

**EXECUTIVE
 5 MARCH 2024**

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

Councillors Mrs P A Bradwell OBE (Executive Councillor for Children's Services, Community Safety, Procurement and Migration) (Deputy Leader), Mrs W Bowkett (Executive Councillor for Adult Care and Public Health), R D Butroid (Executive Councillor for People Management, Legal and Corporate Property), L A Cawrey (Executive Councillor for Fire & Rescue and Cultural Services), C J Davie (Executive Councillor for Economic Development, Environment and Planning), R G Davies (Executive Councillor for Highways, Transport and IT), D McNally (Executive Councillor for Waste and Trading Standards) and Mrs S Woolley (Executive Councillor for NHS Liaison, Integrated Care System, Registration and Coroners)

Councillors: A N Stokes attended the meeting as observers

Officers in attendance:-

Debbie Barnes OBE (Chief Executive), Will Bell (Chief Legal Officer), Pam Clipson (Head of Finance, Adult Care and Community Wellbeing), Andrew Crookham (Executive Director Resources), Andy Fox (Public Health Consultant), Michelle Grady (Assistant Director – Finance), Andy Gutherson (Executive Director Place), Alina Hackney (Senior Strategic Commercial and Procurement Manager - People Services), Caroline Jackson (Head of Corporate Performance), Neil McBride (Head of Planning), Martin Samuels (Executive Director - Adult Care and Community Wellbeing), Heather Sandy (Executive Director of Children's Services), Nigel West (Head of Democratic Services and Statutory Scrutiny Officer), Rachel West (Contract Manager) and Rachel Wilson (Democratic Services Officer)

62 APOLOGIES FOR ABSENCE

There were no apologies for absence

63 DECLARATIONS OF COUNCILLORS' INTERESTS

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

64 ANNOUNCEMENTS BY THE LEADER, EXECUTIVE COUNCILLORS AND EXECUTIVE DIRECTORS

There were no announcements by the Leader, Executive Councillors or Chief Officers.

65 MINUTES OF THE MEETING OF THE EXECUTIVE HELD ON 6 FEBRUARY 2024

RESOLVED

That the minutes of the meeting held on 6 February 2024 be signed by the Chairman as a correct record.

66 NATIONAL GRID: GRIMSBY - WALPOLE 400KV ELECTRICITY TRANSMISSION LINE AND SUB-STATIONS - LINCOLNSHIRE COUNTY COUNCIL RESPONSE TO FIRST NON-STATUTORY CONSULTATION

Consideration was given to a report which set out the basis of the County Council's objection to the non-statutory consultation held between 18 January and 13 March 2024 by National Grid Energy Transmission (NGET) for the proposed Grimsby to Walpole new 400kV electricity overhead transmission line and associated substations.

Councillor C J Davie, Executive Councillor for Economic Development, Environment and Planning introduced the report and noted that National Grid had briefed the Executive after its meeting in January, where information in relation to the financial costs of the three options had been requested by the Executive. The Executive Councillor advised that this information had so far not been forthcoming from National Grid.

The Head of Planning presented the report and advised that the report provided an outline of the information which had been provided by National Grid, it also set out the procedure for the Development Consent Order (DCO) process. It was noted that this would be a long process, with the application due to be submitted in 2027. This was the first stage of the consultation, and there would be at least two more stages at which the Council would be able to provide comment.

During discussion by the Executive, the following was noted:

- The Head of Planning provided a more detailed explanation of the DCO process. It was explained that the developer would come forward with their proposals and would go through a number of different rounds of consultation. They had started with a non-statutory consultation, which was very high level and set the scene for what their proposals were and the preferred route. This stage would gather feedback so the developer could look at narrowing the route down for the next stage. It was expected that the next stage of consultation would take place towards the end of 2024/start of 2025, this would have a more definitive route and involve undertaking surveys of the natural environment, historic environment etc.. The statutory consultation would take place in 2025 where the developer would have more details about the needs of the proposal. It was expected that the application would be submitted in 2027 and there would be a six-month examination period where interested parties could register to take part. The period from application to decision was expected to take around 12 months, with a decision expected in 2028.
- It was commented that National Grid were consulting on their preferred option. It was recognised that there was a need to get the power from the wind farms in the North Sea to where it was needed. The query was whether National Grid had already ruled out the sub sea option due to cost.

