



County Offices
Newland
Lincoln
LN1 1YL

7 September 2017

Council

A meeting of the Council will be held on **Friday, 15 September 2017 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
(70 Members of the Council)

Councillors A G Hagues (Chairman), C R Oxby (Vice-Chairman), B Adams, W J Aron, T R Ashton, Mrs A M Austin, M D Boles, Mrs W Bowkett, Mrs P A Bradwell, D Brailsford, C J T H Brewis, T Bridges, Mrs J Brockway, M Brookes, R D Butroid, L A Cawrey, K J Clarke, Mrs K Cook, Mrs P Cooper, P E Coupland, G E Cullen, C J Davie, R G Davies, B M Dobson, S R Dodds, M T Fido, I G Fleetwood, R L Foulkes, M A Griggs, R Grocock, M J Hill OBE, R J Kendrick, P M Key, Mrs J E Killey, S R Kirk, Mrs C J Lawton, C S Macey, C E H Marfleet, C Matthews, A P Maughan, D McNally, Mrs A M Newton, Mrs M J Overton MBE, R B Parker, N H Pepper, Mrs C L Perraton-Williams, E J Poll, Mrs S Rawlins, C E Reid, R P H Reid, R A Renshaw, S P Roe, P A Skinner, Mrs E J Sneath, A J Spencer, H Spratt, A N Stokes, M J Storer, C L Strange, E W Strengiel, Mrs C A Talbot, Dr M E Thompson, A H Turner MBE JP, M A Whittington, R H Woolley, Mrs S Woolley, L Wootten, R Wootten, C N Worth and B Young

**COUNCIL AGENDA
FRIDAY, 15 SEPTEMBER 2017**

Item	Title	Pages
1	Apologies for Absence	
2	Declarations of Councillors' Interests	
3	Minutes of the meeting of the Council held on 12 July 2017	5 - 12
4	Chairman's Announcements	
5	Statements/Announcements by the Leader and Members of the Executive	13 - 64
6	Questions to the Chairman, the Leader, Executive Councillors, Chairman of Committees and Sub-Committees	
7	Report of Local Government Ombudsman	65 - 86
8	Lobbying for a Fair Deal for (Greater) Lincolnshire	87 - 94
9	Motions on notice submitted in accordance with the Council's Constitution	

Democratic Services Officer Contact Details

Name: **Rachel Wilson**

Direct Dial **01522 552107**

E Mail Address rachel.wilson@lincolnshire.gov.uk

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.gov.uk/local-democracy/council-webcasts/>

All papers for council meetings are available on:
www.lincolnshire.gov.uk/committeerecords



**COUNCIL
12 JULY 2017**

PRESENT:

Councillors C R Oxby (Vice-Chairman, in the Chair), B Adams, W J Aron, T R Ashton, Mrs A M Austin, M D Boles, Mrs P A Bradwell, C J T H Brewis, Mrs J Brockway, M Brookes, R D Butroid, L A Cawrey, K J Clarke, Mrs K Cook, Mrs P Cooper, P E Coupland, G E Cullen, C J Davie, R G Davies, B M Dobson, M T Fido, I G Fleetwood, R L Foulkes, M A Griggs, R Grocock, M J Hill OBE, R J Kendrick, P M Key, Mrs J E Killey, Mrs C J Lawton, C S Macey, C E H Marfleet, C Matthews, A P Maughan, D McNally, Mrs A M Newton, Mrs M J Overton MBE, R B Parker, N H Pepper, Mrs C L Perraton-Williams, E J Poll, Mrs S Rawlins, C E Reid, R P H Reid, R A Renshaw, S P Roe, P A Skinner, Mrs E J Sneath, H Spratt, A N Stokes, M J Storer, C L Strange, E W Strengiel, Dr M E Thompson, A H Turner MBE JP, R H Woolley, Mrs S Woolley, L Wooten, R Wooten, C N Worth and B Young

20 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs W Bowkett, D Brailsford, A Bridges, S R Dodds, A G Hagues, S R Kirk, A J Spencer, Mrs C A Talbot and M S Whittington.

21 DECLARATIONS OF COUNCILLORS' INTERESTS

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

22 MINUTES OF THE MEETING OF THE COUNCIL HELD ON 19 MAY 2017

RESOLVED

That the minutes of the meeting held on 19 May 2017 be signed by the Vice-Chairman as a correct record.

23 SUBMISSION OF PETITIONS

Petition requesting that Lincolnshire County Council reduce the speed limit on the A1084 Brigg Road (section leading up to and away from Grasby village turning) to 40mph

In accordance with the Petitions Scheme, Mrs Viv Forbes spoke in explanation of the petition requesting that Lincolnshire County Council reduce the speed limit on the A1084 Brigg Road (section leading up to and away from Grasby Village turning) to 40mph.

It was reported that the Chief Executive had determined that the petition be referred to the Executive Councillor for Highways, Transport and IT.

24 CHAIRMAN'S ANNOUNCEMENTS

The Vice-Chairman reported that civic engagements since the last Council meeting had been varied and have given both the Chairman and himself the opportunity to visit places within Lincolnshire.

The Chairman and Vice-Chairman were delighted to welcome HRH The Duke of Gloucester KG GCVO to Lincoln where he officially opened the new extension to Constance Stewart Hall at Bishop Grosseteste University, visited the Order of St John Care Trust – Boultham Park House, officially opened the new Bereavement Centre at Lincoln County Hospital and went on to open the Battles and Dynasties Exhibition at the Collection.

The Vice-Chairman was pleased to report that this year's Lincolnshire Show was another huge success. He thanked all staff involved with the Show as well as all Members who took part in the 'Meet Your Member' marquee, which saw a steady flow of visitors over the two days.

It is with great sadness that the Vice-Chairman reported the death of Mark Welsh, the County's Flood Risk and Development Manager. Mark was a superb officer who the Vice-Chairman had had the pleasure of working with on many occasions. Thoughts were with Mark's family, friends and colleagues at this very difficult time.

25 STATEMENT BY THE LEADER OF THE COUNCIL

A statement was made by the Leader of the Council.

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

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

<u>Question by</u>	<u>Answered by</u>	<u>Subject</u>
a) R A Renshaw	R G Davies	Review of street lighting
b) M T Fido	M J Hill OBE	Lobbying of MP's for fairer funding for rural areas
c) P M Key	R G Davies	Street lighting
d) K J Clarke	C N Worth	Fire and Rescue response times to fires

		in tall buildings
e) B Adams	M J Hill OBE	Consultation on unitary authority
f) R B Parker	M J Hill OBE	Government funding
g) M D Boles	R G Davies	Review of street lighting
h) R G Davies	Mrs P A Bradwell	Selection process for new primary school in Grantham
i) Mrs A M Austin	R G Davies	Preparation of schemes for A16 and A52 in Boston
j) Mrs A M Newton	Mrs P A Bradwell	Retention of funding for Lincolnshire Music Service
k) G E Cullen	R G Davies	Clearing of gullies
l) C L Strange	R G Davies	Haulage of sugar beet
m) Mrs J E Killey	Mrs P A Bradwell	Delayed transfers of care
n) D McNally	R G Davies	Future costs to parishes of amenity grass cutting
o) R D Butroid	M J Hill OBE	Procedures put in place following the Grenfell Tower tragedy

27 LOBBYING FOR A FAIRER FUNDING DEAL FOR LINCOLNSHIRE

A report by the Executive Director for Finance and Public Protection had been circulated.

It was moved, seconded and

RESOLVED

That the County Council unanimously support the proposal to engage in a lobbying strategy to achieve an improved funding deal for the County Council going forward.

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**28 BOURNE TOWN HALL TRUST MANAGEMENT COMMITTEE - CHANGE
OF MEMBERSHIP**

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

It was moved, seconded and

RESOLVED

That the County Council approve the change to the membership of the Bourne Town Hall Trust Management Committee as outlined below:

Remove:

Former county councillors G J Ellis and S M Tweedale

Add:

Councillor B M Dobson and R H Woolley

29 EXECUTIVE SUPPORT COUNCILLORS ON SCRUTINY COMMITTEES

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

It was moved, seconded and

RESOLVED

That the Council unanimously agreed to maintain the existing restrictions on the scrutiny committees to which the Council's Executive Support Councillors could be appointed.

30 REVIEW OF FINANCIAL PERFORMANCE 2016/17

A report by the Executive Director Finance and Public Protection had been circulated.

It was moved and seconded

That the County Council:

1. Note the carry forwards set out in paragraph 1.2 and 1.3 of the report, which are made in line with the Council's Financial Regulations;
2. Approve the proposed use of carry forwards of over and under spending in excess of 1.0% as set out in paragraph 1.4 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 2017 summarised in Table B of the report;
4. Note the position in relation to general reserves set out in paragraph 1.8 and Table C of this report;
5. Note the Flexible Use of Capital Receipts in 2016/17 as set out in paragraph 1.9 to 1.11 of the report; and
6. Note performance against the Prudential Indicators for 2016/17 as set out in paragraph 1.12 and 1.13 and Table D of this report.

An amendment was moved and seconded by the Labour Group as follows:

To amend the amount recommended to be transferred to the Financial Volatility Reserve by £4million to be allocated to expenditure in 2017/18 on:

- Re-instating all night street lighting (£1.5m)
- Adult Social care to prevent delayed transfers of care (£250k for each of the 7 districts (£1.75m))
- Re-instate road side grass cutting (£250k)
- Commitment to Park and Ride in Lincoln for preliminary work in 2017/18 financial year (£500k)

Upon being put to the vote, the amendment was lost.

The original motion was voted on, and upon being put to the vote was carried.

It was therefore

RESOLVED

That the County Council:

1. Note the carry forwards set out in paragraph 1.2 and 1.3 of the report, which are made in line with the Council's Financial Regulations;
2. Approve the proposed use of carry forwards of over and under spending in excess of 1.0% as set out in paragraph 1.4 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 2017 summarised in Table B of the report;

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4. Note the position in relation to general reserves set out in paragraph 1.8 and Table C of this report;
5. Note the Flexible Use of Capital Receipts in 2016/17 as set out in paragraph 1.9 to 1.11 of the report; and
6. Note performance against the Prudential Indicators for 2016/17 as set out in paragraph 1.12 and 1.13 and Table D of this report.

**31 MOTIONS ON NOTICE SUBMITTED IN ACCORDANCE WITH THE
COUNCIL'S CONSTITUTION**

(Note: Councillor C J T H Brewis wished it to be noted that he would leave the Chamber for the debate and the vote on this motion due to his position as Vice-Chairman of the Health Scrutiny Committee for Lincolnshire which would be considering the issues raised at the meeting due to be held on 19 July 2017)

Motion by Councillor R B Parker

It was moved and seconded:

On 12 June Lincolnshire West Clinical Commissioning Group (LWCCG) launched a public consultation on the future of the Walk-in Centre in Lincoln with a closing date of 6 August 2017. The proposals are set out in 'Have your say' document produced by LWCCG and can be captured in a statement in the document which reads 'Walk-in centres create demand for self-limiting, minor conditions and NHS resources would be better spent on other healthcare priorities.' The 'Have Your Say' document and a 'Frequently Asked Questions' sheet produced by LWCCG, [accessible here](#), states that the centre opened in 2009, is used by about 100 people a day and in 2016 cost over £1 million to run.

Because the LWCCG in their consultation document

1. have not demonstrated that alternative services have the extra capacity and are readily available currently to deal with the extra demand caused by the cessation of services at the Walk-in Centre;
2. have not provided statistical information to support the assertion that the 35,000 or so users of the service can be seen by a mixture of GP practices, NHS 111 and pharmacists if the Walk-in Centre closed; and
3. have made no financial case to support closure to show that future delivery of services can be delivered more economically than the services provided at the Walk-in Centre, which worked out at less than the £30 a visit in 2016 (£1 million expenditure divided by the number of annual users at 35,000 a year)

I move that the Chief Executive writes to Lincolnshire West Clinical Commissioning Group opposing the closure of Lincoln Walk-in Centre.

An amendment by the Conservative group was moved and seconded as follows:

To delete the final paragraph and replace with the following:

The Executive Councillor for Health be requested to take into account the proposition and subsequent debate in this Council meeting, and the deliberations of the Health Scrutiny Committee for Lincolnshire, before determining the Council's response to the public consultation on the future of the Walk-in Centre in Lincoln.

Following the debate, the amendment was accepted by the mover of the original motion. This then became the substantive motion. Upon being put to the vote, the motion was carried.

(Note: the following councillors abstained from voting Councillors C S Macey, Mrs K Cook, M T Fido, R J Kendrick, R A Renshaw, Dr M E Thompson and R H Woolley)

Therefore, it was

RESOLVED

The Executive Councillor for Health be requested to take into account the proposition and subsequent debate in this Council meeting, and the deliberations of the Health Scrutiny Committee for Lincolnshire, before determining the Council's response to the public consultation on the future of the Walk-in Centre in Lincoln.

The meeting closed at 1.07 pm

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Agenda Item 5

COUNTY COUNCIL MEETING – 15 SEPTEMBER 2017

Statement from: Councillor M J Hill OBE – Leader of the Council

FINANCE

Revenue Budget and Capital Programme for 2017/18 – Monitoring Report

The first budget monitoring report for the current financial year will be based on the position as at 31 August 2017. The report will be presented to the Overview and Scrutiny Board at its meeting on 28 September with the report and the comments of the Board being considered at the Executive meeting on 3 October 2017.

Finance Training/Awareness Sessions for Members

Given the relatively large numbers of new members elected to the Council in May this year it seems appropriate to run some training/awareness sessions on local government finance. There will be two distinct sessions – one in October and one in late November or early December. Both sessions will themselves be run in both the morning and afternoon of the days in question to allow members to choose the most convenient session. The first session will be on 17 October and will be a general briefing on the local government finance regime delivered by Ian Fifield from LG Futures who is very experienced in delivering such sessions and has been well received in the past when delivering such training. The date for the November/December session is still being finalised but this will focus on the local financial situation. It will look at the overall position and then cover a range of specific service related sessions. Members will find these latter sessions of particular value as a prelude to the budget setting process for next year. It is hoped that by the time of the November/December sessions more information will be available from Government on the longer term picture for local government finance.

Fairer Funding Campaign

Members will have seen the cover and associated article in the most recent County News, following approval from the July Council meeting to launch a campaign for a better funding deal for the County. Work has now commenced in earnest. Support has already been secured from District and Unitary Council authorities within the Greater Lincolnshire area, and the Police and Crime Commissioner is also supportive of the initiative. Work is ongoing to develop lobbying material and to engage with other public, private and voluntary sector colleagues to bring them on board with the campaign. A key aspect currently being given consideration is engagement with all local Members of Parliament. In that regard a specific set of lobbying material is being developed. Members will be kept informed of progress.

The Greater Lincolnshire Leaders Board (Joint Committee) which continues to meet as a vehicle for future collaborative working across the Greater Lincolnshire geography supported the campaign with all ten Leaders agreeing that a "common" paper should be presented to each council proposing a Greater Lincolnshire lobbying campaign. That paper is being presented to this Council today.

Potential Business Rate Pilot Bid

Prior to the recent General Election the Government had set in train a number of unitary council based pilot projects to test out the operation of the planned 100% localisation of business rates as a basis of funding local government in future. It was expected that after the General Election an invitation would be extended to non-unitary areas to submit bids to pilot the regime in two-tier areas. Whilst it is now clear there will be a delay in implementing 100% localisation, as there is no legislation planned for at least two years, there are still signs that the Government will shortly ask for expressions of interest for pilot status in two-tier areas. The advantage of a pilot is that it can result in more business rate income being retained locally where the current yield on business rates is above the baseline set by Government. That is the case in Lincolnshire and so it has been agreed with District and Unitary Councils within Greater Lincolnshire that we should develop a potential bid for pilot status should the Government invite such bids later in the autumn. Any bid will require approval by the most appropriate member forum prior to its submission. Bids approved to date have contained a 'no detriment' clause, meaning that no authority participating in a pilot can be worse off in a pilot when compared to not being in a pilot. Again, members will be kept informed of progress.

External Audit Appointment

Council previously approved the participation of Lincolnshire in a national procurement exercise for appointment of new external auditors from 1 April 2018. That exercise has now been concluded and the contract for East Midlands local authorities has been awarded to Mazars who will replace KPMG. KPMG will, however, still be responsible for auditing the 2017/18 financial statements of the Council next summer.

Mazars is a large global audit and accounting firm with over 18,000 professionals in 79 countries worldwide. In the UK the firm ranks in the top ten with 1,700 employees and 140 partners working out of 19 offices, and UK fee income in 2016 of £160m. The firm's dedicated public audit team has significant experience in providing external audit to public sector bodies. It comprises individuals with experience of auditing councils, combined authorities, police bodies, fire and rescue authorities, local government pension funds and other public bodies. In addition to a current external audit contract originally awarded by the Audit Commission, the firm also has a substantial portfolio of NHS audits and is one of the National Audit Office's framework suppliers for central government audit.

PROPERTY

One Public Estate

Asset Challenge commences shortly to review every Public Sector asset within Greater Lincolnshire to challenge the use and identify opportunities for co-location of services and the release of surplus assets for other uses including housing. The partnership is working closely with NHS to align with the STP. Other projects include a Scunthorpe Public Sector Hub and Greater Lincolnshire Depots review.

In Phase 5 of the national programme, Greater Lincolnshire was awarded a further £58,000 funding to support the Blue Light project, and a Cultural Town Centre study in Grimsby. Phase 6 was launched on 1 August, and the partnership can bid for up to a further £500,000 revenue and a DCLG capital land release fund

ACM cladding

Following the Grenfell tower disaster, the County Council undertook a review of all 900 of its properties, including schools and academies, to identify whether any ACM cladding was present. It was a significant task with twenty technical staff deployed to survey buildings over a two-week period involving a significant number of site visits travelling over 2500 miles. No AM cladding was identified.

