

**EXECUTIVE
 4 JULY 2023**

PRESENT: COUNCILLOR M J HILL OBE (LEADER OF THE COUNCIL)

Councillors Mrs W Bowkett (Executive Councillor for Adult Care and Public Health), R D Butroid (Executive Councillor for People Management, Legal and Corporate Property), C J Davie (Executive Councillor for Economic Development, Environment and Planning), R G Davies (Executive Councillor for Highways, Transport and IT) and D McNally (Executive Councillor for Waste and Trading Standards)

Councillors: T J N Smith attended the meeting as observers

Officers in attendance:-

Debbie Barnes OBE (Chief Executive), Justin Brown (Assistant Director Growth), Nicola Calver (Member Services Manager), Andrew Crookham (Executive Director Resources), Leanne Fotherby (Commercial & Procurement Manager), Lucy Gavens (Consultant - Public Health), Fergus Gilmour (Commercial and Procurement Manager), Michelle Grady (Assistant Director – Finance), Caroline Jackson (Head of Corporate Performance), Heather Sandy (Executive Director of Children's Services), Jayne Sowerby-Warrington (Assistant Director - Corporate Property), Professor Derek Ward (Director of Public Health), Rachel Wilson (Democratic Services Officer) and Stuart Wright (Contract Manager)

7 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mrs P A Bradwell OBE, Executive Councillor for Children's Services, Community Safety, Procurement and Migration, and Councillor L A Cawrey, Executive Councillor for Fire and Rescue, Emergency Planning and Cultural Services.

Apologies were also received from Andy Gutherson, Executive Director – Place and Glen Garrod, Executive Director - Adult Social Care and Community Wellbeing.

8 DECLARATIONS OF COUNCILLORS' INTERESTS

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

9 ANNOUNCEMENTS BY THE LEADER, EXECUTIVE COUNCILLORS AND EXECUTIVE DIRECTORS

There were no announcements by members of the Executive or Chief Officers.

10 MINUTES OF THE MEETING OF THE EXECUTIVE HELD ON 6 JUNE 2023

RESOLVED

That the minutes of the meeting held on 6 June 2023 be agreed and signed by the Chairman as a correct record.

11 DEEPINGS SCHOOL LEISURE CENTRE

The Assistant Director – Corporate Property introduced a report which detailed the background and current status of the Deepings School Leisure Centre. It was reported that an options appraisal had been carried out and a number of options for the future of the building were set out within the report.

Councillor T J N Smith, Vice-Chairman of the Overview and Scrutiny Management Board, was in attendance to present the comments of the Board. It was noted that this report had been extensively debated at the meeting of the Overview and Scrutiny Management Board held on 29 June 2023. It was noted that it had been a very good debate and had been welcomed by the Board. It was also highlighted that both county councillors for the Deepings area had been present as well as the local district councillor. It was commented that it had been a very successful meeting.

During discussion by the Executive, the following was noted:

- This was the first step on the journey, but was a positive first step.
- The Leader of the Council advised that he had spoken with the local MP and if the recommendations were agreed there would be an opportunity to convene a meeting with the MP and any interested parties to see if the situation could be resolved.
- It was noted that the OSMB was very keen to see a resolution. It was hoped there would be a resolution by the end of the calendar year.
- In terms of how the decision would be made in relation to whether a third party had a viable business case, it was clarified that there would be a technical overview and a multi-disciplinary group to ensure that the right solution for the property was found.

RESOLVED

1. That Expressions of Interest (EOI) be sought for a third-party purchaser of the Leisure Centre building having a sustainable and viable business case for the refurbishment and operation of the building as a Leisure Centre.
2. That authority be delegated to the Executive Director for Resources in consultation with the Leader of the Council and the Executive Councillor for People Management, Legal and Corporate Property to take all necessary decisions and steps to (i) determine and progress the process for seeking EOI's set out in 1 above, (ii) determine whether any viable business case had been received for the refurbishment and operation of the building as a Leisure Centre as a result of the

said process, (iii) approve the making of any contribution of Council funding and (iv) if a viable business case was received and subject to approval from the Anthem Trust and Department for Education, dispose of the freehold of the building.

