proposed new facility had been designed in consultation with Planning Officers.

On a motion by Councillor I G Fleetwood, seconded by Councillor T M Trollope-Bellew, it was –

**6**

**PLANNING AND REGULATION COMMITTEE**

**28 JULY 2014**

RESOLVED (9 votes for and 0 votes against with Councillor D Hunter-Clarke abstaining from the discussion and voting thereon as he knew the applicant).

RESOLVED

(a) That, in respect of application No. (E) S39/0945/14, planning permission be granted for the variation of Condition No. 1 as set out in the Council's Decision Notice reference (E) S39/0456/12, dated 4 September 2012, subject to all other conditions so far as the same are still subsisting and capable of taking effect, and subject to the imposition of a new condition to replace Condition 1 as well as an additional Condition 11, as detailed in the report.

(b) That, in respect of application No. (E)S39/0946/14, planning permission be granted for the variation of Condition No. 2 as set out in the Council's Decision Notice reference (E) S39/0294/11, dated 12 April 2011, subject to all other conditions so far as the same are still subsisting and capable of taking effect, and subject to the imposition of a new condition to replace Condition 2 and additional condition 11 as further revised so as to refer to the attached to the update (Drawing No. 1833-06 Revision E) which removes the high louvre panel) as well as additional conditions 12 and 13, as detailed in the report.

36 TO VARY CONDITIONS 2, 3 AND 5 OF PLANNING PERMISSION N42/0206/10 (AS AMENDED BY PERMISSION N42/0221/12): TO REGULARISE EXISTING WEIGHBRIDGE AND WEIGHBRIDGE OFFICE AND REVISIONS TO APPROVED SITE LANDSCAPING DETAILS AND PROPOSED EXPANSION OF PERMITTED FEEDSTOCKS SO AS TO INCLUDE CHICKEN LITTER AT AD PLAN OFF NOCTON FEN LANE, NOCTON - BEESWAX FARMING (RAINBOW) LTD - N42/0738/14

Since the publication of the report responses to consultation had been received as follows:-

Highways (Lincolnshire County Council) – no objection due to the fact that the trip generation from this proposal falls within the previously conditioned limits of 8 trips per week or 400 per annum.

North Kesteven District Council - raise no objection in relation to the proposals to vary conditions 2 and 5, and raise objection in relation to the proposed use of chicken manure as a seal (condition 3) on the grounds that it is an untried/untested method which could have adverse impacts as advised by the Environmental Health Officer.

Applicant - the applicant has provided further justification to support the use of chicken manure as a capping material and has also provided a copy of the site's Environmental Management Plan which details (amongst other matters) the drainage arrangements for the site and how odours are managed. A summary of the main points set out in their comments/response are summarised as follows:

- The use of chicken litter as a capping material reduces potential health and safety issues on-site. Due to the exposed location of the AD plant large gusts of wind often roll up the Fen which can catch the sheets while employees are trying to



sheet down the clamp and this has the potential to cause people to fall from the clamp at a height.

- Sheeting can be torn in the wind and this pollutes/litters the Fen. Sheeting can also get snagged and drawn into the AD plant which causes mechanical faults and if it has managed to work through the AD plant it can also end up being spread on the land which again litters the landscape.
- Chicken manure has been found to form a hard crust and seal even if it rains which is akin to what happens in slurry lagoons even though the surrounding material is often high in moisture content. The chicken litter itself is also very beneficial in providing organic matter and key nutrients that improve the quality of the digestate produced and when spread on the land helps to improve soil structure and health.
- The silage clamp has a concrete base and is bunded on all sides. All effluent and surface waters from the clamp are managed in a sealed drainage system that feeds silage leachate and rainwater into the AD system where it is treated/ managed therefore reducing the risks of pollution to surrounding land and watercourses.
- The Environmental Management Plan contains details on a range of operational procedures and management practices that are implemented at the site. This includes an Odour Management Plan (OMP) which covers the measures adopted to minimise odours on site, the procedures adopted for monitoring odours as well as the practices to be employed in cases of emergency. The OMP takes into account the presence and use of chicken litter and the Environmental Management Plan itself has been prepared to reflect the conditions and requirements of an Environmental Permit.