Blue Light

The Council is an integral part of the Blue Light Programme where Fire & Rescue, Lincolnshire Police and the East Midlands Ambulance Service are working together to exploit the opportunities from co-locating services across the County. In Lincoln, the flagship project is to bring all three services together under one roof at South Park and building a new £19m operational hub for all three services. Significant progress has been made with a planning application submitted in July. The new building will become operational in the summer of 2019.

Co-location is being considered across the county and in Louth the county's first joint Fire and Ambulance Station will be operational by the end of the year. In Sleaford a new combined Fire and Ambulance station and Public Services hub will be completed in Spring 2018.

THE COMMERCIAL TEAM

Commissioning and Commercial Board

A member-led board has been established to monitor the progress of the Council's Commissioning Strategies and Plans, challenge Commissioners and, where appropriate, make recommendations and provide updates to the Executive and Scrutiny Committees. The Board will also consider commercial opportunities as part of the Commissioning process.

Members of the Board are Cllr M Hill (Chair), Cllr M Whittington and Cllr E Poll. The Board will have an input on outcomes, discussing these with officers and the options around them.

Draft Commercialisation Strategy

A draft commercialisation strategy has been developed under the leadership of Cllr Poll and Pete Moore. It suggests a broad range of activity and sets out some key principles to guide commercial activity: firstly that the public service ethos must be at the heart of everything we do, and secondly that risk must be managed so that we do not put the public service offer at risk.

COMMERCIAL TEAM – PEOPLE SERVICES

Transitional Care and Re-ablement Beds

Further work has been carried out with a second phase of procurement, with more planned. Underpinned by a revised section 75 agreement, the competition was carried out by the Commercial Team for the Council and LCHS on behalf of CGGs, and represents a strengthening of the collaborative and integrated working with Health.

Well-Being Service (WBS)

The Well-Being Service is being re-procured utilising a process which includes dialogue with prospective bidders so we can test a range of proposals for future service delivery, providing the opportunity for improved service, providing good value for money and effective preventative services. Progress is continuing on target for the new service to be awarded in December 2017, with dialogue sessions taking place during September.

COMMERCIAL TEAM – INFRASTRUCTURE

The Team is currently supporting in excess of 55 projects ranging in scope from the provision of training providers to deliver Apprenticeships across the Council and Schools, new Highway Gritters to add to the fleet supporting the winter maintenance programme, a North Sea Observatory interpretation space, and a new temporary agency staff solution for the shared service Councils.

The focus on managing procurement risk remains, with the Team recently having completed an intensive training programme to ensure that the Council receives expert advice when recommissioning services. This programme will be rolled out across those other service areas who undertake procurement.

Apprenticeships

The Team has been providing project management support to the Apprenticeship project and has supported the procurement of providers to deliver the various

apprenticeship schemes. The demand across the Council for apprenticeships has been high and so awarding contracts to high quality providers is a priority.

Agency Staff

Following the award of the Council's temporary agency staff contract, the team have continued to work with the People Management service to ensure that the contract gets off to a good start. In response to changes in the market, the procurement was structured differently which has resulted in the award of two contracts – one for specialist social care staff and another for back office workers. With the changes made to tax legislation that applies to temporary agency staff, special care has been taken to ensure that these contracts help the Council fulfil its new obligations.

Following on from the successful award of contracts for Lincolnshire County Council, the team are now reviewing the opportunities to improve agency staff contracts across the shared service partnership.

Serco Contract Management

A complete review of the Key Performance Indicators (KPIs) by the Serco Contract Manager led to a reduction in the number of indicators from 43 to 41 and each one was re-examined to ensure optimum effectiveness. This activity was accompanied by a full review and update of the Book of Measures, where each KPI is outlined in detail, and agreed by both parties. The new suite of KPIs became effective in December 2016, with some agreed mitigations. These were subsequently removed and a full performance picture has been available since April 2017. This has shown an improving trend overall, and continues to be managed closely by the Contract Team.

COMMERCIAL TEAM – CORPORATE PROJECTS AND PERFORMANCE TEAM

The team continues to be fully deployed supporting Council priority projects including:

Children's Health Services

This is a large-scale project to deliver the new model for Children's Health Services, including the 'in-sourcing' of the Lincolnshire Health Visiting services and the School Nursing Service. Further details are given in Councillor Bradwell's statement.

Geographic Information System (GIS) Replacement Platform

A new solution procured through the Government's G Cloud is being rolled out to teams across the Council to underpin the delivery of a number of services including some that are statutory, i.e. Highways, Lincolnshire Fire & Rescue, Emergency Planning, Flood Management, Passenger Transport, and some Children's Services. The new solution will reduce the current annual licensing and maintenance costs.

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COUNTY COUNCIL MEETING – 15 September 2017

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

CHILDREN'S SERVICES

Children's Health Services

From 1 October 2017 Lincolnshire County Council will be delivering the 0-19 public health nursing service across Lincolnshire. We will be welcoming health visiting and school nursing team members who will be transferring from Lincolnshire Community Health NHS Trust into integrated teams with existing children's services staff. This provides an exciting opportunity to deliver the universal child health programme and targeted services for our children and families with higher levels of needs in an integrated way reducing duplication and improving access for families. In response to what people told us during consultation on the new model, we will also be commissioning more services to meet young people's sexual health needs, more online services, and a dedicated service to promote better emotional and psychological wellbeing by working directly with young people and in partnership with schools.

Best Start Lincolnshire

The new 'Best Start Lincolnshire Service' model, delivered through children's centres across the county, was developed based on feedback from parents and professionals, national evidence and local data.

The new 'Best Start Lincolnshire – Early Years and Family Service' started in July, delivered by Lincolnshire Pre-School Learning Alliance. The service will provide a range of high quality early childhood activities to local families in children's centres and community venues across Lincolnshire to support child development and positive parenting. The service will also work closely with Children's Services Early Help and Social Care Teams to provide more tailored support to vulnerable families with children aged 0-5 years, including targeted skills development support to help parents to access education, employment or training.

The 'Best Start Lincolnshire – Black or Minority Ethnic (BME) Inclusion Service', delivered by PAB Languages Centre Ltd., will work alongside the Early Years and Family Service to support to BME families living in Lincoln, Boston and South Holland to access and participate in children's centre services and provide translation support for families working with Early Help or Social Care teams.

Fairer Funding for Schools

We have been advised that it is the Government's intention to implement a Fairer Funding System for schools in 2018/19. Local Authority level allocations for schools, central services and high needs block will be published, we understand, this September. It is then our intention to undertake modelling to determine the impact

on the implementation of the National Funding Formula. The Council is required to consult all schools and academies, and it is our intention to issue this consultation after Schools Forum in October. An extra Schools Forum meeting will be held in late November to discuss the results of the consultation. Final allocations for schools will be published in December.

Lincolnshire currently receives a low funded schools block that is used to distribute funding to mainstream schools. The introduction of the national funding formula is positive news for Lincolnshire schools, however until modelling work is completed we cannot confirm if it will be fairer for all Lincolnshire schools.

The governments has proposed a 3% 'funding floor' to ensure that schools do no lose more than 3% per pupil overall as a result of this formula change.

New arrangements for transport to special schools

In September 2017 the Council will complete the process of providing transport for children attending its special schools through single supplier contracts for each school. The purpose of the change from many individual contracts is to instil greater consistency of approach to transport to specific schools, allow single contractors to build a long-term relationship with a school and its pupils and parents through a longer contract, achieve less change and disruption to schedules through longer planning cycles, and to bring efficiencies and cost savings whilst maintaining quality of transport.

Child and Adolescent Mental Health Services (CAMHS)

Lincolnshire CAMHS was subject to a CQC Inspection during 3-7 April 2017 and attained an overall rating of **Outstanding**. The inspection report was published on 9 June 2017 and is available to view on the CQC website. There are only a handful of CAMH services nationally to have received this rating, making this a real success story for our young people. The delivery model was recognised as being innovative, outcomes based and child centred. Patients and Carers reported to CQC Inspectors that they felt staff were kind, compassionate and treated them in a respectful manner. Positive feedback also included reference to the Children and Young People Improved Access to Psychological Therapies (CYP-IAPT) collaboration, a multi-agency, multi-disciplinary collaborative providing training on empowering young people. Lincolnshire was a founding member of the CYP-IAPT collaborative, successfully securing NHS funding as part of a drive to continuously improve professional development for front line staff.

The ongoing pursuit to develop and strengthen the local Lincolnshire offer for children and young people with wellbeing concerns sits within the remit of the Future In Mind (FIM) Steering Group. Representatives on the FIM Board include Clinical Commissioning Groups, Lincolnshire NHS Foundation Partnership Trust and Lincolnshire County Council, with guest attendees ranging from commissioned services to Youth Offending. The Board meets on a quarterly basis to share good practice, disseminate information and to collectively help drive local performance.

The Inclusive Lincolnshire Strategy

2016-17 saw the implementation of the 'Inclusive Lincolnshire Strategy'. At the heart of this is our Ladder of Intervention which describes clearly what schools should do to support their most troubled and troubling pupils. The document has been well received in schools and has attracted considerable interest from outside the county. When schools follow the Ladder, then additional resources become available to them in the form of access to the Behaviour Outreach Support Service (BOSS) and intervention places within alternative provision. With this in place, it is the strong belief of the council that there is no longer any need to permanently exclude pupils from Lincolnshire schools.

The most marked impact over the last year is in the primary sector, with the vast majority of head teachers agreeing that there is no need to exclude. This year, there were 28 permanent exclusions compared with 43 the year before. Indeed, Lincolnshire was consistently the highest excluder of primary-aged pupils in the country. Next year's DfE statistical release will confirm that this is no longer the case. Whereas elsewhere in England primary exclusions are rising, dramatically in some areas, in Lincolnshire that trend has been reversed. There is further work to be done to achieve the goal of zero exclusion, but clearly also much to celebrate.

2017 GCSE and A-level Results

It has been another year of change and challenge for our students and schools to deal with but early indications are that Lincolnshire has performed very well compared to other areas of the country. Provisional results for A-levels from 34 out of 39 schools in the county show that, at 98.1%, the Lincolnshire pass rate for A-levels is ahead of the England average. Results are close to the UK average in many measures. Over a third of Lincolnshire schools, an increase on last year, achieved more A* grades than the national average. This was also the same for those achieving A*-A grades. The percentage of Lincolnshire A-Level entries securing A*, A*-A, A*-B, A*-C and A*-E is ahead of the East Midlands average in every case. It is important to note that A-levels are extremely challenging examinations and represent some of the highest academic standards in the world - success at A-level should be recognised as a significant achievement.

Likewise, the response to GCSEs this year has been excellent given the extent of change and upheaval across the system. Lincolnshire pupils have had to complete the new GCSEs in English and maths, now graded 9-1 and with a greater level of challenge. The different way courses are structured and marked make it difficult and schools will not be able to compare results from previous years to monitor progress. Provisional figures indicate that the percentage of pupils attaining good grades (Grade 4 or more) in English and maths remains broadly similar to last year. Nearly half of students have achieved the new "Grade 5 or more" threshold in English and maths. Lincolnshire has a strong record of success in GCSE performance and, despite the considerable challenges, our students and schools have continued to compete well on a regional and national scale.

ADULT CARE

There were 33,035 requests for support for adult care in 2016/17 which is a slight reduction of 3% compared to 2015/16. Some 62% of these requests were met with the provision of information and advice or signposting to other sources of support instead of proceeding to an assessment and/or the provision of more tangible care and support. We are seeking to better understand the experience of people who are signposted or receive information and advice at first contact and have commissioned a study to explore this in more detail. Adult Care is keen to understand the wider picture in order to develop and inform future service design and better targeting of resources. In the last year we also saw an increase of 13% in the numbers of carers supported when compared to 7,254 in 2015/16.

I am pleased to report that 100% of people, who receive long term support in the community are supported with a personal budget. We have seen a 6% rise in the number of people accessing Direct Payments in the year, enabling people to have maximum choice and control over their care and support.

In 2016/17, there were just over 2,300 adults (excluding their carers) receiving a Direct Payment to pay for services to address their care and support needs, which represented a 26% increase on the previous year's figures.

We continue to support more people in their own homes with 63% of people accessing long term support remaining at home and in their community.

Delayed Transfers of Care (DTOC) from Hospital

This matter has received considerable national media and political attention which is only set to continue as the winter approaches. Nationally adult social care is responsible for some 28% of all delays at hospital and represents a deteriorating position.

This is a priority for Adult Care and within Lincolnshire for June 2017 the majority (75%) of delayed days were attributable to Health, with 13% attributable to Social Care (the remainder being seen as delays attributable to 'both'). Overall the total number of delayed days within Lincolnshire has reduced by 16.2% from May 2016 to 2017. Focusing on delayed days attributable to Social Care there has been a reduction of 44.2% over this period. Since January 2017 there has been a consistent fall in the number of delayed days attributable to Social Care.

The Lincolnshire Reablement Service provided by 'Allied Care' continues to help more people stay at home for longer by providing support to regain skills following a crisis, illness or injury. Capacity has increased by 8% on the previous year and will continue to increase to meet demand this year. Reablement make 560 visits a day and over 300 new people a month receive this valuable support. Over 99.6% of people who receive the service say they are treated with compassion, respect and dignity and over 98% of people are very satisfied with the service they receive.

One particular project to help ensure a safe and speedy discharge is the 'Trusted Assessors' scheme. This helps ensure different social care providers co-ordinate

their work to reduce any unnecessary delays. This scheme, funded by the BCF, has, I am pleased to say, received national recognition in a recent DoH publication.

Neighbourhood Teams

Community Integration in Lincolnshire has been discussed for some time with only limited progress with Neighbourhood Teams in recent years, but this year has seen a step forward and a real sense of 'pace' being injected into the transformation. Adult Care is supporting Health partners to make Neighbourhood Teams a reality in six localities by March 2018. Through additional engagement and support with primary health care leaders there, the intention is to inject new urgency to deliver 'wrap around' care for older people and people with physical disabilities in six neighbourhoods by March 2018, with another six sites set to follow throughout 2018 (12 in total). These integrated teams will support people to access care closer to home and ensure that the demand and pressures placed upon acute hospitals are reduced. Gainsborough Neighbourhood Team is furthest ahead with the co-located team based within John Coupland Hospital. Stamford site is moving ahead with the Lakeside Federation, with Boston, Spalding, Grantham Rural and Town and Spalding all planned to make progress before the end of the financial year.

Our 2016/17 User Survey

Results show that through the work completed as part of the user survey, self-reported quality of life index went up in 2016/17. The percentage of people who use services and feel they have control over their daily life rose to 80% in the year, and 89% said that care and support services help them to have control in their lives. There is still work to do and always room for improvement, as delivering a positive experience to people accessing Adult Care services continues to be a priority.

Step Forward – Employment Support

We are eager to increase the number of people who are either in training for or at work. The Step Forward Project was set up to provide pre-employment support for adults of working age that have either a Learning Disability, Autism, and/or a Mental Health problem. Services have been provided across the county by a number of providers, with Boston College as the lead partner, and have included careers information, advice and guidance, the development of a CV, support with exploring possible job options, work experience placements, advice on benefits, advice on how to disclose personal needs to employers and in-work support. Each individual that participated in the Project was given a document wallet to hold their employment related portfolio that could be taken to show prospective employers.

While the main purpose of the Project was preparation for the world of work, some people were supported in finding paid employment.

The Project also included employer focused work, which was led by Lincoln College, who worked with local businesses to identify suitable work experience placements and to provide support with making reasonable adjustments for Step Forward learners on work experience.

This Project is drawing to a close, but the lessons learnt will be invaluable in informing the next step, which is to develop a targeted service for people with either

a Learning Disability, Autism, and/or a Mental Health problem who are known to the Council.

Better Care Fund

The Lincolnshire Better Care Fund for 2016/17 was £196.5m of which £53.8m was the national allocation. Lincolnshire's fund is one of the largest in the country and helps us to have some influence on policy development at national level. In addition to the £53.8m, there are pooled budgets for Learning Disabilities, CAMHS and Community Equipment plus 'aligned' Mental Health funds from the County Council and the four CCGs.

The funding for 2017/18 has increased; the final value of the fund is still being determined but will be in excess of £226m. At the same time as the funding has increased, the requirement to ensure that the funding has a positive impact on performance in the areas of Delayed Transfers of Care and Non-Elective Admissions has also increased.

In addition to the continuation of existing pooled funds, additional funding streams have been allocated. These increases result from:

- Inflationary increases in CCG funding, and as a result in the CCG funding for the Protection of Adult Care Services.
- The addition of the iBCF funding that was announced in the Chancellor's November 2015 budget totalling £2.105m in 2017/18.
- The announcement of iBCF supplementary funding in the Chancellor's March 2017 budget. This provides an additional £15.265m in 2017/18.

The Council is urgently looking to invest the additional BCF funding awarded in the Chancellor's March 2017 budget. On 14 August I approved a paper allocating the 2017/18 £15.2m additional funding with 26% being invested in meeting Adult Social Care needs, 37% in reducing pressures on the NHS and 37% in stabilising the social care market. This ensures the council complies with the terms of the grant funding whilst also ensuring the funding is focused in the short and medium term on council priorities whilst also recognising the pressures that DTOC is placing on the health sector.

PUBLIC HEALTH

NHS Health Check Programme

The NHS Health Check programme is one of the largest public health programmes in the world, with nearly 5 million people in England receiving an NHS Health Check since 2013.

The programme offers preventative checks to people aged 40-74 years to assess their risk of vascular disease (heart disease, stroke, diabetes and kidney disease) and follows up those identified as having problems through their GP.

Lincolnshire County Council is performing better than both the England and East Midlands averages on eligible people invited and assessed. Lincolnshire's cumulative uptake is 10% ahead of the national average and 5% higher than the regional average and, last year alone, 217 new cases of diabetes and 517 cases of high blood pressure were diagnosed as a direct result of an NHS Health Check.

I am pleased to report that Public Health England has recently commended our success with this work.

ADULT LEARNING AND SKILLS

There continues to be high demand for Adult Learning provision that increases the skills of people in our communities, giving them new career opportunities and allowing local businesses to recruit the talented employees they need to develop. In the 2016/17 academic year, around 1,100 courses were delivered, enrolling 7,854 learners. 1,630 qualifications have also been delivered over the past year, ranging from GCSE English and maths to Food Safety, helping learners to progress into work.