- Officers advised that the second recommendation on this report was that the Council reviewed the strategic options and obtain further information. The developer had jumped to the conclusion that pylons were the most suitable solution. There was a high level of concern that other options had not been fully considered. The Executive Councillor for Economic Development, Environment and Planning was liaising with a number of MPs to put together a letter.
- It was commented that energy stability was something which should be supported and there was a need to transport power to the east coast. However, members found it concerning that for Scotland and other areas National Grid were proposing an undersea route which would then come onto land in North East Lincolnshire. It was noted that there would be no local benefits from this.
- There were concerns about how many additional substations to the ones proposed may be needed.
- The social and financial impacts on communities would be huge. These would be costs that the county council and district council would need to pick up.
- The consultation document listed energy items which would be needed, and it was queried whether it was known what they were or how large they would be, as this would not just be pylons, other developments and infrastructure would be needed. Officers advised that so far they were only aware of one or two of these other developments.
- There would be many parishes which would be directly and negatively affected by this proposal.
- It was queried why the cable could not go undersea all the way to Walpole.
- There were various points along the route that passed through county farms land and the tenant farmers were extremely concerned that they would lose some of their land and were looking for reassurance that this route would not pass through any county land.
- It was commented that a further issue was not just the loss of land directly underneath the pylon, but also the loss of usable land surrounding it as that land could not be used either.
- It was noted that National Grid were trying to avoid directly affecting any properties with the proposed route.
- It was queried what the current rules were regarding a safe distance from electricity pylons, and officers advised that this would come out from the report that the Council would commission.
- It was also suggested that they would interfere with mobile phone signals, as well as air traffic control. It was also queried how the MoD would be affected by this proposal. Officers advised that they would be discussing this with the Civil Aviation Authority. It was highlighted that some wind farm proposals had not progressed due to similar concerns to these.
- The Leader of the Council advised that the Council would be prepared to legally challenge the whole process if necessary.
- It was confirmed that the Council would be working in conjunction with other councils that would be affected by this proposal.

- It was commented that there had been previous successes with energy companies, for example, the proposal for Triton Knoll was originally for substations and pylons, but following consultation, the proposal was amended to underground cabling.
- It was commented that it was possible for substations to be located offshore, and the power could be routed out to sea to then join land at Tilbury in order to get the power to the south of England.
- Concerns were reiterated regarding the additional infrastructure that would be needed which could have significant negative effects on towns in the east of the county, as well as concerns that some of the best land in the county could be lost permanently.
- For clarity, it was noted that for 100kv pylons, a 100m safe zone was needed from them, which meant a 200m wide corridor through the countryside.
- It was highlighted that councils in Essex and Suffolk had commissioned similar independent reviews, and officers advised they would make contact to obtain further details and start the dialogue on this.
- All members of the Executive were strongly in support of both recommendations in the report, to object any onshore overhead line proposal, and to commission an independent review of the strategic options report, which it was suggested should be carried out as a matter of urgency.

RESOLVED

1. That based on the detail set out in the report, the Council submits a formal objection to any onshore overhead line proposal;
2. That the Executive recognise and supports Officers in commissioning an urgent independent review of the strategic options report included within the consultation document to enable the Council to challenge the reasoning for the strategic options approach that dismisses the subsea and underground cabling alternatives to the proposed onshore overhead line.
3. That the Council submits a formal response with covering letter and copies it to all MP's, Secretary of State for Energy, the Chairman of Ofgem, Leaders of all District Councils and any similarly affected councils.

67 RESIDENTIAL CARE AND RESIDENTIAL WITH NURSING CARE USUAL COSTS

The Executive Councillor for Adult Care and Public Health introduced a report which detailed the process for the setting of Usual Costs for both Residential Care and Residential with Nursing Care. It was highlighted that the setting of the Council's Usual Cost was central to its compliance with statutory obligations. In particular, the rate that the Council establishes as its Usual Cost would contribute significantly to the sustainability of the market and its ability to provide sufficient places capable of meeting need. The rates were established following a comprehensive market assessment carried out in 2021. The rates underpinned the Council's Framework contract for the three year period to 31 March 2025 and incorporated an annual

review to minimise the risk of the rates losing pace with the economy, especially with the increase in national living wage.