Head of Planning's response - whilst the District Council's objection to the use of chicken manure as a capping material is noted, even if it was later demonstrated that this manure was not as effective in providing the necessary seal for the silage, given the distance of the site from sensitive receptors, the existing odour management practices adopted and low volumes of chicken litter wastes to be handled (i.e. 500 tonnes), Officers are satisfied that suitable controls are in place to manage odours and drainage from the site. Furthermore as the AD plant is capable of handling chicken manure, Officers can also see no reason why the use of such materials as a feedstock material would not be acceptable subject to the traffic movements associated with these falling within the pre-conditioned limits.

Robert Hall, representing the applicant, commented as follows:-

1. The application site was purchased in September 2012.
2. The anaerobic digester plant built to create a long term business.
3. Trying to make the application site environmentally friendly.
4. Existing plastic sheeting was not suitable as there were problems in windy weather.
5. Chicken manure would provide a sealed unit.

In response to questions from the Committee the applicant stated the chicken manure delivered to the site would be sealed or sheeted to prevent odour and spillage and that

8

**PLANNING AND REGULATION COMMITTEE**

**28 JULY 2014**

chicken manure was a proven sealant especially in inclement weather and providing between six and nine inches of cover.

Comments made by the Committee included:-

1. The need for passing points for residents living at Wasps Nest.
2. Plastic was suitable to use in sealed units and was used by similar units throughout the country.
3. The reference to Witham 3<sup>rd</sup> Internal Drainage Board on page 157 of the report was incorrect and should be the Witham 1<sup>st</sup> Internal Drainage Board.

Officers responded to comments made by the Committee as follows:-

1. Lincolnshire County Council Highways did not have any objections to the trip generation as the proposal fell with the previously conditioned limits but accepted that the surface of the highway to the site was not good and the road undulated.
2. The reasons for not using plastic were detailed in the update to the Committee.

On a motion by Councillor D McNally, seconded by Councillor N H Pepper, it was –

RESOLVED (9 votes for, 1 vote against and 1 abstention)

That planning permission be granted for the variation of Conditions Nos. 2, 3 and 5 as set out in the Council's Decision Notice reference N42/0206/10 (as amended by N42/0221/12), subject to all other conditions so far as the same are still subsisting and capable of taking effect, and subject to the imposition of new conditions to replace Conditions 2, 3 and 5 as detailed in the report.

The meeting closed at 11.20 am



**PLANNING AND REGULATION  
COMMITTEE  
8 SEPTEMBER 2014**

**PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)**

Councillors D McNally (Vice-Chairman), J W Beaver, D Brailsford, D C Hoyes MBE, D M Hunter-Clarke, M S Jones, Ms T Keywood-Wainwright, N H Pepper, Mrs H N J Powell, Mrs J M Renshaw, T M Trollope-Bellew and W S Webb

Councillor C J Davie attended the meeting as an observer

Officers in attendance:-

Alan Aistrup (Special Projects Manager), Steve Blagg (Democratic Services Officer), Graeme Butler (Project and Technical Support Manager), Andy Gutherson (County Commissioner for Economy and Place), Nurainatta Katevu (Solicitor, Legal Services), Neil McBride (Development Manager) and Brian Thompson (Head of Highways West)

37 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors C Morgan and C L Strange.

38 DECLARATIONS OF MEMBERS' INTERESTS

No interests were declared at this stage of the meeting.

39 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND  
REGULATION COMMITTEE HELD ON 28 JULY 2014

RESOLVED

That the minutes of the previous meeting of the Planning and Regulation Committee held on 28 July 2014, be agreed as a correct record and signed by the Chairman.

40 TRAFFIC ITEMS

41 MARKBY - HANNAH, A1111 - PROPOSED 40MPH & 50MPH SPEED  
LIMITS

The Committee received a report in connection with an objection received to a proposal to introduce a 40mph and 50mph speed limit on the A1111 between Markby and Hannah cum Hagnaby.

The objection and the comments of officers on the objection were detailed in the report.