The annual '*Learner Awards*' is a key feature of the service and provides a showcase for the inspirational achievements made by our learners. All our winners took part in an awards ceremony at Lincolnshire Show as guests of Cllr Hill and council vice-chairman Cllr Ron Oxby. The three winners were presented with special certificates and a small glass plaque recognising their achievements before having a celebratory afternoon tea. The follow up feature in the Summer/Autumn County News has created a lot of interest in the Adult Learning programme as well as partnership opportunities that will add value to the provision.

We are very proud of the impact of our provision at a local level. A success story of particular note is the case of Liam Holder who had been out of work for some years, as well as a "sofa surfer", when he started his adult learning journey. Liam chose to pursue a course for those wanting to work in the adult health and social care sector, run by Riverside Training Services in Gainsborough. Not only did the course help boost Liam's confidence and self-esteem, but it also led to a job working with young adults with learning difficulties. This has enabled Liam to earn enough money to move into rented accommodation.

Good partnership arrangements are key to the continued success of the Family Learning programme. Outstanding partnership work with The Foyer in Sleaford has resulted in six Family Learning courses being undertaken by their vulnerable learners. The members of the group have diverse and multiple issues including dyslexia, dyspraxia, autism, anxiety, depression, recovery from nervous breakdown and recovery from domestic abuse. Some have chaotic family backgrounds which impact on their learning in a number of ways. All were bullied in school and had very poor experiences and outcomes from formal education. The impact of the Family Learning provision has been phenomenal. All the learners have gained a positive approach to education which has been a major hurdle to their development in the past, as well as breakthroughs in their personal development. Some of the learners achieved their first qualifications through this programme.

Increased emphasis is being placed on Apprenticeship training to provide skills to meet changing employer requirements. The introduction of the Apprenticeship Levy has increased the value of LCC's combined school and corporate Apprenticeship training budget to circa £1.2 million. The Adult Learning and Skills Service is involved in the contract management and quality assurance of this training programme. It is anticipated that up to 80 members of staff will start on apprenticeship training programmes by the end of 2017.

COUNTY COUNCIL MEETING – 15 SEPTEMBER 2017

Statement from: Councillor C J Davie, Executive Councillor for Economy and Place

ECONOMIC DEVELOPMENT

Regeneration

Our work to support Foreign Direct Investment (FDI) businesses based in Lincolnshire has helped us better understand emerging barriers to economic growth. Intelligence gained has pointed to a lack of utility capacity across the county as an obstacle to the provision of new employment sites and premises and the physical expansion of business operations.

To obtain fuller understanding of the issues, we have commissioned new research to identify utility capacity constraints, followed up by a stakeholder workshop. We have also benefitted from an 'employment sites availability study'. Both will help inform future project commissioning strategies and inform lobbying activity.

Looking to promote opportunities for further investment in Lincolnshire we have also utilised consultants, Hotel Solutions, to identify locations across the county where new hotel accommodation is needed and investable. This will lead to a programme of promotional activities over the next 12 months designed to attract hotel investors and operators.

Project Delivery

In addition to researching opportunities for and barriers to growth, my Economic Development service continue to progress projects designed to create new economic infrastructure. In particular, visible progress is currently being made on delivery of a new Food Enterprise Zone employment site at Peppermint Park, Holbeach and the Coastal Observatory at Chapel Point.

In addition to these two projects, work is also due to commence shortly to improve the public realm and street scene of Lincoln's High Street south of the level crossing and to deliver 'grow on' premises in the Deepings.

Enterprise

My Executive Support Councillor, Mark Storer, and I have held meetings with most of the district councils over the past weeks. We have been exploring the issues where economic development priorities are shared. We have identified skills, raising the profile of the area to investors, and supporting our most important businesses as shared priorities.

I have already mentioned the work that we do to meet up with foreign owned businesses. That is very important work, as is the support that we provide to indigenous businesses through the Business Lincolnshire Growth Hub. Taken together, we have a strong relationship with many of the county's businesses and we continue to build up a base of useful information which shapes the activity that we commission.

In terms of skills, the Greater Lincolnshire LEP has recently run a programme to invest £6m of capital into the colleges and other training organisations' buildings so that students have good quality facilities in which to learn. Our major training programme, 'Skills Support for the Workforce', is now actively training 1,300 employees of the county's businesses.

As well as raising skills levels, businesses tell us that they need people to understand about the careers and opportunities that are available to them. We are about to launch videos that will help students, teachers, and parents to understand about the good quality and exciting careers available in our food production sector.

In response to the need to raise the profile of Lincolnshire to investors, we have worked with the Greater Lincolnshire LEP to create a place marketing toolkit. It is a body of high quality images and videos that can be tailored to a specific audience. Businesses are now testing and piloting the toolkit before we launch it widely. The feedback that we are receiving during the pilot stage is very encouraging.

Visitor Economy

Visitor figures for the county are supplied for the previous year in August of each year, and we have just received the 2016 figures which show that the county attracted almost 20 million visitors, almost 3 million more than in 2011. The value of Lincolnshire's tourism industry has risen by more than £300m to £1.37bn over the same period. Prospects are positive with new and improved attractions and accommodation coming on stream for this key industry which employs over 19,000 people. High profile events like the Steam Punk Festival and the prestigious summer loan of Domesday Book to Lincoln Castle, hugely play their part in raising Lincolnshire's national image.

The Greater Lincolnshire Local Enterprise Partnership has brought together twenty public and private sector leaders to sit on its new Visitor Economy Board and this meets for the second time in mid-September. The Board is focused not only on increasing the number of visitors to the area, but also on building knowledge and confidence in the visitor economy sector. One of its initial tasks is to produce a comprehensive body of information about visitors to Greater Lincolnshire. Current data held by ourselves and all the Districts has been analysed and profiled and some fascinating work on 'non-Lincolnshire' visitors has been undertaken to find out what the barriers to visiting the county might be; the more we know about our visitors and non-visitors the more targeted we can be with our marketing effort.

ENVIRONMENT AND STRATEGIC PLANNING

Triton Knoll

The Secretary of State granted consent for the development on 5 September 2016. The Order as applied for would grant development consent under the Act for the construction and operation of:

- a) a submarine cable route for exporting electricity generated by the, consented but not built, Triton Knoll Offshore Wind Farm ('TKOWF'), to the shore along a route of around 66 kilometres in length;

- b) a landfall site with associated jointing of offshore and onshore cables to the north of the village of Anderby Creek (in Lincolnshire);
- c) an onshore underground cable along a route of around 60 kilometres;
- d) an Intermediate Electrical Compound, east of the village of Orby;
- e) a new onshore substation for TKOWF to the north west of the village of Bicker;
- f) a connection to the existing National Grid substation at Bicker Fen.

The Council continues to work with local groups, for example Parish Councils and landowners, to protect the coastal environment. In addition, LCC is represented on four Local Liaison Committees covering the length of the cable. Inaugural meetings have been held in June 2017 and the following progress made:

- approval of a Terms of Reference for the Committee;
- updates on Archaeological Trial Trenching, Ecology Surveys and Consent Amendments;
- improvements to communication methods for reaching the local community, including Facebook and targeted newsletters; and,
- providing a website link and online form for the Community Investment Fund (CIF) consultation.

The developer has committed to a CIF (Community Investment Fund) which will provide £500k as a lump sum upon commencement of the works and £40k per annum for the 25 year life of the development £1m. There was a question about whether the information obtained during the 2015 CIF consultation, such as suggested types and examples of projects, would be taken into the upcoming consultation. The developer confirmed that any relevant information from the 2015 consultation would be considered, but that the 2017 consultation would not consider specific projects, but rather the operational arrangements. This consultation is expected in late 2017 and will cover issues such as assessment criteria for bids and administration of the fund.

Viking Link Interconnector Project

Work continues on this project and it has now reached the planning application stage. National Grid gave a presentation to County Councillors at the end of July confirming the cable route from the landfall site close to Sandilands in East Lindsey to the Converter Station at North Ing Drove in South Holland.

Applications for the proposed development were submitted to East Lindsey District Council, Boston Borough Council, North Kesteven District Council and South Holland District Councils in August and will now be subject to a period of formal public consultation. The County Council will be formally consulted on these applications. It is expected that each District Council will determine the application that relates to the part of the project within their area during December 2017 and January 2018.

Coastal Development

Engagement with the Environment Agency has begun to shape the options for public consultation later this year. This will look at how the east coast of Lincolnshire, between Saltfleet and Gibraltar Point, will be managed in the future. Funding for the current programme of coastal management will take us up to March 2021. The time

up until then will be used to determine the best way of managing coastal defences and improving the vitality of our coastal areas and communities. On 4 November 2016, a workshop was held with County Councillors to get their views. A further series of workshops were then held with various stakeholders to consider a range of options for managing the coast. Feedback from these sessions will help to identify preferred options, on which the public will be consulted to ensure it benefits coastal areas as much as possible, as well as being sustainable and appropriately resourced.

Environment

We are continuing to work with the Environment Agency on the £100m Boston Barrier, which will reduce flood risk to more than 14,000 homes. The Public Inquiry that was called started in April 2017 and was formally closed at the end of May 2017. The Inspector's report was due to the Secretary of State on 31 August 2017. The Environment Agency has completed the tender process for the design and build contract for the scheme. They are expected to announce their preferred supplier imminently.

The Boston Barrier Scheme has recently been awarded an 'Excellent' Whole Team Interim Award by the Civil Engineering, Environment, Quality, Assessment and Award Scheme (CEEQUAL), for their commitment to driving environmental and sustainability innovations and improvements on the scheme. Construction of the barrier is still on track to provide an operational defence in December 2019.

The County Council is also working with Anglian Water on the Water Resources East (WRE) project. This has arisen from Anglian Water's appraisal of its future options to meet public water supply demands, which has identified a storage deficit that equates to approximately 50% of the capacity of Rutland Water. This is potentially a £600m project, and officers have been engaged in the WRE process to support and promote its development in Lincolnshire, and to ensure opportunities to benefit from collaborative working are identified and acted upon. These opportunities include synergies with the GLLEP Water Management Plan, the Council's own flood risk management strategy and Fens Waterways Link. A more detailed report will be presented to Flood & Water Management Scrutiny Committee in October 2017.

Louth and Horncastle Flood Alleviation

The Louth and Horncastle flood alleviation schemes are now completed and operational, and will give much needed protection to over 350 homes. To enable these projects to be constructed, LCC has provided £6m financial support to the overall cost of £14.6m.

Local Flood Risk – Capital Programme

As lead local flood authority we continue to deliver an annual programme of local flood risk schemes of around £1.2m, through the national Flood Defence Grant in Aid (FDGiA) 6 year medium term plan, attracting approximately 50% of external funding. Each year, we aim to deliver improved protection to at least 100 homes, therefore we are currently working towards constructing flood alleviation schemes around the county, most notably this year at Digby, where 58 homes will be better protected.

COUNTY COUNCIL MEETING – 15 SEPTEMBER 2017

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

HIGHWAYS AND TRANSPORT

Highways Future Operating Model (FOM)

Lincolnshire County Council implemented the 'future operating model' in February of this year, which was a significant change to the client staff structure and the way that the highways service is commissioned and delivered as part of the Highways Alliance.

The highways asset is now managed by teams delivering surfacing and patching, surface treatments, minor works and TROs and cyclic works and MMTs (Mobile Maintenance Teams) which should ensure consistency and efficiency in the way these programmes of work are designed and ordered.

The highways network is managed by local highways teams who continue to play a vital role in monitoring the highway network and identifying work, carrying out safety inspections and liaising with the public.

The Network Resilience team looks after winter maintenance operations and response to highways emergencies. The Streetworks and Permitting teams manage network occupancy and the permitting scheme which was introduced in 2016.

Key Points

- 98% of the Principal Road Network is reaching acceptable standards. 95% of non-principal roads and 71% of unclassified roads are reaching acceptable standards, all improved since 2015/16
- Overall satisfaction with highway condition based on the NHT (National Highways and Transport) public satisfaction survey is improved from 52% in 2015/16 to 54% in 2016/17 - this is around average nationally
- Claims for compensation as a result of poor highway condition are down from 2015 to 2016, as is the percentage of successful claims
- The Street Lighting Transformation project is now completed and normal maintenance works will resume
- Media coverage in the final quarter of 2016/17 was increased, with more favourable and neutral coverage and less unfavourable coverage.

Lincoln Eastern Bypass

The legal process to acquire land needed for the scheme has now started. A contract has been awarded to Carillion who started on site in June 2017. A soft start is underway to establish the site team, secure resources through the supply chain and carry out an effective Value Engineering process and to remove the risk

presented by the extensive archaeological works. In addition, Carillion are co-ordinating early delivery of some diversions of statutory undertakers' equipment.

A track possession has been booked by Network Rail for October 2017; this will be a full closure of the railway to allow their contractor Bam Nuttall to construct the bridge that will take the Lincoln to Spalding railway over the bypass. Network Rail commenced work on site in December 2016 and all piling works are now complete and the bridge will then be fabricated on site prior to the rail closure and all their works will be completed by April 2018. This will allow Carillion's main earthworks operation to commence.

A scheme of archaeological investigations commenced in September, initially focused on the area required by Network Rail around Washingborough Road. A significant number of interesting artefacts have been discovered and recorded but the scale of this work is leading to cost escalation. Two highly successful archaeology open days were held in June with tours fully booked within hours of loading onto the website.

Network Rail High Street Footbridge

The footbridge opened in June 2016. The bridge has not been constructed to highways standards and Network Rail has agreed a solution that is acceptable to the Highway Authority that will be implemented in the Autumn 2017. This will involve a complete overlay of the steps.

Network Rail Brayford Wharf East Footbridge

After the planning application for the new bridge was refused by the City of Lincoln Council, Network Rail has considered their position and has confirmed that it is their intention to submit a planning appeal. This was submitted on the 11 August 2017.

Rail Issues

Working with East Midlands Trains, much improved Sunday rail services were launched on 21 May 2017 on both the Lincoln – Nottingham and Grantham – Nottingham routes. On both lines, trains now generally begin running mid-morning, rather than the afternoon as previously, opening up opportunities for day trips on Sundays in both directions.

The much delayed DfT consultation on the re-letting of the East Midlands Rail Franchise finally began on 20 July 17, with a deadline for responses of 11 October 2017. The authority will be pressing for a wide range of improvements to rail services across the county, together with more and better rolling stock, and improvements to facilities at stations. A press release has also been produced to encourage others across Lincolnshire to get involved and let DfT know what they wish to see. As a result of the delays, the new franchise will not now start until August 2019.

Peppermint Junction, Holbeach

A contract has been awarded to Eurovia Ltd which commenced on the 8 May 2017. The scheme is on programme for completion in February 2018. Works done to date include: utility diversions, drainage installations, cutting of new ditches, filling of existing ditches, extending and constructing new culverts and carriageway foundation works on the south side of the proposed A17/A151 roundabout.

The LCC project team are working proactively with the selected contractor in order to ensure that the works are progressed on schedule and that disruption to local residents, businesses and the road network is kept to a minimum.

All land needed for the road scheme has been acquired through agreement and the funding for the scheme comprises of a mix of public and private sector funding including £2m of GLLEP 'Growth Deal' funding.

This scheme is considered of strategic significance as it will improve traffic flows and road safety on the A17 as well as providing access to development land to the west and east of the A151.

Grantham – King 31 Including A1 Connection (Spitalgate Level, west to A1)

King 31 Phase 1 – The road from the new roundabout on the B1174 running towards the A1 with another roundabout to a proposed development was completed in July 2016

King 31 Phase 2 – Highways England are conducting a technical approval on the proposed design for the grade separated junction at the A1. This approval has undergone two iterations with a third iteration currently being undertaken. Once approved, Lincolnshire County Council will work alongside Highways England on taking forward statutory orders to build the scheme. Galliford Try have been appointed (through the Midlands Highways Alliance) to produce a target cost and to carry out the works, however, a works contract cannot be awarded until the outcome of the orders process is known. The current design is based on consented development in the area. A planning application was submitted on the 27 June 2017 for a designer outlet village, which could affect traffic flows differently to the previously proposed warehousing scheme.

Grantham – Southern Quadrant Link Road (SQLR)

SQLR Phase 3 - The scheme is currently on programme. Lincolnshire County Council has a valid planning permission following approval of the S73 change to planning. The detailed design is now substantially complete. Network Rail is insisting on securing a ransom for crossing the East Coast main line in accordance with their Shared Value policy. Whilst the basis of a settlement has been agreed, a satisfactory outcome of the detail is required to this issue and the ongoing S106 discussions to secure a funding package. There have been findings of significant archaeological interest which have resulted in the recommendation for further archaeological work. The decision has been made by the County Council to extend the current contract with AOC Archaeology Group to complete these works.

Spalding Western Relief Road

South Phase (Holland Park) – Lincolnshire County Council and the developer are in negotiations regarding a financial agreement for funding this section of the Spalding Western Relief Road. A principle has been agreed and is the subject of an independent financial/regulatory review to ensure this is right for the authority. Following this process the next steps are to engage with Network Rail and draft a planning application for submission.

North Phase – South Holland District Council was successful in gaining Homes and Communities Agency funding to allow for a Master Planning exercise to be developed for the whole Spalding Western Relief Road (excluding the southern section). This master planning is programmed to be complete by the end of the 2017/18 financial year with interim results gained in August for use in the Examination in Public.

North Hykeham Relief Road

The scheme progressed to 'preferred' route status agreed by the Executive in December 2006 and 'blight' property bought to deliver the scheme. There are ongoing discussions with developers of South West Quadrant regarding constructing part of the scheme to allow access to development land. The next significant stage is to submit a planning application for all or part of the route, although this is dependent on funding. Timescales for this activity are unknown at the present. Bids have been submitted to Lincolnshire Enterprise Partnership, Highways England, Homes Community Agency and Department for Transport to assist with funding design or construction of all or part of the scheme, all were unfortunately unsuccessful.