3. Should a successful third party fail to be found, following an Expression of Interest exercise, approval be given to the Council proceeding forthwith to demolish the Leisure Centre building.
4. That authority be delegated to the Executive Director for Resources, in consultation with the Leader of the Council and the Executive Councillor for People Management, Legal and Corporate Property, to take all necessary decisions and steps to give effect to the decision in 3 above including determining the terms and approving the award of any contract associated with such works.
5. That following a disposal as set out in 1 and 2 above, approval be given to the granting of a 125-year Academy Lease to Anthem Trust excluding the Leisure Centre building land on terms otherwise agreed with the Anthem Trust and Department for Education and in fulfilment of the statutory obligation to transfer the site of the school to the Anthem Trust.
6. That following the demolition of the Leisure Centre, pursuant to 3 and 4 above, approval be given to the granting of a 125-year Academy lease to Anthem Trust which includes the Leisure Centre building land on terms otherwise agreed with the Anthem Trust and Department for Education and in fulfilment of the statutory obligation to transfer the site of the school to the Anthem Trust

12 SUBSTANCE MISUSE SERVICES RE-COMMISSIONING

The Director of Public Health introduced a report which presented the case for re-commissioning a countywide all age Substance Misuse Treatment and Recovery Service and an all-age Family and affected-others support service and sought approval from the Executive to procure new contracts commencing 1 April 2024.

It was reported that the Council currently commissioned Substance Misuse Treatment and Recovery Services through countywide contractual arrangements with the registered charity We Are With You (With You) which had been in place since 2016 and come to an end on 31 March 2024 with no further options to extend. To support decision making about the future scope, commissioning, and procurement of these services, a comprehensive commissioning review had been undertaken. The review included learning from current service delivery, performance against contract measures and an analysis of current demand intelligence. The review findings had been considered alongside stakeholder feedback, current legislation, local and national strategies and the emerging policy landscape surrounding Substance Misuse services to inform the proposed service commissioning approach from 1 April 2024.

It was highlighted that the proposed budget for the service was £5.473m, which was protected at the 2021/22 level from the Public Health grant. It was also noted that there

would be supplemental funding of £1.9m in 2023/24 and £2.2m for 2024/25 from OHID (Office of Health Improvement and Disparities). Grant funding beyond this point was currently unknown, but it was expected that it would continue for the next six to seven years.

The new contract proposed was for an initial period of five years, with the option for a 2 + 2 extension.

Councillor T J N Smith, Vice-Chairman of the Overview and Scrutiny Management Board presented the comments of the Adults and Community Wellbeing Scrutiny Committee, following its consideration of this report at its meeting on 28 June 2023. It was noted that the comments of the Scrutiny Committee had been circulated.

Following discussion by the Executive, the following was noted:

- Clarification was sought on the differences in the commissioning approach between the existing contract and the proposed contract. Officers advised that there would be two contracts, one would be the treatment and recovery contract, which would include outreach work, and the second would be the family support element.
- It was queried how many service users there were in 2021/22 and whether there was any indication of increased numbers of people accessing the service due to the lockdowns/cost of living crisis etc, and if this was causing additional pressure in the system. Officers reported that the figures for 2022/23 had just been received and an increase of around 200 people had been seen. However, due to the national supplemental grant funding which had been received the service had been able to increase its capacity, not only to support people who were entering the service, but also to do more work within the community to help prevent people from needing to access treatment.
- It was highlighted that the work that was being done in Lincolnshire was seen as best practice. The delivery model and additional funding would give the service the capacity to help more people.
- It was reported that the authority was working closely with partners across Lincolnshire, including housing related support, to help people back into the mainstream who had become homeless through drug and alcohol use. It was also noted that a lot of people that use these services would have recurring mental health issues. The aim was to try and provide them with wraparound support.
- In terms of the percentage rate of recovery, it was noted that this depended on how early someone came into the service and what substance they used. Around one third of alcohol clients achieve their goals and leave the service within one year. At the other end there was a small cohort of around 400 individuals using opioids who had been in the Service for over six years. The Service could support this cohort to remain integrated in society/hold down a job.

RESOLVED

1. That the commissioning of a countywide all age Substance Misuse Treatment and Recovery service and a separate all age Family and Affected others support service, and the undertaking of a procurement to establish contracts to be awarded to a provider for each of the two services effective from 1 April 2024, be approved.
2. That authority be delegated to the Executive Director of Adult Care and Community Wellbeing, in consultation with the Executive Councillor for Adult Care and Public Health, to determine the final form of the contracts and to approve the award of the contracts and the entering into of the contracts and other legal documentation necessary to give effect to the above decision.