2

**PLANNING AND REGULATION COMMITTEE**

**8 SEPTEMBER 2014**

Councillor S L W Palmer, the local Division Member, comments submitted in support of the officer's proposals, were read to the Committee.

On a motion by Councillor W S Webb, seconded by Councillor D Brailsford, it was -

RESOLVED (unanimous)

That the objection be overruled and the Order as advertised be confirmed.

42 PROPOSED TAXI RANK AT SHEEP MARKET IN SPALDING

The Committee received a report in connection with an objection to the provision of a new Taxi Rank in the Sheep Market area, Spalding, in place of the removal of a Taxi Rank at Victoria Street, Spalding, following a request received from South Holland District Council. The new location would enable taxis to operate safely within the one-way street and result in minimum impact on the number of restricted parking and disabled parking bays.

The objection and the comments of officers on the objection were detailed in the report.

On a motion by Councillor I G Fleetwood, seconded by Councillor N H Pepper, it was –

RESOLVED

That the objection be overruled and the new Taxi Rank be installed.

43 LONDON ROAD/GRANTHAM ROAD, SLEAFORD: PROPOSED INTRODUCTION OF NO WAITING AT ANY TIME (NWAAT) AND LIMITED WAITING PARKING RESTRICTIONS, INCLUDING VERGES

The Committee received a report in connection with objections received to the proposed restrictions on London Road/Grantham Road following both informal and formal consultation with residents and formal consultation with standard consultees and the local Member. As there were no objections as part of the formal consultation from any of the standard consultees, including Sleaford Town Council or the local Member, this proposal had also been formally advertised prior to being presented to the Committee.

The objections and the comments of officers on the objections were detailed in the report.

On a motion by Councillor I G Fleetwood and seconded by Councillor T M Trollope-Bellew, it was –

RESOLVED (unanimous)

That the objections be overruled and the traffic regulation order be introduced as advertised.

44     PROPOSED PARKING RESTRICTIONS - BEECH ROAD (PART) AND LINCOLN ROAD (PART), BRANSTON

The Committee received a report in connection with objections received to the proposed "No Waiting at Anytime" parking restrictions and "No Waiting Monday to Saturday 8am to 6pm" on parts of Beech Road and Lincoln Road, Branston.

A communication from Councillor Mrs M J Overton MBE in support of the officer recommendations was read to the Committee.

On a motion by Councillor I G Fleetwood, seconded by Councillor Mrs H N J Powell, it was –

RESOLVED (unanimous)

That the objections be overruled and the proposal be implemented as advertised.

45     TRAFFIC REGULATION ORDERS - PROGRESS REVIEW

The Committee received a report in connection with the latest position on all current Traffic Regulation Orders and petitions received since the last meeting of the Committee.

RESOLVED

That the report and petitions received be noted.

46     COUNTY MATTER PLANNING APPLICATIONS

47     TO CONTINUE DEVELOPMENT WITHOUT COMPLYING WITH CONDITION NUMBERS 5 AND 6 OF THE PLANNING PERMISSION GRANTED ON 1 APRIL 2014 UNDER THE COUNTY COUNCIL'S REFERENCE NUMBER S68/1533/11. [THIS IS AN APPLICATION MADE UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO, IN EFFECT, RETAIN THE SITE OFFICE AND WEIGHBRIDGE IN THEIR EXISTING LOCATIONS RATHER THAN RELOCATING THEM IN ACCORDANCE WITH THE SAID CONDITIONS] AT SOUTH WITHAM QUARRY (EAST), SOUTH WITHAM - BREEDON AGGREGATES LTD - S68/1423/14

Fran Parish, an objector, commented as follows:-

1. South Witham Village had a narrow High Street and was in a Conservation Area.
2. The temporary barrier should be made permanent to prevent HCVs turning towards South Witham Village.

**4**  
**PLANNING AND REGULATION COMMITTEE**  
**8 SEPTEMBER 2014**

Carl Ashurst, representing the applicant, commented as follows:-

1. Owing to the relocation of the office and the weighbridge and the construction of new haul road within the site the use of the road onto Mill Lane leading to South Witham Village was infrequent with the exception of the occasional need to move heavy plant which could not use the new southern access due to the presence of power lines.
2. Signs had been erected to give ample notice to HCVs not to use the Mill Lane access.