The County Council is now funding an Outline Business Case to be in a better position to take advantage of any potential DfT or other major scheme funding opportunity which will include confirmation of options and public and stakeholder consultation.

National Productivity Investment Fund Tranche 1

Lincolnshire County Council has been allocated £5.366m from the DfT on the basis that the identified schemes were put on the website by the end of March 2017 and the funds should be expended in the 2017/18 financial year.

The main improvement schemes are:

A17 Carriageway Widening at Gedney

The scheme will provide overtaking opportunities between the B1359 Gedney roundabout and Luton Garnsgate with an additional traffic lane in the eastbound direction at an estimated cost of £2.5m. It is being presented at Highways and Transportation Scrutiny Committee on the 18 September 2017 where the project benefits and scheme design will be reviewed.

Following this the public will be consulted in line with LCC's consultation policy which entails liaising with local Councillor's, residents, parishes, local businesses, bus companies, South Holland District Council and the Haulage Association, this engagement process will commence in mid-November.

A17 Sleaford Embankment

This is a maintenance scheme to stabilise and carry out remedial works on the A17 in the proximity of the A153 junction with an estimated cost of £1.8m. The scheme is currently out to tender with a return on 11 August 2017. Works are programmed to start on site in October 2017

Wolsey Way / Wragby Road Junction Improvements

This scheme involves two signalised junction improvements which will increase the junction capacity with an estimated cost £2m scheme with £1m NFIF funds and developer contributions. On programme to start on site in January 2018

National Productivity Investment Fund Tranche 2

Two bids were submitted in June 2017 for Tranche 2 funding which covers two financial years 2018/19 and 2019/20. These were:-

A46 Welton Roundabout/ Lincoln Road

This scheme introduces a new roundabout and improved access to Welton on Lincoln Road which will improve safety at an estimated cost £4.5m with LCC forward funding and recovering costs through developer contributions. An information event has been carried out in Welton and another is proposed for Dunholme. A planning permission is due to be submitted in August 2017

A17 Carriageway Widening at Long Sutton

This scheme will provide overtaking opportunities between the B1390 roundabout and the junction with Seagate Road with an addition traffic lane in the westbound direction with an estimated cost £2m. This will complement the Gedney scheme and when complete both these improvements will improve journey time reliability and alleviate congestion on the A17.

Street Lighting Transformation Project

The Street Lighting Transformation was substantially completed at the end of March 2017. Energy consumption has been reduced by 54% as a result, delivering the required £1.7m revenue saving.

As at 31 July 2017, 15,660 LED lights have been installed, 43,370 Part Night conversions have been completed and 870 street lights have been fully switched off.

There continues to be some work to complete 1,470 more LED conversions on heritage-style lanterns (which needed special equipment orders) and 544 part night conversions to columns on footpaths which need scaffold to access them.

A scrutiny review will look at the impact of the change in the Street Lighting Policy to turn street lights off in certain areas at midnight. The review will consider a number of different areas where there may have been an impact as a result of this change. Starting in September the review will report back to the Council within six months.

Alliance Performance

The Lincolnshire Highways Alliance is now in its 8th year of operation. At the conclusion of year 7 each of the Alliance contracts was awarded a final extension to 31st March 2020, which means that the contract has been issued to year 10 of a possible 10. These extensions are based on performance which is measured through a series of agreed indicators. It is unusual for an Alliance contract such as this to last its full possible term, so this in itself should be seen as an achievement for Lincolnshire.

The Alliance partners managed to achieve their targets for Quarter 4 of year 7. The results per contract area were:

- Alliance Key Performance Indicators (LCC/Kier/WSP/Dynniq) – 95.0%
- Highways Works Term Contract Performance Indicators (Kier) – 90.9%
- Traffic Signals Term Contract Performance Indicators (Dynniq) – 94.0%
- Professional Services Contract Performance Indicators (WSP) – 84.3%
- Client Performance Indicators (LCC) – 70.0%

The performance achieved in Quarter 4 suggests that the Alliance Indicators are at a good level. Performance data is currently being collated for Quarter 1 of Year 8 and initial results suggest that all areas are set to remain at, or build upon, the high standard set in Year 7. A series of new indicators are being trialled alongside the current set of indicators to target and challenge each partner so that the Alliance continues to evolve.

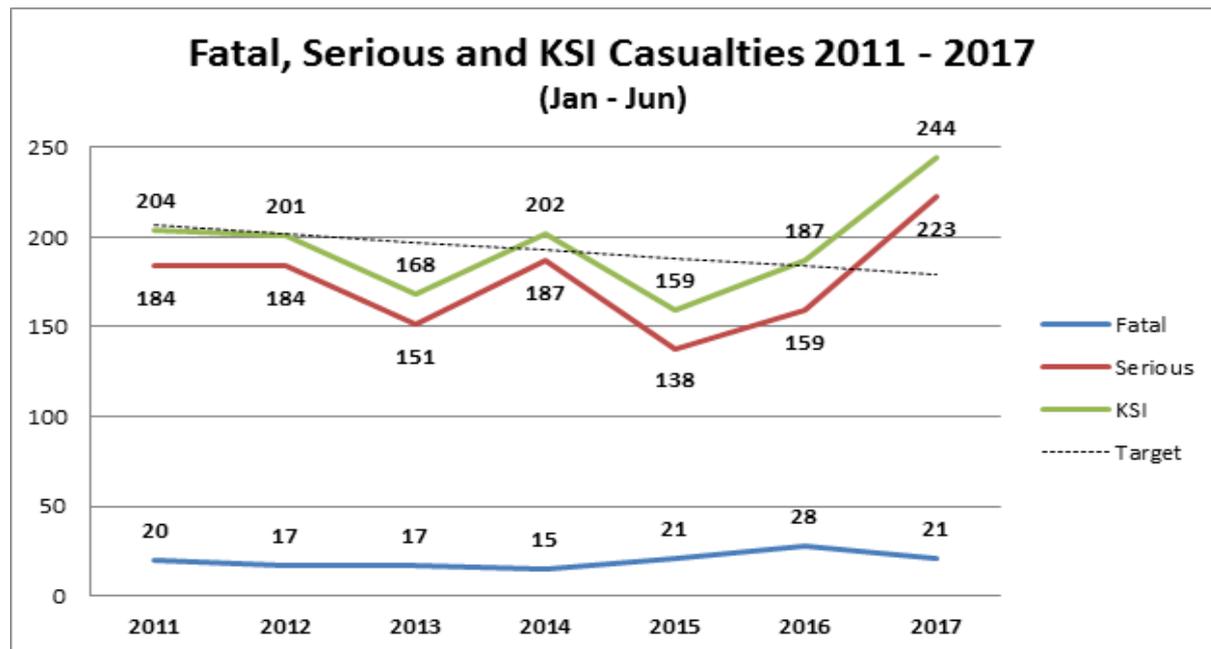
Winter Maintenance

The County Council currently has 25,000 tonnes of salt within our 8 highways depots and a further 12,000 tons available on quayside at Immingham Docks. We have 43 gritting routes in Lincolnshire covering all aspects of the variable geography of the County, from highly traffic urban areas such as Lincoln, Boston and Grantham, to the rural flat fen lands and the hilly Wolds area. These present the Authority with a wide range of winter weather challenges which we monitor through strategically placed weather stations. All arrangements are in place for the forthcoming winter season.

Lincolnshire Road Safety Partnership (LRSP)

Casualties: There have been 23 fatal casualties in Lincolnshire in 2017 compared to 37 for the same period in 2016 (up to 7 August).

KSI casualties have increased by 29% and slight collisions have decreased by 18%. Department for Transport confirmed that moving to electronic reporting of Stats 19 may increase recordings of serious collisions by up to 15%. Other police forces are reporting similar results.



Enforcement: The average speed camera system on the A16 at Crowland has been operational since 5 December 2016. Data from the week prior to enforcement showed 100 vehicles per day exceeded the national speed limit by 8mph+. That figure has reduced to an average of 30 vehicles per day in the first 6 months.

LRSP and Lincolnshire Police are currently exploring the feasibility of expanding the Community Speed Watch scheme to allow active members of local communities to monitor speeds of vehicles using speed detection devices. Vehicles exceeding the speed limit are referred to the Police with the aim of educating drivers to reduce their speeds. In cases where education is blatantly ignored and evidence of repeat or excessive offences is collated, enforcement and prosecution follow.

Training: Attendance at the revamped mature driver scheme (now Mileage for Life) has significantly increased since a zero charge to attend has been introduced.

Performance Plus was a huge success when delivered on May and included the revised format including Smart Rider (observed ride out). The next event is planned for 19 September 2017. What's Driving Us numbers have fallen as mobile phone offences are no longer deemed suitable for alternative to sanctions.

The following completed training courses in Lincolnshire to the end of October 2016:

	Up to end July 2017	Up to end July 2016	Difference
Speed Awareness	8397	8359	+38
Driver Alertness	197	154	+43
What's Driving Us	222	441	-219
Driving 4 Change	1	7	-6
Ride	6	15	-9
Taxi Driver	47	28	+19
Pass Plus	29	20	+9
Mileage for Life	87	6	+81

Education: Education and prevention officer led training continues to be delivered across the County achieving 58 road safety focussed activities with Primary and Secondary schools across Lincolnshire up to the end of April 2017, totalling road safety engagement with over 3200 children and young adults excluding the Young Passengers Awareness Programme and 2fast 2soon.

2fast2soon Corporate is a bespoke approach in addressing and improving road related behaviour in those who drive for work. As part of a Corporate package businesses have opportunity to engage in a toolkit of options most appropriate for them and their business. 2f2s corporate focusses on prevention messages through Theatre in Employment for those who drive for work. LRSP is expecting to launch 2f2s corporate in the autumn.

The development of a Young Rider engagement package is underway with the Young Rider survey currently live. Following survey analysis the bespoke package development will be implemented and tailored to meet the needs of vulnerable young riders across Lincolnshire and available in the most accessible form to them.

Engineering: Over 70 Road Safety Audits at various stages (Preliminary Design/Final Design/Works Completed) have been carried out by the AIP team in the last financial year 1 April 2016 – 31 March 2017.

LRSP is assisting with the DfT Safer Roads Project with North Lincolnshire & North East Lincolnshire Councils. This may result in funding being awarded to deal with collisions on some of our high risk roads (A18/A631/A1084). Bids to DfT are required by the end of September 2017.

LRSP Review: A joint Lincolnshire County Council and Lincolnshire Police review of the Lincolnshire Road Safety Partnership was undertaken in 2015/2016. The first stage of implementing the review recommendations was completed in 2016 with the LRSP Management Restructure. Formal consultation on the final stage of the proposed organisational changes will commence on 6 September 2017.

Total Transport Initiative – Integration with Health

The Transport Services Group continues to encourage Health Services to seek opportunities to integrate their transport with key transport provided by the County Council. TSG did try to influence the CCGs over the Non-Emergency Passenger Transport (NEPT) procurement contract, including the option of dividing the contract into booking/scheduling and transport delivery. However, this was unsuccessful. Nonetheless, TSG did manage to get reference to Total Transport included in the NEPTS contract specification which encourages liaison with LCC and which could enable the scope of the contract to be reviewed in the light of collaborative developments.

The new NEPTs contract started 1 July 2017 with Thames Ambulance Service Ltd as the new supplier for 5 years. This provides an opportunity to change the passenger transport network before the next re-procurement begins. There is a significant level of momentum for a re-designed network creating a more efficient and integrated approach to the county's passenger transport network and service delivery. This momentum is between a group of representatives from LCC, the CCGs, Sustainability and Transformation Plan (STP) Team, and Thames Ambulance Service Ltd (TASL). A business case has been drafted for a 12 month project to propose a new re-designed network and an implementation plan, this joint project with the CCGs and service providers could ultimately see transport services organised and/or delivered using a Total Transport approach and would enable efficiencies to be quantified. It is proposed that LCC project manages this project, making use of expertise and experience. The project will cost up to £100,000 and funding is being sought from the STP as well as using the DfT's Total Transport funding from TSG's budgets. If we can pioneer such a collaborative project, early indications are that external development funding could also be sourced.

Political sensitivities regarding the STP are noted. However from an operational perspective, it is still sensible for us to collaborate on a project which looks to achieve greater efficiencies for all parties involved in commissioning and delivery of transport. Such collaboration will not prejudice the outcomes of the STP deliberations in terms of redesigning clinical services, rather it will help to ensure more informed decisions are made and that any transport requirements resulting from the STP (whatever they may be) fit within a more efficient transport network. TSG is therefore actively engaging with NHS colleagues on this aspect.

The TSG is also working closely with Voluntary Car Schemes to develop their transport offer. We continue to support them with a programme of online training for staff, improved software and a best practice forum for all schemes. It is hoped that this will assist the community transport operators in providing effective and potentially increased coverage for vulnerable and isolated members of the community.

Teckal Company Development (TransportConnect Ltd)

Summary of progress

TransportConnect Ltd is now fully operational with the planned services being delivered effectively. There have been some initial issues surrounding spare vehicles and staff performance, which are being addressed proactively by the Company's management. There has also been a fire at one of the sites leased from LCC at Barrowby, which has caused operational and contingency issues, but the whole staff base has responded proactively and positively to the challenges faced.

TransportConnect is now contracted to deliver the following contracts for LCC:

- 3 of the new SEND One School One Provider contracts
- 1 single vehicle SEND contract
- 1 mainstream school contract
- 1 Adult Social Care contract
- 14 CallConnect/Local Bus contracts

The company is delivering the purpose it was established for, in that it is enabling a market capacity issue in the south of the county to be met and it is compelling the market to generate more cost effective contract bid process.

Governance and Strategy

Discussions are taking place internally in order to establish the most appropriate structure and decision making within the Council, to ensure the required level of control is exerted by the Council. These arrangements include the procurement process the Council follows when procuring TransportConnect, which can be through a formal tender process or through the direct award of a contract without a tendering exercise. The company's Board of Directors meets on a monthly basis.

The Company are currently developing a three year strategic plan. Once approved, the company would submit annual priorities to the Council for approval, to ensure its strategic direction remains aligned to the Council's requirements.

Effective Highways Communications

A number of improvements to the online highway faults reporting system are progressing to improve our highway services customers' experience. An update on this was given to the Highways and Transport Scrutiny meeting on 28 July 2017 and a further update will be reported in six months' time. With the highway services new operating model, routine liaison is taking place with the Customer Services Centre to realise the channel shift and improve information flow. Local highways management teams are meeting the County Councillors routinely and Parish Councils cluster meeting have started.

BROADBAND UPDATE

Phase 1

The main broadband project (phase 1) was concluded on its scheduled date of 31 March 2016. At the end of phase 1, 150,775 premises had been successfully fibre enabled, which equates to 738 roadside cabinets. The Phase was delivered with savings of just over £15m and this will be utilised to fund a 'Third Phase' deployment where we will look to push faster broadband even further out into the county. Each Superfast enabled premise was delivered at an average cost of £178 against a projected figure of £293.

Customer Take Up for Phase 1 currently sits at 44% and we expect to hit 45% before the end of Phase 2. This is well above what we projected and will bring additional funding back into the Investment Fund as a result of the 'Clawback' agreement in the contract.

Phase 2 & 3

For the purposes of contractual accuracy, all work that was deemed as 'phase 3' has been added to phase 2 of the project. This allows us to utilise the circa £15M underspend and the £4.65m clawback funding without any legal complications.

The effect of this at present is an increase in Superfast broadband coverage from 4801 premises under the original plans, to circa 21K premises at this point. This revised figures takes account of BT modelling the £4.65m clawback funds and £8M of the underspend.

Further planning is ongoing to utilise an additional £550K BDUK funding matched by the same amount from underspend. We have selected areas where we believe we can deliver value for money and excellent coverage and initial responses from BT indicate that a further 1500 premises will benefit from this exercise. All will get fibre to the premises (FTTP) technology at an indicative cost of £850 per property. This does indeed represent excellent value and demonstrates the effectiveness of the work the Team has been doing in the background.

Going forward, we believe we will hit 97% Superfast coverage by December 2019 and this aligns with the latest Government targets. We are now looking at how best to cover off the remaining 3% and feel that a mix of alternative technologies will provide the optimum solution.

Additionally, the Government has just announced additional funding for rural broadband and we are working to try to secure some of this funding.

INFORMATION MANAGEMENT AND TECHNOLOGY

IMT Services being delivered by Serco are continuing to slowly improve, and many services are relatively stable. There remain several areas where the breadth of services delivered by Serco, and level of service are falling short of expectations. Service improvement activity targeted to resolve this, which was bolstered by a recovery plan requested by the Audit Committee, is beginning to take shape to improve the situation but the service is still in need of considerable rectification.

The main areas of current dissatisfaction are the poor workability of newly deployed IT, project delivery and the performance of the Service Desk. The Information Assurance team continues to succeed in providing expert Information security and information governance advice and is now undertaking considerable planning for the implementation of the General Data Protection Regulations in May 2018.

End User Experience

Whilst there are issues with the wider IT service, most users are still receiving a good level of service which enables the 'as is' functioning of the Council to continue.

Recent initiatives for Serco to reduce the size of the local service desk and push more calls to their central team in Birmingham have not been seen as successful and mitigation/improvement activity is underway. The number of calls logged has increased and it is felt that this is due to a worsening end user experience (and more issues) coupled with a slower response to fix these. It is generally felt that the speed of the network continues to frustrate alongside new technology that has not performed, or is fully functional, as expectation.

Project Delivery

Project delivery remains the most challenging part of the Serco service, with small 'business as usual' projects taking longer to commission and deliver than expected.

Many of the rectification and transformation projects remain without plans to deliver. Whilst the achievement of recording against IMT_KPI_11 has been met, this currently excludes a significant number of major projects including the website replacement and channel-shift. Minimal tangible progress in improving project delivery has been evidenced over the previous six month period.

Service Improvement Plans

Whilst a significant number of service improvement plans have been put into place following significant deficiencies being identified through maturity assessments and the outcome of incidents and/or service failings, these are not progressing at the necessary speed to improve matters and continue to place IT services at risk of failure.