13 RE-COMMISSIONING OF PROPERTY SERVICES

The Executive Councillor for People Management, Legal and Corporate Property introduced a report which outlined the re-commissioning recommendations for the various property services which were delivered under a contract with Vinci which was due to expire on 31 March 2025. It was commented that the recommendations contained within the report would make progress towards solving some of the frustrations with the way some of the property services were delivered.

The Assistant Director – Corporate Property summarised the report and advised that it set out the director of travel for when the existing property services contracts with Vinci and Kier ended in 2025. It was planned that the new contract would make the authority more responsive with some of the works.

It was proposed that the Council moved away from one large contract, and the new approach would result in two contracts, one for facilities management and one for professional services. It was also proposed to insource the estates and data teams. This should give more assurance around property transactions.

The Vice-Chairman of the Overview and Scrutiny Management Board was in attendance and presented the comments of the meeting of the Board held on 29 June 2023. It was commented that the Board had had a very full debate on this report and it noted that it was a very good report, and the new approach was supported. The Board believed that the new contracts would enhance the way that smaller jobs were dealt with.

It was commented that the original contract had been created some time ago and it was the right approach now to have two separate contracts, and it would be beneficial to have some of these things more directly under the control of the Council.

RESOLVED

1. That the re-procurement of Property Services based upon two separate contracts for (i) Facilities Management (FM) and (ii) Professional Services respectively using the NEC4 form of contract, be approved.
2. That the insourcing of the following services be approved:
 - (a) The Estates and Property Data service
 - (b) FM – Energy and Environmental management services
 - (c) The FM Asbestos management services
 - (d) Professional Services Technical Support (Technical Project Managers, Clerk of Works, Quantity Surveyors)
3. That authority be delegated to the Executive Director – Resources, in consultation with the Leader of the Council and the Executive Councillor for People Management, Legal and Corporate Property, to take all decisions necessary to
 - (a) Conduct the procurement processes referred to in recommendation 1 up to and including the award of contracts; and
 - (b) Manage the transfer of services referred to in recommendation 2 back to the Council.

14 REVIEW OF FINANCIAL PERFORMANCE 2022/23

The Assistant Director – Finance presented a report which described the Council's financial performance in 2022/23 and reported on the underspends of £12.79m on Council budgets and £17.076m on Schools Budgets; identified and explained variances from the Council's revenue and capital budgets; made proposals for the carry forward of over and under spends into the current financial year 2023/24.

In terms of the Council's revenue budget, the overall underspend was £12.7m. This was different to what was reported in quarter 3, where an underspend of £1.6m was forecast. The main difference was due to additional Section 31 grant that was received from government in relation to business rates, which hadn't been planned for, and so it had also been possible to offset the overspend on school transport with the use of contingency which significantly impacted on the final balance of underspend.

In terms of the capital programme, the net underspend was £49m, but it was important to note that the majority of the variances were due to time slippages in the delivery of the major schemes, rather than project underspends. This would be picked up as part of the budget setting process. The report also set out the use of the Development Fund and paragraph 1.45 set out the proposed use of the additional money that was put into the development fund as part of the budget setting process. It was highlighted that the key point in the report was the planned use of carry forwards and underspends which was set out in Table E on page 113. It was proposed that the residual balance of the underspend, of

around £10m, was allocated to the Development Fund so it could be made available to support investment in emerging Council priorities.

It was confirmed that there had been no indication that the Council would receive the additional grant from the Government. The council relied on the figures provided by the district councils in relation to the collection of council tax and business rates, and this information was then used to set the budget. The government had been provided some support to small businesses and the grant had come as compensation for the reduction in the collection of business rates.

It was noted that in terms of the budget, the Council was in a good place, however, caution should still be exercised as there could be changes in government in the coming years, which could lead to changes in the funding formula.

Officers were congratulated for ensuring the council stayed within budget as it was acknowledged that there were pressures to be managed.