Carl Ashurst responded to questions from the Committee as follows:-

1. The applicant had taken over the running of the quarry in 2002/03.
2. The movement of heavy plant was infrequent.

Comments made by the Committee included:-

1. The temporary barriers on Mill Lane only needed to be removed when heavy plant was moved on the site.
2. Enforcement could be used if HCVs used the Mill Lane access to South Witham Village.

Officers confirmed in response to questions from the Committee that a Section 106 was in place that only allowed vehicles to travel from the access towards South Witham village for the purposes of local deliveries.

Officers also confirmed that despite temporary barriers being in place there was evidence that vehicles of a certain size could still turn right out of the access towards South Witham village. The temporary barrier had been in place as a voluntary measure by the applicant to reinforce the need for vehicles to turn right out of the site entrance.

On a motion by Councillor T M Trollope-Bellew, seconded by Councillor D Brailsford, it was –

RESOLVED (unanimous)

That planning permission be granted to continue the development authorised by the planning permission granted on 1 April 2014 (under the County Council's reference number S68/1533/11) without complying with condition numbers 5 and 6 of that permission, subject to all the other conditions set out in that Decision Notice, so far as these are still subsisting and capable of having effect, and subject to the additional condition detailed in the report.

- 48     TO VARY CONDITION 20 OF PLANNING PERMISSION (E)N174/2093/00  
TO EXTEND THE TIMESCALES TO ALLOW OPERATIONS FOR AN  
ADDITIONAL FOUR YEARS AT KENWICK QUARRY / LANDFILL,  
LONDON ROAD, TATHWELL - FCC ENVIRONMENT UK LTD -  
(E)N174/0890/14

On a motion by Councillor T M Trollope-Bellew, seconded by Councillor M S Jones, it was –

RESOLVED (unanimous)

That planning permission be refused for the reasons as detailed in the report.

- 49     TO USE LAND FOR THE STORAGE AND PROCESSING OF SOIL AND  
RECYCLED AGGREGATES AT HOBLEYS YARD, CAMP ROAD, WITHAM  
ST HUGHS - THE ORANGE SKIP COMPANY - N76/0798/14

Following an enquiry by a member of the Committee on whether this application could have been considered by planning officers under their delegated powers, officers stated that it was their view that they were able to bring planning applications to the meeting as a result of receipt of an objection from the Parish Council.

Councillors confirmed that an objection from a Parish Council would represent one of the three objections that under the scheme of delegation would require the application to be brought to the Committee. However, an objection from a Parish Council on its own did not automatically require the application to be brought to the Committee.

Under the scheme of delegation there still remained the option for the local Councillor to require the application to be brought to the Committee for determination.

On a motion by Councillor I G Fleetwood, seconded by Councillor Mrs H N J Powell, it was –

RESOLVED (unanimous)

That planning permission be granted subject to the conditions detailed in the report.

- 50     TO CONSTRUCT AN ANAEROBIC DIGESTION PLANT (COMBINED  
HEAT AND POWER), FEEDSTOCK CLAMP, SURFACE WATER LAGOON  
AND ASSOCIATED INFRASTRUCTURE AT DECOY FARM, SPALDING  
ROAD, CROWLAND - MATERIAL CHANGE LTD (AGENT: ROBERT  
DOUGHTY CONSULTANCY LTD) - H2/0610/14

(NOTE: Councillor W S Webb requested that a note should be made in the minutes that he knew the Managing Director of the Company submitting the planning application and stated that he would leave the meeting during consideration of the application).

**6**  
**PLANNING AND REGULATION COMMITTEE**  
**8 SEPTEMBER 2014**

Since the report was published a response to consultation was received as follows:-

South Holland District Council – note that the Environmental Health Officer is concerned that the proposed development may give rise to odour which could cause a nuisance to residential properties. Note that an Environment Permit is required for this development which will be regulated by the Environment Agency and will cover potential odour issues.