Due to concerns raised by the Audit Committee, Serco agreed to a rectification plan for those areas which achieved poor manager assurance. All activities were due to be completed by April, but may continue into November. This includes back-up processes, resilience of systems, cyber-security and project delivery amongst the outstanding initiatives.

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COUNTY COUNCIL MEETING – 15 SEPTEMBER 2017

Statement from: Councillor E J Poll, Executive Councillor for Commercial and Environmental Management

STRATEGIC WASTE CONSIDERATIONS

Joint Municipal Waste Management Strategy (JMWMS)

The waste partnership has launched an extensive consultation on options to provide an environmentally efficient waste service and programme of workshops is developing a strategic plan for the direction of waste services in the county. We anticipate agreeing a range of innovative approaches that will address the expected growth in waste arising from increasing economic activity and development, while making better use of our existing resources and infrastructure. A revised Joint Municipal Waste Management Strategy setting out these approaches will be agreed during the coming two years.

Local Plans

The Council continues to be active in supporting our partners to develop effective planning policies to facilitate growth and improve the wellbeing of our communities. We are closely engaged currently in the examination in public of the East Lindsey Local Plan, and anticipate a similar level of involvement in the recently announced examination of the South East Lincolnshire Local Plan.

Lincoln Eastern Bypass

Work on the Lincoln Eastern Bypass continues to yield significant archaeological evidence for the county's past, creating sufficient interest to attract large number of visitors to the site itself and to open days held to explain the site and it's finds to the public. Options are being considered for a wider public exhibition illustrating what the site can tell us about the city and county history, supporting our objectives of sustaining Lincolnshire as a tourist destination and doubling the size of the visitor economy by 2030.

Coastal Management

We are working closely with the Environment Agency and many other partners and communities in the east of Lincolnshire as work progresses to determine the long term future of coastal management between Saltfleetby and Gibraltar Point. Following a series of public workshops to discuss possible ways of continuing to provide the current high standard of protection into the future, the Environment Agency are compiling a range of possible solutions for further public consultation from October this year. The management programme that is ultimately adopted is expected to be in place from April 2021.

Flood Risk Management

The Council and its partners have embarked on an ambitious review of its partnership arrangements for managing flood risk across the county and with its neighbouring authority areas. The aim is to ensure that the successful approach we have adopted up to now continues to adapt to changing circumstances to drive forwards a fully co-ordinated approach towards flood risk, together with water supply and quality to support the level of economic growth we wish to see in the county over the next few decades.

Minerals and Waste Local Plan

Following on from the adoption of the Minerals and Waste Local Plan Core Strategy and Development Management policies in June 2016, work on the second part of the local plan is now well advanced. The site location document, which sets out the council's preferred waste and minerals sites to meet the projected need for minerals and waste sites over the plan period to 2031, was successfully examined in July 2017 with no main modifications made to the plan.

Once we have confirmation from the inspector that the plan is sound and legally compliant, the council will be asked to adopt the plan later this year.

Processing of planning applications for waste and minerals developments has been undertaken significantly ahead of Government targets. In the first half of 2017 over 80% of applications for minerals and waste developments were determined within 13 weeks, well ahead of the Government's target of 65%.

In addition, 80% of applications for the Council's own development were determined in eight weeks or less. This ensures that appropriate developments are coming forward in suitable locations with minimal delay caused by the planning process.

Enforcement and Monitoring Officers have been checking sites to ensure compliance with planning conditions and reports of unauthorised developments are investigated and resolved. All active minerals and waste sites receive at least one site inspection a year ensuring the Council is pro-active in monitoring minerals and waste sites around the county.

SUMMARY / KEY TOPICS

- Waste Strategy and Waste Partnership progress
- East Lindsey examination in public of Local Plan taking place
- South East Lincolnshire examination in public to begin shortly
- Work on the LEB continues to yield significant archaeological finds which greatly increase our understanding of Lincoln's past and we are looking at an exhibition to bring this to life for Lincolnshire's communities

COUNTY COUNCIL MEETING – 15 SEPTEMBER 2017

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

NHS LIAISON / LINCOLNSHIRE HEALTH AND WELLBEING BOARD

Joint Strategic Needs Assessment (JSNA)

Following a year-long review, the refreshed JSNA went live on the [Lincolnshire Research Observatory](#) on 9 June 2017. The JSNA is a shared online evidence base made up of a series of commentaries and data sources which reports on the key areas of health and wellbeing needs in Lincolnshire. Each of the 35 topic areas assesses the current picture in Lincolnshire and looks ahead at the potential future level of need to help support effective service commissioning.

A series of one page infographic summaries on each topic has also been produced to accompany the topic commentaries. These have proved to be a useful tool, helping to promote and communicate the key messages from the JSNA. The feedback we have received from stakeholders and wider partners has been very positive and ongoing maintenance of the JSNA will continue to explore new ways of making the JSNA more accessible and user friendly.

Development of the next Joint Health and Wellbeing Strategy 2018 - 2023

During 2017, the Health and Wellbeing Board is reviewing Lincolnshire's Joint Health and Wellbeing Strategy (JHWS) using the refreshed JSNA as the primary evidence base to identify the priorities. The JHWS is a document that aims to inform and influence decisions about the commissioning and delivery of health and care services in Lincolnshire so that they are focused on the needs of the people who use them and tackle the factors that affect everyone's health and wellbeing.

A series of engagement events have taken place to gather the views and insights of key stakeholders, partners and the public. Six prioritisation workshops with representatives from the Health and Wellbeing Board reviewed the evidence for all thirty five topics in the JSNA using the prioritisation framework agreed by the Board in September 2016. This exercise resulted in a ranked list. Seven public engagement events have also been held across the county to gather views from a wider range of interested parties and a public online survey also provided partners and the public with an opportunity to feed into the process. More than 220 people from more than 60 local partners, organisations and groups attended the engagement events and 180 people completed the online survey. The Health Scrutiny Committee for Lincolnshire has also provided feedback as part of the engagement process.

The findings will be reported to the Health and Wellbeing Board in late September to enable the Board to agree the priority areas for inclusion in the next JHWS. The Board will also agree the thematic structure of the Strategy and identify the member organisations best placed to lead on developing the respective themed chapters. The Board will formally agree the new JHWS in March 2018.

Pharmaceutical Needs Assessment for Lincolnshire

The Health and Wellbeing Board is reviewing pharmacy services in Lincolnshire to make sure they meet the needs of residents as part of the Pharmaceutical Needs Assessment (PNA) process. There is a statutory requirement to publish a PNA every three years and Lincolnshire's last PNA was produced by the Board in March 2015. The PNA looks at where pharmacies are needed in the county and what services they should provide now and in the future. The PNA is used by NHS England to inform the commissioning of local pharmacy services in Lincolnshire.

An initial engagement phase took place during August to gather views from pharmacists, dispensing GPs and members of the public. This information, along with evidence from the JSNA and other sources, will inform the drafting of the PNA. The draft PNA will be presented to the Board in early December 2017, ahead of a formal statutory 60 day consultation period which will run from early December 2017 to mid-February 2018. The final PNA will be approved and published by the Board at the end of March 2018.

Housing, Health and Care Delivery Group

One of the statutory functions of the Health and Wellbeing Board is to promote closer joint working and encourage integrated commissioning. To this end, in March 2017 the Board identified the need for an integrated, strategic approach to housing, health and care and agreed to establish a dedicated forum to progress this important topic. The aim of the Housing, Health and Care Delivery Group (HHCDG) is to provide strategic direction and governance to the wider Housing for Independence (HfI) agenda for Lincolnshire in an integrated, collaborative manner.

At the meeting in June 2017, the Board received proposals on the governance arrangements for the HHCDG. These had been drawn up with the support of the District Housing Network. At this meeting, the Board also appointed Cllr Wendy Bowkett, portfolio holder with responsibility for housing at East Lindsey District Council and a county councillor representative on the Health and Wellbeing Board, as Chairman of the HHCDG.

Appropriate representation has been sought from all the District Councils and health organisations along with senior representation from the Council. The first meeting of the HHCDG is this month and the group will report quarterly to the Health and Wellbeing Board.

Better Care Fund (BCF)

The Lincolnshire 2017/18 BCF pooled budget is £226m and remains one of the largest pooled budgets in the country. The expansion of funding reflects:

- Improved BCF (iBCF) funding coming directly to the County Council in 2017/18 of £17.3m, rising to an additional £30m in 2019/20.
- Disabled Facilities Grant (DFG) funding of £5.3m in 2017/18, increasing to £5.7m next year. This funding has, as required within the regulations been transferred to the District Councils

The national guidance from NHS England (NHSE) setting out the requirements for our BCF Narrative Plan were finally issued in July, and we were required to submit both our Narrative Plan and the related Planning Templates by 11 September. We have met these requirements, and submitted a plan that is supported by the County Council, by the four Lincolnshire Clinical Commissioning Groups (CCGs), and has been consulted on with health providers and with the seven District Councils.

The plan is for the two years 2017-2019 and we have ensured that the four national conditions for the funding have been met. The key features include:

- The financial sum to Protect Adult Care Services has been agreed with the CCGs and complies with national guidelines.
- We have agreed to pool the iBCF funding, also as required by national guidelines.
- We have ensured that a specific proportion of the area's allocation is invested in NHS-commissioned out-of-hospital services.
- We have put in place measures to support system-wide improvements in transfers of care.

The key performance areas continue to be Delayed Transfer of Care (DTC), Non-Elective Admissions, Reablement and Residential Admissions, though there is an ever increasing focus on reducing the rate of DTC. For the first time the required improvements to DTC performance have been allocated out (by NHSE) with a specific County Council performance and separate targets for each of the four CCGs.

My colleague, Councillor Bradwell, refers to this in more detail in her statement. The Health and Wellbeing Board receives an update concerning the BCF at each of its formal meetings which includes performance against agreed targets.

Sustainability and Transformation Plan (STP)

The Council continues to work with local NHS leaders, though progress in securing a solution that the Council would support is difficult given the substantial financial 'gap' that exists to pay for health services in Lincolnshire. The Lincolnshire STP is subject to national NHS oversight and, as part of that, we understand the capital 'bid' made for Lincolnshire is to be reviewed by November. It is critical that both the backlog of capital works and the need for investment in outdated buildings and facilities is secured if Lincolnshire residents are to receive the best possible healthcare.

Members will be aware that the availability of clinical grades in Lincolnshire – not just nurses – means that both NHS and Social Care services are more difficult to secure.

Lincoln Walk-in Centre

Colleagues will be aware that proposals to close the Lincoln walk-in centre have been met with resistance. The facility has seen nearly 40,000 appointments in the last year and there is concern that GP capacity will not be able to cope at the present time. Members will recall that at the last Full Council meeting a decision was made that following a submission by Health Scrutiny Committee that I would write to the CCG commissioner (West) voicing our concerns, which I have done.

Grantham A&E

By the time Full Council meets on 15 September I expect local NHS Leaders will have announced their plans for the future of Grantham hospital. These have also been presented to my colleagues in Health Scrutiny Committee earlier this week. We expect Grantham to continue to provide an Accident and Emergency service to local people.

Lincolnshire Self-Care Conference

Lincolnshire County Council hosted the first Lincolnshire Self-Care Conference early in July. The Conference participants enjoyed a variety of skilled presenters including the Director of Public Health, representatives from the Lincolnshire voluntary sector and national NHS leads. Over 80 attendees heard that the self-care initiatives in Lincolnshire are transforming from a strategy document into implementation. Presentations included showcasing the social prescribing pilot in Lincolnshire, a project that has a non-clinical focus and aims to support the wider determinants of wellbeing such as poverty, debt, social isolation and access to information. This is a first for Lincolnshire. Workshops supported participants to understand the wide spectrum of self-care and to offer support to develop the self-care initiative in Lincolnshire.

The event was a culmination of partnership working across all sectors to address the difficult problem of how to integrate services. At the heart of this is integrated neighbourhood working. Information is key to this and the Library of Information & Services project will soon go out to tender.

Health Literacy is another key element - we know that over 40% of the national population are not health literate and this rises to 60% for numeracy. Working closely with Making Every Contact Count (MECC) we have developed and begun to implement an innovative training package for professionals which will help them to support the residents of Lincolnshire. The regional Public Health team have cited that this is a flagship for the region.

COMMUNITY ENGAGEMENT

The Lincolnshire Armed Forces Covenant – Re-signing

The Armed Forces Covenant is a voluntary statement of mutual support between a civilian community and its local Armed Forces Community. It encompasses the moral obligation between the Nation, the Government and the Armed Forces, at a local level. The Covenant is based upon two key principles:

- The Armed Forces community should not face disadvantage compared to other citizens in the provision of public and commercial services.
- Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

The Lincolnshire Armed Forces Covenant was originally signed by a variety of partners from the public sector, voluntary, community & charitable sectors and private sector five years ago. Lincolnshire's Partnership Board recognised that this

was a good time to re-sign a revised Covenant with new outcomes and supporting Action Plan.

As a re-commitment to the values and principles of the new Lincolnshire Armed Forces Covenant, a re-signing ceremony, hosted by Air Commodore Squires and attended by various partner representatives, will be held on Wednesday 20 September at 2.30pm at RAF Cranwell.

Community Collaboration Project

The Community Engagement Team is supporting the delivery of a three year, county wide, Community Collaboration Project (ending 31 March 2020). Two team members (one covering the north of the county and one the south), will be working with partners and communities to develop and deliver collaborative activities; these may include supporting communities with emergency planning, facilitating the delivery of local community training or activity that will enable communities to sustain themselves. Building and maintaining strong relationships with and between organisations across the county (such as public sector bodies, town & parish councils, charities and voluntary & community groups) will be critical to the success of the project.

For further information (such as the name of the officer working in your area) please email engagement@lincolnshire.gov.uk

Petitions Scheme Review

Cllr Brockway and I are working with the Community Engagement Team and Democratic Services to review the petitions process. Recognising that this is essential to a democratic process in which citizens may choose to engage with us in a variety of ways, the review will make sure our processes are both fit for purpose and relevant.

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COUNTY COUNCIL MEETING – 15 SEPTEMBER 2017

Statement from: Councillor C N Worth, Executive Councillor for Culture and Emergency Services

CULTURE

Library Service

The contract commenced on 1 April 2016, with a seamless handover. Members of the public experienced no disruption and have recorded a 99% satisfaction rate.

Since then, GLL have had a positive impact within Lincolnshire; increasing the number of events held across the sites and encouraging community use within the service. Regular activities at core libraries, such as 'messy mornings', 'digital drop-ins', and 'knit and natter', have increased by 171% between April 2016 and January 2017. Core libraries participated in national library and literary promotions including Harry Potter Book Night and the Where's Wally 30th Anniversary. The 2016 summer reading challenge saw staff double the usual number of activities delivered in core libraries and as a result there was a 30% increase in participation when compared with 2015. Figures for 2017 also look positive.

Core library staff also started to connect to their local communities and encourage use of the library as a public space. New and existing links have been built upon and there are now a variety of community groups holding both regular and irregular surgeries and community drop-ins. Staff also invite community groups to join in with their scheduled promotions such as Dementia Awareness Week and Local History Month. Beyond this, GLL have updated the garden, children's area and teenage area in Lincoln Central, provided a new look at Boston and improvements to Skegness, Sleaford, Gainsborough, and Stamford.

Over the coming year, GLL are reviewing the current opening hours for the core sites with the intention of extending, where possible, to ensure the provision matches need. They are also implementing the ACE Innovation funded project 'ForgingLincs' which will see a £230k investment in core libraries to work with local young people to improve employability skills and combat social isolation.

Performance is monitored on a monthly basis with contractual clauses available to impose financial penalties should targets be missed. Throughout the first year, GLL has consistently exceeded the targets associated with a number of their KPIs, particularly around the percentage of books delivered within the specified number of days; the percentage of scheduled events delivered in core sites and number of hours community use at all core sites. The initial few months of the contract did see performance fluctuate slightly with regard to some KPI's, as to be expected as with any new contract.

The concluding quarters of 2016/17 (quarter 3 and quarter 4) saw a dramatic improvement across areas with March experiencing a 13.9% increase against target for number of visits to sites and an 18.7% increase for stock issues. As a result, all KPIs bar one achieved their end of year performance target.

The only KPI that did not achieve its annual target and thus has incurred a financial penalty relates to the percentage of scheduled mobile stops that are achieved. There have been months where the target has successfully been achieved, however, due to road traffic accidents/closures or unexpected breakdowns other months have been missed. GLL are currently reviewing the mobile service delivery to rectify this issue and remedial actions have been put in place to improve performance.

GLL are also supporting 36 Community Hubs. Performance reporting is not a requirement of the hubs' grant agreements however, all have been reported to having been utilised frequently by its customers and embedded within the local communities.

Tennyson Research Centre

On Friday 14 July, the Tennyson Research Centre was officially re-opened at its new home, the Lincolnshire Archives. The collection contains the library, letters, papers and possessions of Alfred Tennyson and his family, the most significant collection on the poet in the world. As a result of the move, the Centre will now be open for twice as long, being accessible for 30 hours over five days of the week rather than 15 hours over three days at its former home, Lincoln Central Library. In addition, Lincolnshire Archives provides a much better environment in which to store the collection, ensuring it is preserved for future generations.

Battles and Dynasties

We are proud that Lincoln Castle is the first and only venue outside of London to host the Domesday Book, and this pride is matched by the unmissable, once in a lifetime opportunity to see an amazing array of artefacts at The Collection. Together, these displays form the Battles and Dynasties Exhibition which has received some of the best feedback we have ever had and to date over 40,000 visitors have seen one or both parts of the Exhibition.

Lincoln Castle Awards

Lincoln Castle continues to receive national recognition for the quality of its visitor experience. In June, it was officially crowned as the UK's Most Popular Castle as part of an online poll organised by TripAdvisor, receiving over 43% of total votes. More recently, the site has retained its accreditation of Visit England's Quality Assured Visitor Attraction. Standout scores were received for the staff, who achieved a very impressive 97% as part of the audit. On the strength of this assessed visit, Lincoln Castle will be put forward for consideration of Visit England's 'Welcome' accolade.