RESOLVED

1. That the carry forwards and transfers to reserves set out in paragraphs 1.53 and 1.54 of the report, which are made in line with the Council's Financial Regulations, be noted.
2. That the following be recommended to the County Council:
 - (a) The overspends under 1% in Place (£0.170m) and Fire and Rescue (£0.028m) are not carried forward but instead funded from the underspend above 1%; and
 - (b) That the proposals in paragraphs 1.55 and 1.56 and Table E, relating to the treatment of the underspend remaining after the carry forwards referred to in recommendation 1 and the funding of overspend referred to in recommendation 2 (a) be approved.
3. That the transfers to and from reserves carried out in 2022/23 as set out in the Table G be noted.
4. That the financial performance in 2022/23 as set out in Table B (Key Financial Performance Measures), Table C (Revenue Budget Final Outturn), Table D (Net Capital Programme Summary Outturn) and Appendix D (Prudential Indicators), be noted.
5. That the use of the £8.7m transferred to the development fund as part of the 2023/24 budget setting process generally, be approved for the purposes as set out in paragraph 1.45 of the report.

15 CORPORATE PLAN SUCCESS FRAMEWORK 2022-23 - QUARTER 4

An overview of the performance against the Corporate Plan as at 31 March 2023 was introduced by the Head of Corporate Performance, and she reported that of the 35 activities due to be reported in quarter 4, all were rated as progressing as planned.

In terms of Key Performance Indicators (KPI's), 31 could be compared with an updated position for quarter 4 reporting, of these 71% were either exceeding or achieving target. Of the five KPI's which were exceeding target, three of these were also reported in quarter 3 as exceeding target.

All of the contextual measures (those where an actual target was not set but would be given a RAG rating by the Executive Director) were all rated as green.

Of those measures which were not achieving target, six had also not achieved target in quarter 3, including measures around waste, good and outstanding schools and sickness absence. Contacts resolved at early resolution continued to be a focus and the target was being adjusted for the 2023/24 framework to be more realistic. There were three new measures in quarter 4 which were not achieving target and they all related to academic achievement data. It was noted that these measures were impacted by Covid and the closure of nursery provision as well as the introduction of a new assessment framework in 2021.

Appendix B to the report contained the proposed Corporate Plan Success Framework for 2023/24, and all of the targets included in this now have portfolio approval.

The Vice-Chairman of the Overview and Scrutiny Management Board was in attendance to present the comments of the Board following its consideration of this report at its meeting on 29 June 2023. It was commented that it was likely that the recycling rate was being impacted by the fact that not all of the districts were collecting paper and cardboard separately. It was also commented that some of the waste targets not being met may not be a negative as it may mean that people are generating less waste. It was noted that the main concern was the educational attainment measure as it was not something that the Council had control over.

During discussion by the Executive, the following was noted:

- It was noted that for some measures around expectations for children's achievements, performance was not where it should be despite the good efforts of the team. It was queried whether there was a need to push for a change in the structures so that the authority could have the control of this process. Officers acknowledged that there was frustration around the system, and exam boards had made it clear that there would be a return to higher expectations in terms of results. Covid and the closure of schools had had an impact on children and young people, and it would take a long time before things returned to normal. The government

were investing in Covid recovery funding which would go direct to schools and schools were implementing this so the Council did not have the specific details of this.

- The Oflog website had launched the previous evening, and it currently had a focus around waste, adult care and finance. There was a need to examine which performance indicators were meaningful for Lincolnshire, and provide challenge back to government if the Council did not think they were meaningful. It was noted that it was not the intention for this to be perceived as a 'league table' for local authorities, although there was a view within the sector that it would be perceived that way.
- In terms of some of the waste indicators, there was a difficulty in that it was not possible to control what materials people brought to the household waste recycling centres. It was also noted that Lincolnshire was not the only council that did not meet the 50% target, and those that did tended to be in urban areas, or were unitary authorities.
- It was highlighted that the fact that only 3% of Lincolnshire's waste went to landfill was much more of a good news story.
- The Executive was advised that the direction of travel in terms of performance continued to be positive across the corporate priorities.
- It was highlighted that sickness absence rates were falling, and it was hoped that the next set of figures would take the rate below target. The majority of sickness absence was within the bracket of mental health. The Assistant Director – HR and Organisational Support had been tasked with looking at what support the Council was offering to staff and how it could be improved to help staff get back to work and provide and necessary ongoing support.

RESOLVED

1. That the performance for Quarter 4 2022-23 as at 31 March 2023 be noted.
2. That the success framework in Appendix B of the report, which sets out the key performance indicators and targets/ambitions, be agreed along with all the activities which will underpin the delivery of the Corporate Plan and will be reported on in 2023-24.

The meeting closed at 10.53 am