Lewis Smith, representing the applicant, commented as follows:-

1. This application followed a similar application submitted by the applicant in the recent past which had been approved with conditions by the Committee.
2. The plant would process waste which would have gone to landfill.
3. Waste from the plant would be used for fertilizer.
4. Heat from the plant would be used in the adjacent glasshouses which produced vegetables and salads.
5. The plant would form part of a green energy hub.
6. The planning application was supported by the statutory consultees.
7. There would be little odour as the process of digestion took place in a sealed unit.
8. Odour from the site was regulated by the Environment Agency
9. There was good access to the site.

In response to questions from the Committee, the applicant's representative responded as follows:-

1. This was a brand new complex but with minor variations of the previous application submitted to the Committee.
2. The plant would have an input of between approximately 60,000 and 70,000 tonnes.
3. The digestate produced by the plant was liquid and there would be little odour.

Officers responded to comments made by the Committee as follows:-

1. The quality of digestate produced and how this was treated as waste if it did not meet certain criteria was explained.
2. The proposed development was different to what had existed in the past when waste on the site had been treated by the windrow method which took place outdoors and hence greater potential for odours to exist. The anaerobic method proposed in the application took place in a sealed unit and therefore odour was no longer an issue. The applicant also needed to apply for an Environment Agency permit. A requirement of the permit would include the need to introduce procedures to address odour.

On a motion by Councillor N H Pepper, seconded by Councillor M S Jones, it was –

RESOLVED (12 votes for and 1 vote against)

(a) The report forms part of the Council's statement pursuant to paragraph 24 of the Town and Country Planning (Environmental Impact Assessment Regulations 2011



which requires the Council to make available for public inspection at the District Council's offices specified information regarding the decision. Pursuant to Regulation 24(i)(c) the Council must make available for public inspection a statement which contains:

1. The content of the decision and any conditions attached to it;
2. The main reasons and considerations on which the decision is based including if relevant, information about the participation of the public;
3. A description when necessary of the main measures to avoid, reduce and if possible offset the major adverse effects of the development; and
4. Information recording the right to challenge the validity of the decision and the procedures for doing so.

(b) That planning permission be granted subject to the conditions detailed in the report.

(NOTE: Councillor W S Webb returned to the meeting)

51     COUNTY COUNCIL PLANNING APPLICATIONS

52     LISTED BUILDING CONSENT TO MOUNT A REACTIVE SIGN (670MM X 430MM) ON THE BASKET HANDLE AT THE START OF CROSS KEYS BRIDGE FOR THE PURPOSE OF TRAFFIC CALMING AT CROSS KEYS SWING BRIDGE, SUTTON BRIDGE - H18/0473/14

Comments made by the Committee included:-

1. This was a sensitive Listed Building and to have the reactive sign at the location proposed would be detrimental.
2. The proposed location was too close for motorists to acknowledge and the sign should be located further away from the bridge so that motorists could take the necessary action to reduce their speed.
3. There already existed a lot of signage in the approach to the bridge.

Officers agreed to ask the Committee to defer the application to enable further discussion with Highways about the location of the reactive sign.

RESOLVED

That consideration of the application for Listed Building Consent to mount a reactive sign on Cross Keys Swing Bridge, Sutton Bridge, be deferred pending further discussions with Highways about an alternative solution to its location

53     SITE VISIT TO HAWTHORNE ROAD, LINCOLN IN CONNECTION WITH THE LINCOLN EASTERN BYPASS - 1 OCTOBER 2014

The Committee was informed that the planning application for the construction of a Non-Motorised Bridge on Hawthorne Road, Lincoln in connection with Lincoln

**8**  
**PLANNING AND REGULATION COMMITTEE**  
**8 SEPTEMBER 2014**

Eastern By-Pass would be considered at the next meeting of the Committee on 6 October 2014.

It was agreed that the Committee would make a site visit to the proposed site at 9am on Wednesday 1 October 2014. The purpose of the visit was to examine the location and alignment of the bridge with regard to users of the bridge. NOTED.

The meeting closed at 12.10 pm