Wolf Hall – Gainsborough Old Hall

This exhibition of costumes from the BBC's phenomenally successful show, has seen an increase in paying visitors of 27% compared to last year and the exhibition has also brought a change in the demographic of visitors to the Old Hall. At the time of writing this statement, over 9,000 visitors had enjoyed the exhibition which was on target to reach over 12,000 visits before it concluded on the August Bank Holiday.. This has resulted in increase of over £12,000 in admissions income alone.

Staff Restructure

July 1st saw the successful implementation of a new staff structure that makes way for a new service delivery model that truly focuses on both the customer at the heart of the service but also commercialisation; which in turn leads the way for the review of governance we are undertaking to ensure the service is fit for future generations to enjoy.

FIRE AND RESCUE / EMERGENCY PLANNING

National Fire Reform

The Home Office fire reform programme continues at pace with the National Fire Chiefs Council, supported by its various coordinating committees, now up and running. A number of Police and Crime Commissioners have also launched consultations with a view to taking responsibility for their Fire and Rescue Service. Essex will be the first area to have a Police, Fire and Crime Commissioner with the transition expected to take place by 1 October 2017. The Minister for Policing and Fire has also announced the establishment of an independent inspectorate for fire and rescue authorities in England. This will be facilitated by an expansion of Her Majesty's Inspectorate of Constabulary which will re-brand as Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services. It is anticipated all fire and rescue services will be inspected over a two year period starting in 2018.

Blue Light Collaboration

In March, Fire and Rescue successfully completed its headquarters move to the new shared Fire and Police Headquarters at Nettleham. Whilst this was a significant undertaking, the transition went smoothly and is testament to the huge amount of work by all involved both in preparation for, and during, the decant. The Leader's statement contains more detail of further plans in connection with the collaboration.

Grenfell Tower

The shocking scenes from the Grenfell Tower incident have, not surprisingly, dominated the news over recent months and our thoughts remain with all those affected by the fire. Like other services, our fire safety teams have been focusing on ensuring our high rise buildings in particular are safe and they continue to provide support and guidance around the county as appropriate. At the end of July, the Government announced the independent review of building regulations and fire safety which will examine the regulatory system around the design, construction and on-going management of buildings in relation to fire safety as well as related compliance and enforcement issues.

Retained Duty System Review

The Service continues to implement recommendations falling out of its review to ensure our Retained Duty System remains fit for purpose. This review covered a broad spectrum of topics ranging from recruitment and selection through to training and payment systems. Key progress to date includes; refinement of a number of recruitment processes; refocusing of resources to facilitate targeted recruitment plans and provide better support and engagement to personnel; development of a

new learning management system providing a more flexible approach to training; and the establishment of a bespoke training course which has been run successfully at Bardney to support recruitment. An update was provided to the Public Protection and Communities Scrutiny Committee in July which continues to monitor progress.

Fire Peer Challenge

Looking ahead, Fire and Rescue will be undertaking an Operational Assessment and Fire Peer Challenge at the end of September when a team from outside the service will carry out a review across a number of key aspects of service provision. This will enable the service to access independent input to support improvement as appropriate and will provide a sense check prior to the introduction of the inspection regime next year.

Tidal Surge Event

There was an ominous start to the New Year with the Environment Agency forecasting a potential tidal surge and high wind event along the East coast on, of all days, Friday 13 January. With the warning acting as a trigger for the Local Resilience Forum, partners were swift to respond, activating existing plans as appropriate. This facilitated the pre-deployment of assets, timely messaging to the public assisted by the military and limited evacuation of those considered most at risk. Whilst fortunately the anticipated flooding did not materialise along Lincolnshire's coast, the event demonstrated that our preparations were sound. Of course, there are always lessons to be learned and these are being taken forward by the forum as appropriate.

REGISTRATION AND CORONER'S SERVICES

Registration Service

The Registration Service has completed another busy year. The volume of marriages increased significantly and the service remains committed to delivering couples a wide range of choices on their special day. Sadly, the volume of death registrations also increased significantly and we continue to work with partner organisations to improve the timeliness of these registrations, providing training and newsletters. Staff continue to excel in the delivery of service and once again we are delighted to announce that the service achieved 100% compliance with the Government's standards for Customer Service Excellence. This continues to be a remarkable achievement which reflects the commitment and dedication of all staff working in the service. Lincolnshire is one of only a handful of Registration Services who hold this prestigious award.

Nationally, legislative opportunities continue to move forward although we anticipate these will be impacted with a slower pace of change with the national priorities in relation to Brexit. The proposals in relation to death certification reform and the introduction of medical examiners have been delayed nationally, although Lincolnshire plays an active role in the planning for this.

Other legislative initiatives include the potential for a 'schedule' system for marriages.

A new element to the service was initiated in Autumn 2016 with the launch of the European Passport Return Service to supplement other nationality and citizenship services. In addition, a new website, appointment diary system and electronic payment mechanism has been commissioned and we hope that this will transform the way the public can make bookings for the service.

Lincolnshire Coroner's Service

On 1 August 2017 there was a merger of the two coroner areas in Lincolnshire (South and Central), following public consultation by the Ministry of Justice in February. The Senior Coroner for the new combined area, Stuart Fisher, has stated his commitment to providing a modern, effective and efficient service and the Coroner's Service continues on its transformation journey. The employment of coroner's officers transferred from Lincolnshire Police to Lincolnshire County Council in April 2017, supporting the closer working relationships between all parties and is delivering an improved experience for bereaved families.

2017 has seen another year of high levels of referrals to the coroner, which matches the trend nationally. This continues to put a strain on resources and budget, however, the risks to service delivery are being mitigated by the employment of additional staffing and the continuing review of processes.

Changes to working practices have resulted in customer focused performance evidenced by a dramatic reduction in the number of complaints received.

The vision of providing the BEST service – A Bereavement Experience which is Sensitive and Timely – continues.

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COUNTY COUNCIL MEETING – 15 SEPTEMBER 2016

Statement from: Councillor B Young, Executive Councillor for Community Safety and People Management

CRIME REDUCTION

Safer Communities

The County Council continues to contribute to the multi-agency response to addressing community safety alongside the police, district councils and health organisations, in addition to many other partners including probation trust, community rehabilitation company, prisons and 3rd sector organisations.

I am pleased to report that the most recent data suggests an encouraging reduction in the adult reoffending rate within Lincolnshire. The work being undertaken within the Assisting Rehabilitation through Collaboration (ARC) project has shown a positive trajectory in addressing the needs of the most complex individuals who have a significant impact on the reoffending rate. In recent months we have seen an expansion of the ARC cohort and this will be further complemented with the collaboration and co-location with a new project to address the issue of homelessness.

The County Council continues to play a key role in tackling sexual violence and abuse. It was instrumental in running the second #NOMORE campaign which took place during Sexual Violence and Abuse Awareness week. This time the theme was 'not asking for it'. Designed to raise awareness about sexual consent it included messages to quash the misconception that what someone is wearing is a reason for sexual assault.

With our partners we remain committed to encouraging reporting on domestic abuse and hate crime; both areas where individuals do not readily report incidents or seek early support. This is being achieved through awareness raising and by providing clear information to individuals about how to access help.

In respect of domestic abuse, the County Council is currently in the process of finalising specifications for the retendering of both the Domestic Abuse Support Service contract for standard and medium risk cases and the IDVA (Independent Domestic Violence Advisor) Service for high risk cases of domestic abuse. New contracts will commence on the 1 April 2018.

On behalf of the Anti-Social Behaviour Strategic Management Board, the County Council is leading on the procurement of a new case management system. The solution needs to enable partners to share information with the aim of effectively managing cases of anti-social behaviour, particularly repeat and vulnerable cases.

An emerging issue has been identified in relation to a national threat known as 'County Lines'. County Lines involves gangs from other areas utilising mainly the rail network to travel into Lincolnshire from other metropolitan areas. Once in the county they befriend vulnerable and substance misusers and eventually take over their property and establish one phone line (the line) in which to deal drugs from. This was identified as a cross cutting issue impacting on both the Serious & Organised Crime and Substance Misuse Strategic Management Boards and the County Council are working as part of these forums to prevent and disrupt activity in our county. Specifically a multi-agency task and finish group has been established. The first part of this work has focused on raising awareness of County Lines, how to identify concerns and who to report intelligence to. A number of frontline staff have been trained and intelligence briefings are being developed and shared with appropriate staff.

The Safer Communities service continues to co-ordinate 'Stay Safe'. The latest developments of the programme means that all secondary schools will be offered age appropriate safety and prevention inputs through interactive workshops targeted at the current threat and risk identified through community safety process. These days will be free for the schools and will involve five workshops with follow on material for the teachers to use in their own lessons. These workshops will be quality assured and controlled ensuring Lincolnshire's young people receive the correct information to make informed decisions in these important areas.

Youth Offending

In November 2016, the Youth Offending Service formally moved within the wider Children Services Directorate. The service has considered some of the initial recommendations which emerged from national the review of Youth Justice by Charlie Taylor in late 2016. One specific element of this is the creation of Joint Diversionary Panels in Lincolnshire in collaboration with Lincolnshire Police and Children Services.

The panels will enable us to provide an informed and proportionate response to offending by children and young people and the subsequent disposals. Wherever possible this will avoid unnecessary criminalisation and utilise a restorative approach and ensure victims of crime are an integral consideration. Whilst the panels are in the early stages there are some encouraging signs emerging which demonstrate excellent multi-agency working and commitment within Lincolnshire from all key partners and stakeholders.

To support this work the Children's Safeguarding Board recently signed off a county wide protocol to reduce the criminalisation of young people in residential care. This has been recognised as a key focus of the board for some time and will again ensure that we recognise the unique and complex needs of 'looked after' children and respond appropriately to their behaviour.

Finally, the service is progressing key work steams as part of Partners in Practice with the Department for Education. This is working towards a true model of integration between the Youth Offending Service and Children Services and also addressing the challenge of managing risk taking behaviour in adolescents.

TRADING STANDARDS

Trading Standards have undertaken a review of the work being carried out in partnership with Lincolnshire's Neighbourhood Policing Teams to deliver the 'Break the Cycle' project aimed at educating local residents who have been identified as engaging with scam mail.

Over 25 visits carried out in the past year which revealed that 43 residents had been regularly engaging with the scam mail with a total detriment of £273,400, or on average £10,538 per resident.

The programme has been rolled out across the county with several training sessions delivered to the neighbourhood policing teams. Over 2000 residents have already been identified as being vulnerable to this particular scam.

Trading Standards supported the Animal and Plant Health Agency (APHA) in the response to 3 outbreaks of Avian Influenza within the County. A liaison officer was assigned to the APHA who coordinated foot patrols within the protection zone to identify non registered poultry flocks, the closure of public footpaths and road markings in conjunction with colleagues from LCC Emergency Planning, Countryside Services and Highways.

Trading Standards continue to engage with local businesses through the Primary Authority Process. 12 new businesses signed up in 2016/17, many of whom trade across the country. With current members encouraging their own suppliers to enter into similar arrangements interest remains high and the service is confident that we will see continued growth in the number of businesses seeking assured advice.

Trading Standards continue its work to tackle illicit trading, particularly tobacco, product safety and counterfeiting which has resulted in some significant results. The Service has worked with all major partners to tackle fraudulent trading including Lincolnshire Police, HMRC, Immigration and the Anti-Counterfeiting Group.

PEOPLE MANAGEMENT

Apprenticeship Reforms – Update

Background Information

As outlined in previous briefings, in 2017, the new Apprenticeship Levy was implemented from 6 April 2017 along with a number of reforms which include:

- Apprenticeships no longer being age specific
- On the proviso that any qualifications a potential candidate holds are substantially different or a lower grade than the apprenticeship, they are eligible to apply
- The introduction of apprenticeship standards that include degree, diploma or technical qualifications

Apprenticeship training has historically been undertaken using a framework qualification; these will be replaced by Apprenticeship Standards where transition is due to be completed by April 2020.

Some examples of standards currently being developed are in the following professions:

- Teacher
- Lawyer
- Social Worker

Current Status

Procurement Lincolnshire are working closely with the Adult Learning Team undertaking a procurement exercise to meet existing requirements. A further procurement exercise to meet future requirements is due to conclude in quarter three of this financial year.

Lincolnshire County Council is in the process of recruiting a number of apprentices. On conclusion of the procurement exercise, we expect to have apprenticeship providers in place by quarter four. Lincolnshire County Council is in line to achieve the 2.3% government target on apprenticeships set for the public sector.

LEGAL SERVICES

The Council is a creature of statute and can only act in accordance with its legal powers. It is subject to the courts' overriding powers of judicial review in relation to its decision making.

Almost all of the activities of the Council involve some degree of legal documentation or process. The more obvious examples include court proceedings, contracts, conveyances or leases of land and statutory orders such as Compulsory Purchase.

Legal advice therefore contributes to the management of a wide range of risks including not just legal risk but also reputational, commercial and financial risk.

It is for this reason that I have been encouraging the early involvement of Legal Services in the planning and development of Council initiatives.

Between 7th - 10th August Legal Services Lincolnshire underwent a four day assessment of its compliance with LEXCEL, the Law Society approved quality standard for practice management and client care. The assessor identified just seven minor non-compliances after a detailed examination of a random sample of files of 16 lawyers. This was considered by the assessor to be an excellent result. A number of areas of good practice were identified including induction, appraisal, risk management and file management.

This means that the Council's legal advisors will be re-accredited for a further three years giving this Council and the District partners the assurance that Legal Services Lincolnshire is run in accordance with legal industry best practice.

Work continues to address difficulties in recruiting to key areas of legal specialism. In particular, Legal Services has appointed a trainee solicitor who will start in September. They will undertake a two year training contract during which they will train in 6 areas of specialism across the range of Legal Services activity giving them a solid grounding in local authority legal work.

I am pleased to say that their first period will involve two weeks within Democratic Services giving them an introduction to the council as a political body together with detailed insight into the council's decision making and scrutiny processes and the role of elected members.

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Open Report on behalf of Richard Wills, Monitoring Officer

Report to:	County Council
Date:	15 September 2017
Subject:	Report of Local Government Ombudsman

Summary:

To report to the Council the Report and outcome of an investigation by the Local Government Ombudsman into allegations of maladministration and for the Council to consider the recommendations of the Ombudsman and the actions taken and proposed to be taken by the Council

Recommendation(s):

That full Council

1. Receives the Report of the Ombudsman attached at Appendix A
2. Accepts the recommendations of the Ombudsman at paragraphs 58, 62 and 63 of the Report
3. Endorses the actions taken or to be taken by the Council as set out in paragraph 1.15 to 1.17 of this report
4. Considers what if any further action the Council should take.

1. Background

- 1.1 The Local Government Ombudsman has power under the Local Government Act 1974 to investigate and issue Reports concerning allegations of maladministration or service failure.
- 1.2 The Ombudsman has issued the Report attached at Appendix A following an allegation of maladministration by the Council in the exercise of its adult social care functions. The Ombudsman has concluded that the Council was guilty of maladministration and that this caused injustice to the complainant and his wife. The Ombudsman has identified a concern that others may have suffered similar injustice by reason of similar maladministration and as a result has issued a public report and included wider recommendations than would be necessary to remedy the injustice in the particular case.

- 1.3 The Report is issued under section 31 of the 1974 Act. As a result the Report must be made public by the Council and reported to the full Council so that they can consider the report and notify the Ombudsman of any action taken or proposed to be taken by the Council in response.

Context of the Report

- 1.4 The complaint and Report concern the use of short term residential care placements in circumstances where the adult care assessment has identified that a person would benefit from home care.
- 1.5 The use of such short term residential placements is an important tool for local authorities in meeting service user needs. As the Report recognises, the Council has always used such placements for a variety of reasons. Sometimes such a placement will be necessary because a person's home is not available for example adaptations may be required before they can move back home or because the person requires a period of rehabilitation before returning home. In some cases, the use of a short term residential placement is made necessary by the Council's own inability to source a provider to deliver the necessary package of care. The case of Mrs A is one of those cases.
- 1.6 The Council would aim for a maximum period in short term residential care of 6 to 8 weeks regardless of the reason for the placement. However, there is always the potential for this period to be exceeded.
- 1.7 The other relevant context is that at the time Mrs A came to be assessed for home care, the Council was undergoing transition from one model of commissioning home care in which the Council contracted with a large number and wide range of localised home care providers to a prime provider model in which the Council contracted with a single prime provider in each of twelve areas with each of those prime providers supported by local sub-contract arrangements.
- 1.8 The difficulties of the previous model are set out in the Ombudsman's Report at paragraph 18. The new model was designed to overcome those difficulties by creating a critical mass of volume for a smaller number of twelve prime providers, thereby enabling the successful prime providers to plan with more confidence and address issues of capacity and training from a more secure commercial base.
- 1.9 This transition required the transfer of a significant number of packages from existing providers to the new prime provider. This placed an equally significant pressure on the new prime providers to accommodate the transferring packages at the same time as meeting new demand all at a time when the new model had not matured sufficiently to realise the expected benefits in terms of capacity in the market. This was recognised and the Council took steps to robustly manage the situation as set out in the Ombudsman's Report at paragraph 23.

1.10 The Ombudsman found no fault with the adoption by the Council of the new commissioning model. That model is bearing fruit with the number of short term residential placements at the time of the Ombudsman's Report being quoted in paragraph 21 as 10.

The Ombudsman's Findings

1.11 The Ombudsman's findings are set out in the section of the Report headed "Decision" – paragraph 57. There are three elements.

1.12 Firstly, the Council was at fault for allowing Mrs A's placement in residential care to continue for 10 months. This finding is accepted. Although significant efforts were made to find capacity within the prime provider contract model and although the Ombudsman did not find it to be a fault on the part of the Council not to spot contract outside the prime provider model, a 10 month period in residential care for someone assessed as suitable for home care is not acceptable. It is important that the Council critically assess its own performance and as noted by the Ombudsman at paragraph 52 of the Report it is accepted that in care planning terms spot contracting should have been considered at an earlier stage

1.13 Secondly, the Council was at fault for placing Mrs A on a dementia unit. This finding is accepted. Although Mr A was involved in the decision, ultimately the Council is responsible for meeting Mrs A's needs in a suitable way and should not have agreed to this particular placement.

1.14 Thirdly, the Council was at fault for not reviewing Mrs A's care plan when her situation changed. The Ombudsman accepts that it is for the Council to determine how to meet need and that service user wishes must be considered but not necessarily followed (paragraph 54). In the same paragraph the Ombudsman accepts that on a review it would have been permissible for the Council to conclude that residential provision was suitable for Mrs A in the circumstances at that time. Nonetheless it is the case that no such review took place and the Council accepts that it should.

Actions the Council has taken or will take

1.15 The Council has accepted the recommendations made by the Ombudsman at paragraph 58 of the Report concerning how Mr and Mrs A should be compensated. The process of making those payments has already been commenced.

1.16 Steps have also been taken operationally to address the circumstances that happened in this case. In particular:-

- An escalation process has been put in place such that 8 weeks is the maximum permissible length of a short term placement. Anything over this 8 week period has to be agreed by an Area Manager, anything above 16 weeks has to be agreed by a County Manager, above 20 weeks by an Assistant Director and above 24 weeks by the

Executive Director . The current longest wait in a short term residential care bed is below the 4 week mark.

- The brokerage team alert the County Manager Adult Frailty and Long Term Conditions of any cases over 8 weeks in short term residential care.
- Appropriate use on a last resort basis of providers outside the home care prime provider contracts to be signed off and agreed by County Managers
- Access to all new short term care residential placements has to be agreed by the County Manager or Area Manager where this responsibility has been delegated.
- These procedures have been issued to all staff and will continue to be issued as reminders at appropriate intervals.

1.17 In addition to the above the Council has commenced reviews of the other cases referred to in the Ombudsman's Report. This had not been completed at the date of publication of this Report but such reviews will be actioned in accordance with the Ombudsman's recommendations at paragraphs 62 and 63 of the Report and reported back to the Ombudsman in accordance with paragraph 64 of the Report.

2. Legal Issues:

2.1 Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- * Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- * Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- * Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- * Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- * Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- * Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

The Recommendations relate to actions to be taken to address failings identified by an Ombudsman's reports and should lead to improvements for people with a protected characteristic.

2.2 Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

The improvements identified should help to contribute to the aims of the JHWS in relation to older and disabled people

2.3 Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

There are not considered to be any direct implications for crime and disorder issues

3. Conclusion

3.1 The role of full Council is set out in section 31 of the Local Government Act 1974 which requires the Ombudsman's Report to be laid before the Council and it is the duty of the Council to consider the report and, within the period of three months beginning with the date on which they received the report,

to notify the Ombudsman of the action which the Council has taken or proposes to take.

- 3.2 This report therefore invites the Council to consider the Ombudsman's Report at Appendix A and the actions already taken or identified to be taken and identify if there are any other actions it considers the Council should take.

4. Legal Comments:

The role of the Council in receiving the Ombudsman's Report is set out in the Report.

The Council cannot reject the Ombudsman's findings except by way of judicial review. There are no grounds on which the findings of the Ombudsman on the facts of this case could successfully be judicially reviewed.

The Council cannot reject or amend the Ombudsman's recommendations except on rational grounds. Given that the findings cannot be challenged it is not considered that there are legal grounds on which the recommendations could be rejected.

Consideration of an Ombudsman's Report issued under section 31 of the Local Government Act 1974 is a matter reserved to full Council.

5. Resource Comments:

The resource implications in relation to this case are set out in the Ombudsman's Report. In accepting the recommendations of the report the Council is currently in the process of paying compensation to reflect the distress ensued by the complainants and reimburse costs incurred for travel based on the Council's rate for mileage.

The escalation process also described in this document should also ensure that the resource implications for similar incidences are kept to a minimum.

6. Consultation

a) Has Local Member Been Consulted?

N/A

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

Not Applicable

d) Have Risks and Impact Analysis been carried out??

Yes

e) Risks and Impact Analysis

See the body of the Report

7. Appendices

These are listed below and attached at the back of the report	
Appendix A	Report of the Local Government Ombudsman

8. 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 David Coleman, Chief Legal Officer who can be contacted on 01522 552134 or david.coleman@lincolnshire.gov.uk.

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**Report by the Local Government and
Social Care Ombudsman**

**Investigation into a complaint against
Lincolnshire County Council
(reference number: 16 007 469)**

10 August 2017

The Ombudsman's role

For 40 years the Ombudsman has independently and impartially investigated complaints. We effectively resolve disputes about councils and other bodies in our jurisdiction by recommending redress which is proportionate, appropriate and reasonable based on all the facts of the complaint. Our service is free of charge.

Each case which comes to the Ombudsman is different and we take the individual needs and circumstances of the person complaining to us into account when we make recommendations to remedy injustice caused by fault.

We have no legal power to force councils to follow our recommendations, but they almost always do. Some of the things we might ask a council to do are:

- > apologise
- > pay a financial remedy
- > improve its procedures so similar problems don't happen again.

Investigation into complaint number 16 007 469 against Lincolnshire County Council

Contents

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Section 30 of the 1974 Local Government Act says that a report should not normally name or identify any person. The people involved in this complaint are referred to by a letter or job role.

Key to names used

Mr A – the complainant

Mrs A – Mr A’s wife

Report summary

Adult social care – domiciliary care

Mr A complains Lincolnshire County Council placed his wife Mrs A in a care home for 10 months because there was no home care available. He says Mrs A lost out on a welfare benefit as a result and the Council should compensate her for this.

Finding

Fault causing injustice and recommendations made.

Recommendations

To remedy the injustice, we recommend the Council:

- pay £750 to Mr A to reflect his distress;
- pay £1,000 to Mrs A to reflect her distress; and
- refund Mr A's travel expenses based on the Council's rate for mileage.

The Council has accepted the above recommendations.

The Council's correspondence suggests there may be others in the same situation as Mr and Mrs A. So we are making wider recommendations to remedy injustice to others who have not complained. We recommend the Council do the following:

- Review any short-term residential care placements between the start of the new home care contract and the date of this report to establish whether they were deficit beds* and if they were, whether the placement was for more than the Council's short-term care period of eight weeks. If the deficit placement was for longer than eight weeks, the Council should consider payments for avoidable distress and/or travelling expenses where appropriate. The Council has accepted this recommendation.
- For those people it identifies as still being in deficit beds for longer than eight weeks, the Council should take all reasonable steps to source suitable home care providers and ensure care and support plans are up to date.
- Report back to us within three months on points on its review and the steps it has taken.

(*When commissioning residential care for a person which may be because there is no home care available, the Council uses the term 'deficit bed'.)

Introduction

1. Mr A complains Lincolnshire County Council (the Council) placed his wife Mrs A in a care home for 10 months because there was no home care available. He says Mrs A lost out on a welfare benefit as a result and the Council should compensate her for this.

Legal and administrative background

2. We investigate complaints about 'maladministration' and 'service failure'. We have used the word fault to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. We refer to this as 'injustice'. If there has been fault which has caused an injustice, we may suggest a remedy. (*Local Government Act 1974, sections 26(1) and 26A(1), as amended*)
3. We may investigate matters coming to our attention during an investigation, if we consider that a member of the public who has not complained may have suffered an injustice as a result. (*Local Government Act 1974, section 26D, as amended*)
4. If we find fault, we may recommend a council takes action to prevent future injustice. (*Local Government Act, 1974, section 31 (2B)*)
5. We may publish a report of our investigation, taking account of the public interest, as well as the interests of the complainant and of any other persons we consider appropriate. (*Local Government Act 1974, section 31B*)
6. A council must carry out an assessment for any adult with an appearance of need for care and support. The assessment must be of the adult's needs and how they impact on their wellbeing and the outcomes they want to achieve. It must also involve the individual and where appropriate their carer or any other person they might want involved. (*Care Act 2014, section 9*)
7. The Care Act spells out the duty to meet eligible needs (needs which meet the eligibility criteria). (*Care Act 2014, section 18*)
8. An adult's needs meet the eligibility criteria if they arise from or are related to a physical or mental impairment or illness and as a result the adult cannot achieve two or more of the following outcomes and as a result there is or is likely to be a significant impact on well-being.
 - Managing and maintaining nutrition
 - Maintaining personal hygiene
 - Managing toilet needs
 - Being appropriately clothed
 - Making use of the home safely
 - Maintaining a habitable home environment
 - Accessing work, training, education

- Making use of facilities or services in the community
- Carrying out caring responsibilities.

(Care and Support (Eligibility Criteria) Regulations 2014, Regulation 2)

9. The Care Act explains the different ways a council can meet eligible needs by giving examples of services that may be provided including: accommodation in a care home, care and support at home, counselling and social work and information advice and advocacy. *(Care Act 2014, section 8)*
10. If a council decides a person is eligible for care, it should prepare a care and support plan which specifies the needs identified in the assessment, says whether and to what extent the needs meet the eligibility criteria and specifies the needs the council is going to meet and how this will be done. The council should give a copy of the care and support plan to the person. *(Care Act 2014, sections 24 and 25)*
11. A council should revise a care and support plan where circumstances have changed in a way that affects the care and support plan. Where there is a proposal to change how to meet eligible needs, a council should take all reasonable steps to reach agreement with the adult concerned about how to meet those needs. *(Care Act 2014, sections 27(4) and (5))*
12. The care and support plan must set out a personal budget. A personal budget is a statement which specifies the cost to the local authority of meeting eligible needs, the amount a person must contribute and the amount the council must contribute. *(Care Act 2014, section 26)*
13. The High Court has confirmed that an individual's wishes are not the same as their needs and wishes are not the paramount consideration. A council has to have 'due regard' to an adult's wishes as a starting point, but social workers are entitled to exercise their professional skills and judgement in deciding how to meet eligible needs. *(R (Davey) v Oxfordshire County Council [2017] EWHC 354 (Admin))*
14. A person with eligible care needs can have a council arrange their care. Or, if they wish, they can arrange their own care using a payment the council gives them ('direct payment'). *(Care Act 2014, section 31)*
15. Councils must promote the efficient and effective operation of a market in services for meeting care and support needs with a view to ensuring any person in its area wishing to access services in the market has a variety of providers and services to access. *(Care Act 2014, Section 5)*

How we considered this complaint

16. We produced this report after examining relevant files and documents and comments from the parties. We also made further enquires beyond the complainant's case and corresponded with the Council about others who may be similarly affected.
17. We gave the complainant, the Council and Bloomsbury Homecare confidential drafts of this report and invited them to comment. We took their comments into account before finalising the report.

Investigation

Home care services in Lincolnshire

18. The Council told us it used to have over 75 arrangements with home care providers and this led to several providers working in small areas. Work was not guaranteed and this made it difficult for many providers to maintain a stable workforce. There was not enough capacity to meet demand.
19. Between March and July 2015, the Council selected new home care providers by a procurement exercise. The result was the Council contracted with 12 home care providers across the county ('prime providers'). Transition to the new contracts took place between June and September 2015 with 3,500 people moving over. Bloomsbury Homecare was awarded the contract for Mrs A's area with two other providers as back-up.
20. The Council made it clear to all providers that they would be accountable for the successful delivery of all homecare services within their zone. The contracts had penalty clauses for any failure to deliver services and to recover the Council's costs for funding alternative care arrangements. The Council said it expected prime providers to transfer all care packages over.
21. When commissioning residential care for a person because there is no home care available, the Council uses the term 'deficit bed'. The Council told us its use of the term 'deficit bed' is not '*intended to imply a deficit in the nature of the care being provided rather a deficit in market availability at a specific point in time*'. The Council does not charge people anything for their care in a deficit bed. The Council says it would be impossible to guarantee 100% capacity and 68 people were in deficit beds just before the new model came in and this increased to 100 afterwards, during winter 2015 when there was increased demand. Twelve months after the new model was introduced, the number had reduced to 10.
22. The Council also told us that of those placed in residential care referred to in the previous paragraph, there were a variety of reasons for the placement, which may not have been related to the availability of home care.
23. During the period Mrs A was in residential care, 19 others who lived in Bloomsbury Homecare's zone were also in deficit beds. The Council told us it took action to address the lack of capacity with Bloomsbury Homecare, including issuing a default notice under the contract. It considered terminating the contract but felt this would be disproportionate and would affect a large number of people. A senior council officer was based in Bloomsbury Homecare's offices for several months to oversee matters. The Council acknowledged that '*there were few viable contingencies in place*'.
24. The Council told us it had responded to six other complaints about lack of home care provision. Three of these were upheld because provision was not available at the time required and three were partly upheld.

Mrs A's case

25. Mrs A has physical disabilities and cannot weight bear. She is nursed in bed. Mr A is her main (unpaid) carer. The Council completed a social care assessment and Mrs A had a care and support plan stating home care would meet her eligible needs. She received a package of home care of four calls a day delivered by an agency arranged and funded by the Council. The home care package was suspended when Mrs A went into hospital for an operation on her hip. Following successful surgery, Mrs A was ready to be discharged from hospital on 9 June 2015.
26. The brokerage team contacted potential home care providers asking if any would take on Mrs A's package. Bloomsbury Homecare could not take on her package as there was no capacity for calls by two carers, as required here.
27. The brokerage team noted on 15 June that they had contacted 11 home care providers asking if they could take on Mrs A's package.
28. On 17 and 22 June, the brokerage team contacted 10 home care providers offering incentives (mileage payments) to take on Mrs A's care package.
29. On 24 June, the brokerage team contacted 12 home care providers. None had capacity in the area of the county where Mr and Mrs A lived. Mrs A's social worker emailed the brokerage team to say the case was urgent to facilitate Mrs A's discharge from hospital. A social worker visited Mrs A in hospital and went through the care and support plan with her. The social worker explained Mr A was looking at a care home for her. Mrs A said she was not sure about this. The social worker explained she was also looking for a home care provider for Mrs A.
30. The brokerage team emailed Bloomsbury Homecare on 29 June. Mrs A was on its waiting list.
31. Mrs A remained in hospital. There continued to be no home care available for her. So officers began looking into vacancies in care homes. Mr A rejected a couple of possible homes as unsuitable (one because it was too far for him to travel to). On 30 June, the Council offered Mrs A a bed in a residential care home out of county. Mr A had been involved in selecting the care home. The social worker's managers approved the placement, and the case notes indicate officers set up a spot contract (one-off contract) with the care home.
32. On 2 July, the brokerage team contacted Bloomsbury Homecare about picking up Mrs A's care package. On 6 July, the brokerage team contacted other home care providers and offered them enhanced rates.
33. A social care assessment dated July said Mrs A had had a right hip replacement and needed a package of care to return home consisting of four care calls a day, each with two carers. Mrs A could communicate her wishes and views. She needed meals and drinks prepared for her. She could eat and drink independently. She could not weight bear

and was bed bound. Mrs A was eligible for support because she had significant difficulties in:

- managing and maintaining nutrition;
- maintaining personal hygiene;
- managing toilet needs; and
- being appropriately clothed.

As a result of these difficulties there was a significant impact on her wellbeing. There was no mention of the costs of care on the assessment form.

34. Mrs A moved into a room on the care home's dementia unit on 7 July. Mrs A does not have dementia. The weekly cost of the deficit bed was about £554. A social worker later visited Mrs A in the care home and noted Mrs A was locking herself in her room because other residents, who had dementia, were wandering in and out. Mr A visited her every day.
35. On 27 August, the social worker spoke to Mr A and noted that '*Mrs A was on the dementia unit which is a problem*'.
36. The brokerage team chased Bloomsbury Homecare and other providers weekly in July and August. There was no record of any liaison between the brokerage team and potential home care providers in October; one contact in September and two in November.
37. On 26 November, Mrs A's physiotherapist contacted the Council to say her condition had improved and she only needed one carer and not two. The brokerage team re-contacted potential providers with these new details.
38. On 22 December, Mr A went to the Council offices to speak to the social worker. The social worker noted they '*discussed the deficit bed and how this is now having a detrimental effect on the improvement and wellbeing of Mrs A.*' Mrs A had been moved to a different room in the care home and was no longer on the dementia unit. They spoke about direct payments for Mrs A's care.
39. On 12 January and 3 February 2016, the brokerage team contacted Bloomsbury Homecare. There was no progress and Mr A complained to the Council.
40. On 5 February, the social worker noted Mr A did not want to employ carers directly himself. She left a message asking Mr A to get costs from other agencies. Mr A told the social worker he was not sure about direct payments. On 24 February, he said Mrs A was emotionally affected by not having a date to return home. During February the brokerage team chased up potential home care providers three times.
41. On 2 March, the social worker and Mr A spoke. Mr A had been making enquiries with home care providers. The charges were noted to be higher than those the Council set for

home care. The social worker said the Council's rates were 'quite rigid'. Mr A asked why the Council could not use the extra money it was paying for residential care towards Mrs A's home care instead. The social worker later raised this with her manager.

42. On 16 March, Mr A gave the social worker details of an out of county agency which had carers available in his area. The charge was £15 an hour. The social worker spoke to the agency which confirmed this. The Council told us Mr A could have had a direct payment to use this agency, but he did not want this. The Council told us it would not spot contract with the agency because "*the request was not commercially viable as the purpose of the prime provider model was to stabilise the market and increase capacity for all users. There was no commercial option to spot contract unless there were exceptional specialist needs*". The Council also told us spot contracting may have undermined prime providers' confidence in their contracts with the Council and so the benefits of the model may have been jeopardised.
43. On 18 March, an internal email noted Bloomsbury Homecare may have a vacancy. Further contacts by the brokerage team indicated the agency had a new carer starting.
44. On 5 April, Mr A told the social worker Mrs A felt imprisoned in the care home.
45. On 7 April, Bloomsbury Homecare offered a start date of 15 April.
46. There was then a delay in getting Mrs A home because of problems sourcing an appropriate pressure-relieving mattress for her. Mr A wanted one brand of mattress, which the NHS would not provide. This delay was not the Council's fault because it was not responsible for providing pressure mattresses. Mrs A returned home and Bloomsbury Homecare started providing care to her on 16 May.
47. Payments of Mrs A's attendance allowance stopped during the period she was in residential care. This is in line with the rules on eligibility for this state benefit.
48. Mrs A's care and support plan of June 2016 says she was to receive one call a day of 45 minutes no later than 8.45am for assistance with personal care. (The difference between the assessment of July 2015 and this later care plan was that Mrs A's condition had improved and Mr A said he could manage with only one call a day.) The care and support plan said Mrs A was to be cared for in bed and to receive help to: change into fresh nightclothes, use the bed pan, apply creams to her skin and encourage repositioning (Mrs A could reposition herself on the bed). Mr A would support Mrs A with everything else. The weekly cost of care was £72.71 (5.25 hours at £13.85 an hour).

Mr A's complaint to the Council

49. Mr A complained to the Council about Mrs A's loss of attendance allowance and about other matters not raised with us. The Council's response to his complaint says:
 - there was no home care provider available and it was sorry for this;
 - the care home placement was not the preferred alternative but it did meet Mrs A's needs;

- the Council would pay the full cost of the care home;
 - officers remained in regular contact with home care providers to find her a service; and
 - attendance allowance stopped because Mrs A did not meet the criteria for payment. She was first in hospital and then in a care home on discharge so was not entitled.
50. Mr A told the Council he had a 30 mile daily round trip to visit Mrs A and that he and his wife suffered mental anguish and anxiety about not being at home together.

Conclusions

The home care commissioning model

51. The Council considers section 5 of the Care Act 2014 (see paragraph 15) does not oblige it to ensure the market in Lincolnshire provides for every individual's specific needs or that they receive a specific form of care and support. We accept the Council's argument. We consider the Council is entitled to have a panel of agencies to carry out its duty to meet eligible needs under Sections 8 and 18 of the Care Act 2014.
52. The Council said an individual spot contract may have threatened providers' confidence in their prime provider status. We consider the risk of undermining the market in this way is a persuasive explanation for the Council's reluctance to use an off-panel agency. We also note that Mr and Mrs A could have engaged an agency of their choice using a direct payment, although we also appreciate managing a direct payment involves a degree of responsibility which not everyone is willing to accept. On balance, we are satisfied there was no fault in the Council's decision not to spot contract because of the danger of threatening prime providers' status. Nevertheless, the Council accepted in response to a draft of this report that the balance of care planning considerations for Mrs A were such that her needs should have taken precedence over the concerns it had over spot-contracting outside the prime provider model at an earlier stage.

The Council's scope to meet eligible care needs in a way that is different from the care and support plan

53. Section 27 of the Care Act 2014 required the Council to keep Mrs A's care and support plan under review and to revise it where circumstances changed in a way that affected the plan. This was to ensure the plan remained up to date. Circumstances had changed since the care and support plan was issued because there was no agency with enough capacity to provide the home care services set out in the plan. In order to keep the plan up to date, the Council should have revised it and it was at fault for failing to do so, especially when the problem with home care capacity persisted for 10 months.
54. Although the Council was at fault for not reviewing the care and support plan, we are satisfied the Council tried to engage with Mr and Mrs A to try and reach an agreement in relation to how Mrs A's needs should be met; although agreement was not achieved. The High Court has confirmed that an individual's wishes are not the same as their needs and are not the paramount consideration. Both the assessment of Mrs A's needs and the decision on how to meet those needs were decisions for the Council. Had the Council

correctly reviewed the care and support plan at the right time, more likely than not a residential placement would have been arranged. There was no absolute duty on the Council to arrange home care for Mrs A.

55. Mrs A did not have dementia yet was placed on a dementia unit for several months and had to lock herself in her room for safety to prevent other residents coming in her room uninvited. We do not consider a room on a dementia unit was a suitable way of meeting the needs of a woman who had physical disabilities but no cognitive impairment. Although Mr A was involved in choosing the placement, the Council has accepted this was fault and agrees it should not have arranged residential care for Mrs A in a dementia unit.

Injustice

56. The fault meant Mrs A lived in a dementia unit initially which did not give her optimal control over her immediate environment. And the Council accepts she remained in what was identified as a short-term placement, for too long. This caused avoidable distress. The case records evidence Mrs A suffered increasing frustration and distress at being interrupted by other residents and also in being separated from her husband and not being in her own home. And Mr A also suffered distress and incurred daily travel expenses in visiting his wife, which he would not otherwise have incurred.

Decision

57. The Council was at fault when it allowed Mrs A's placement in residential care to continue for 10 months and placed Mrs A in a dementia unit. Further, the Council was at fault for failing to act in line with the Care Act 2014 by not revising Mrs A's care and support plan when circumstances changed. The fault meant Mr and Mrs A could not live together as a married couple for 10 months. This caused avoidable distress and Mr A incurred daily travel expenses in visiting his wife.

Recommendations

58. To remedy the injustice, within three months of this report, the Council should:
- pay £750 to Mr A to reflect his distress. This is in line with our Guidance on Remedies;
 - pay £1000 to Mrs A to reflect her distress. This is in line with our Guidance on Remedies;
 - refund Mr A's travel expenses based at the Council's rate for mileage based on visits every day for the period 9 June 2015 to 15 April 2016.

The Council has accepted the above recommendations.

59. Mr A considers the Council should pay for a welfare benefit Mrs A missed when she was in the care home. We do not consider there are grounds to recommend this because there is no direct causal link between the fault and the loss. Mrs A's benefit stopped because of another public body's rules on eligibility that cannot fairly be attributed to the Council's fault. Attendance allowance is payable to meet care needs. Those needs were being met by the council-funded placement during the 10-month period it ceased, albeit not in the way Mr and Mrs A wished.

60. Our powers to enquire into other cases enable us to investigate wider matters which emerge during an investigation if it appears another member of the public, who has not complained, has suffered injustice. The Council says we have not investigated similar cases who have not complained to us and so have no power to make any wider recommendations beyond those concerned with Mr and Mrs A.
61. We do not share the Council's view. We sought explanations from the Council about the number of people cared for in deficit beds. We also asked the Council about others who have made similar complaints. The Council's correspondence suggests others may be in a similar position.
62. Our powers allow us to recommend a council takes action to prevent future injustice as a result of similar fault. This is a power to make preventative recommendations as well as remedial ones. The Council has agreed to carry out a review of any short-term residential care placements between the start of the new home care contract and the date of this report to establish whether they were deficit beds and if they were, whether the placement was for more than the Council's short-term care period of eight weeks. If the deficit placement was for longer than eight weeks, the Council will consider payments for avoidable distress and/or travelling expenses where appropriate.
63. For those people it identifies as still being in deficit beds for longer than eight weeks, we recommend the Council takes all reasonable steps to source suitable home care providers and ensure care and support plans are up to date.
64. The Council should report back to us within three months on how it has implemented the recommendations in paragraphs 62 and 63.
65. We consider it to be in the public interest to publish this report because we have identified potential injustice sustained by others and to highlight the issues surrounding new commissioning models to other councils who may be considering implementing them.

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

Report to:	County Council
Date:	15 September 2017
Subject:	Lobbying for a Fair Deal for (Greater) Lincolnshire

Summary:

At its meeting on 12 July 2017 the Council gave its support to a proposal to engage in a lobbying strategy to achieve an improved funding deal for the Council moving forward.

In engaging with other Councils in the Greater Lincolnshire area it is clear that not just the County Council but also other councils and public bodies in Greater Lincolnshire have experienced consistently low relative levels of central government financial support over a long period.

With a new government now in place the time is considered right to re-engage with relevant stakeholders to lobby for additional funding not just for Lincolnshire County Council but more widely for the Greater Lincolnshire area.

This report seeks endorsement from the full Council on this wider approach to the lobbying strategy supported in July and sets out the underlying case for additional funding across the wider Greater Lincolnshire area.

Recommendation(s):

That this Council supports the proposal to engage in a lobbying strategy to achieve an improved funding deal, not just for Lincolnshire County Council but also for Greater Lincolnshire going forward in line with the contents of this report.

1. Background

1. The pre-June 2017 Government was engaged in a substantial exercise to rebase local government funding. That initiative was based on 100% localisation of business rates by 2020 together with a resetting of the funding baselines for all local authorities – this was known as the fair funding initiative. Legislation to deliver this initiative was progressing through Parliament at the time the June 2017 General Election was declared. That

legislation fell by the way as Parliament was wound down and no replacement legislation has featured in the recent Queen's Speech which sets the legislative programme for the next two sessions of Parliament.

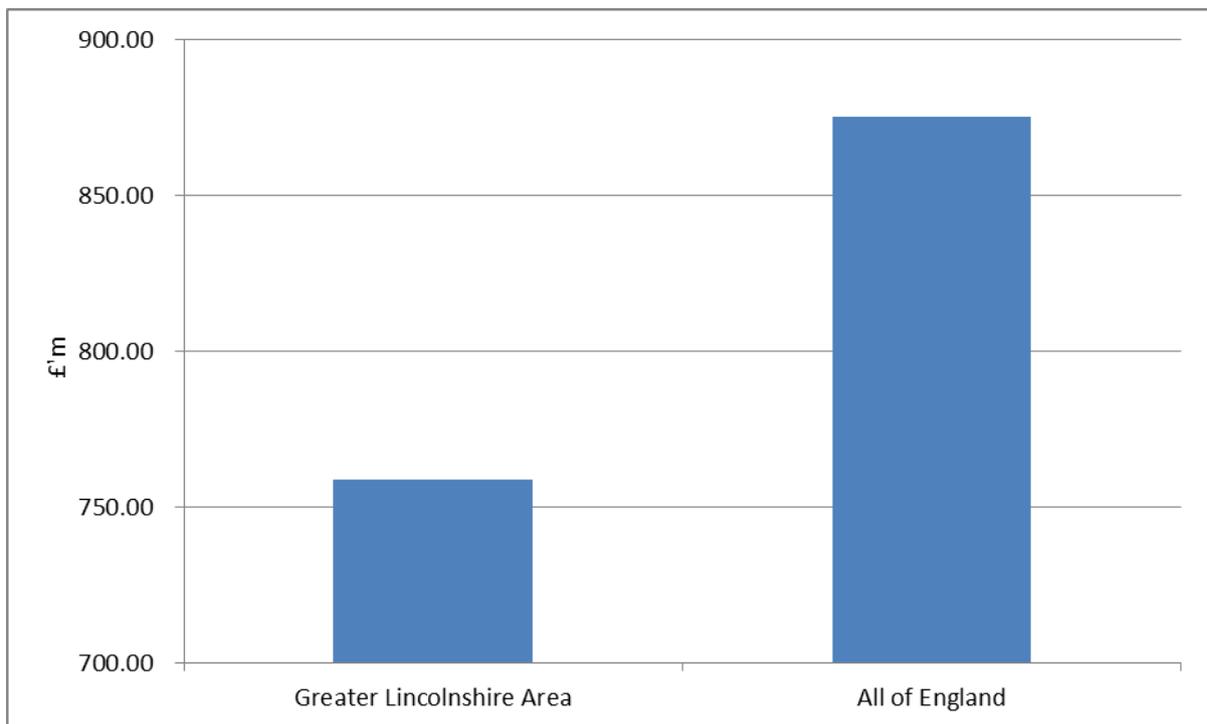
2. The basis of funding local authorities has not materially changed since the introduction of partial business rate localisation in 2013. It is widely accepted that such matters as both absolute and relative changes in demography and other key cost drivers means that the current distribution of resources is no longer a fair reflection of underlying need.
3. There are, in effect, two distinct issues on which lobbying is required. Firstly, there is the issue as to whether the total amount of funding allocated to the local government sector is sufficient given increased service pressures coupled with ongoing reductions in government funding. It is still suggested that on these matters lobbying is best undertaken at a national level with cross sector bodies such as the LGA, Council Networks (such as CCN but also DCN to reflect a Greater Lincolnshire focus) and the Treasurer's Societies being best placed to lead on that work. In a report titled 'Future Funding Outlook for Councils 2019/20' published earlier this year the LGA estimates a cross local government funding gap of £9.5bn by 2019/20 if nothing changes. Secondly, there is the case for an additional share of the national funding allocation for this Council and for Greater Lincolnshire. It is in that regard that the proposals set out in this paper are framed as this Council needs to be proactive in making its case with the relevant stakeholders alongside the other Councils in the Greater Lincolnshire area to ensure that the area as a whole is treated more fairly.
4. The DCLG have made the following statement regarding their intentions for reviewing local government funding in the new Parliament:

'I am emailing because as you will have no doubt seen, the Queen's Speech did not include a new Local Government Finance Bill and so it will not form part of the Parliamentary timetable for this session. However, Ministers remain committed to local government taking greater control of their income, as outlined in the Manifesto. We are engaging Ministers on the options for future reform without an immediate Bill and we will be touch once we are in a position to resume working with you on the future of local government finance reform. In the meantime, I wanted to thank you for all your constructive work on this issue, and I look forward to working with you in future.'

'Ministers also remain determined to address concerns about the fairness of current funding distributions. They have reaffirmed their commitment to a thorough, evidence-based review and we will continue to work with the LGA and local government on this.'

5. The DCLG's timeframe for undertaking this work is not presently clear but an element of clarity is expected over the next few weeks. The Councils of Greater Lincolnshire need to be prepared to make their contribution into whatever process emerges.
6. How does Greater Lincolnshire funding compare with other authorities?
 - 'Core spending Power' measures the total revenue resources available to a council. It comprises: revenue support grant, business rates, council tax and some specific grants (including, where relevant, the improved Better Care Fund, New Homes Bonus and Rural Services Delivery Grant.)
 - Revenue core spending power for the Greater Lincolnshire Area in 2017/18 is £1,565 per dwelling in the area (*1). The average funding per dwelling across the whole of England is £1,805 per dwelling (*2). If the Greater Lincolnshire Area was funded at this average level it would mean an additional £116m coming into the area.

Core Spending Power based on the number of Dwellings in Greater Lincolnshire



(*1) This is based on spending for Lincolnshire County Council, the seven Lincolnshire district council's and the two unitary authorities plus their share of Humberside Fire and Rescue).

(*2) This is based on all authority types – shire areas, unitary authorities, metropolitan authorities and London boroughs.

7. Given this situation and the intention expressed in the above DCLG comment regarding acceptance of the need to undertake an evidence based review of funding distribution, it is considered essential that not just the County Council but the Greater Lincolnshire Councils as a whole adopt a proactive and co-ordinated approach to lobbying for a fair share of government funding for the area and without detriment to any council.
8. It is therefore suggested that this Council fully engages alongside other Greater Lincolnshire councils, as appropriate, with national initiatives being undertaken by the Local Government Association, Council Networks etc. regarding the total amount of government funding allocated to local government services. In addition, more locally based activity is proposed that will lobby the groups listed below to facilitate their support in making the case for a fair funding settlement for the Greater Lincolnshire Region:
 - Government Ministers
 - Local MP's
 - Other public sector bodies
 - Local businesses
 - The general public
9. It is also suggested that this Council would seek to work constructively with other public sector organisations within the Greater Lincolnshire area in order to secure improved funding outcomes for all such bodies to the ultimate benefit of local residents.
10. In parallel the Council will continue to work with the LGA and other lobbying bodies to press the case for increases in the overall funding level for local government.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- * Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- * Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- * Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- * Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- * Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- * Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

These matters have been considered and there is not considered to be any direct impact of the decisions called for by this Report on the Equality Act duty or any of these strategies and obligations. The paper is aimed at lobbying for an improved funding package for the Greater Lincolnshire area and, if successful, should provide additional funding to deal with equality related matters. Funding decisions will continue to have regard to equality act obligations and the various strategies and obligations referred to as they are taken.

Joint Strategic Needs Analysis (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

The Joint Strategic Needs Analysis have been considered and there is not considered to be any direct impact on this matter as a result of the decisions called for by this Report. The paper is aimed at lobbying for an improved funding package for the Greater Lincolnshire area and, if successful, should provide additional funding to assist with these obligations. Funding decisions will continue to have regard to JSNA/JHWS obligations and the various strategies and obligations referred to as they are taken.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

Section 17 of the Crime and Disorder Act 1998 have been considered and there is not considered to be any direct impact on this matter as a result of the decisions called for by this Report. The paper is aimed at lobbying for an improved funding package for the Greater Lincolnshire area and, if successful, should provide additional funding to assist with these obligations. Funding decisions will continue to have regard to Section 17 obligations and the various strategies and obligations referred to as they are taken.

3. Conclusion

All councils in Greater Lincolnshire continue to face significant budget shortfalls and pressures in future years exacerbated by reducing funding from Government. There is clear evidence that, collectively, the councils in the Greater Lincolnshire area are not presently funded on a fair basis compared to other local authorities. Given the Government is undertaking to review the funding basis for local government now is an appropriate time to undertake proactive lobbying activity to ensure a better financial deal for the people in Greater Lincolnshire as a whole.

4. Legal Comments:

The Council has the power to press its case in relation to fair funding and to do so on the basis of fairer funding for the Greater Lincolnshire area.

In issuing communications to the public or a section of the public the Council will need to have regard to the Code of Recommended Practice on Local Authority Publicity.

5. Resource Comments:

There are no material financial implications from accepting the recommendations in this report. Clearly the recommendation is, in itself, important in seeking to achieve an improved funding settlement from Government for the Councils in Greater Lincolnshire.

6. Consultation

a) Has Local Member Been Consulted?

N/A

b) Has Executive Councillor Been Consulted?

N/A

c) Scrutiny Comments

There has been no pre-decision scrutiny of this matter

d) Have Risks and Impact Analysis been carried out?

No

e) Risks and Impact Analysis

N/A

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 David Forbes, who can be contacted on 01522 553642 or david.forbes@lincolnshire.gov.uk and George Spiteri who can be contacted on 01522 552120 or george.spiteri@lincolnshire.gov.uk .

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