The Executive Director – Adult Care and Community Wellbeing presented the report and advised that this was a major area of spend for the Council, and there was also a legal duty to ensure that the rates the Council paid took into account the costs of delivery. It was also noted that the rates the Council offered were not necessarily the ones that providers would accept. It was important to providers that they had as much as notice as possible regarding what the rates would be in the future, so that they could plan their businesses.

The Head of Financial Services outlined the financial impacts of the proposal which included an uplift of 7.3% to reflect general inflation and especially the increase in the National Living Wage. It was noted that the financial impact of this was included within the Council's Budget. Attention was also drawn to changes to the arrangements for responding to providers facing financial challenges, where the intention was to move away from a fixed Hardship Fund and replace this with a flexible Hardship Process. This would be open to commissioned providers to enable them to approach the Council where they were at risk of closure due to financial loss, and which would include an open book assessment to be completed between the Council and the provider. Any financial support provided would be time limited with a recovery plan agreed between both parties.

Clarification was sought in relation to the top up mechanism, and officers advised that people had a choice in where they wanted to live, and if someone chose a home that charged a price higher than the Council's rates, then they or a relative would need to cover the difference between that cost and the Council's rate. However, if the person was eligible for full funding, then the Council would have to offer a placement in a home at nil cost to the individual, even if this was above the Council's usual rate if no other suitable placement was available. Following a national campaign by the Local Government Ombudsman, the Council, like almost all local authorities, was shifting to a position where it paid the gross fee to the provider and recovered the top up from the third party. The Council had always been legally responsible for the total amount, but the switch to gross payment simplified matters for both the Council and the provider and gave protection to individuals against unreasonable increases in top up rates.

The 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 February 2024 where the Committee strongly supported the recommendations to the Executive. It was reported that the Committee had congratulated the Team involved in the detailed work on the calculations of the proposed rates; and believed that the proposals overall represented a fair price for the services. The Hardship Process was also welcomed by the Committee, as a mechanism to support residential care homes in financial difficulty.

During discussion by the Executive, the following was noted:

- The difference between the Hardship Fund and Hardship Process was queried, and officers advised that the Hardship Fund had been a fixed amount of funding set aside to assist homes with paying the additional costs of fuel, insurance and energy. The Hardship Process would be for homes to approach the Council if they were going to struggle meeting their costs, the council would go through the income and expenditure of an individual home and provide assistance where necessary. Any financial support provided would be time limited with a recovery plan agreed which would encourage financial sustainability of the home.
- In relation to the Equality Impact Analysis, it was queried why 65+ was still used as an age band as life expectancy had increased significantly. Officers advised that there was a gender imbalance as life expectancy for women was longer than that for men. It was possible to further divide the date by age beyond 65 years, and indeed the large majority of older people living in care homes were over the age of 75, however, considering the shift to older people as being 65+ was a national figure.

RESOLVED

1. That the rates set out in Table 1 in paragraph 2.6 of the report be approved as the Council's Usual Costs for both new and existing Older People service users in respect of residential, nursing and high dependency care with effect from 1 April 2024 for the year 2024/25.
2. That the rates set out in Table 2 in paragraph 2.6 of the report be approved as the Council's Usual Costs for both new and existing Learning Disability service users in respect of Band 1, Band 2 and Band 3 with effect from 1 April 2024 for the year 2024/25.
3. That the rates set out in Table 1 in paragraph 2.6 of the report be approved as the Council's Usual Costs for both new and existing Mental Health service users in respect of standard and nursing care with effect from 1 April 2024 for the year 2024/25.
4. That the rates set out in Table 1 in paragraph 2.6 of the report be approved as the Council's Usual Costs for both new and existing Physical Disability service users with effect from 1 April 2024 for the year 2024/25.
5. That the rates set out in Table 1 in paragraph 2.6 of the report be approved as the Council's Usual Costs for service users needing 1:1 care with effect from 1 April 2024 for the year 2024/25.
6. That the replacement of the Hardship Fund that operated in 2023/24 with a Hardship Process with effect from 1 April 2024 for the year 2024/25 be approved.
7. That authority be delegated to the Executive Director Adult Care and Community Wellbeing, in consultation with the Executive Councillor for Adult Care and Public

Health, to determine the detailed conditions governing the Hardship Process contained in Section 3 including the criteria for making payments.

68 INTEGRATED LIFESTYLE SERVICE CONTRACT EXTENSION

The Executive Councillor for Adult Care and Public Health introduced a report which sought authorisation for an exception to the Council's Contract Regulations to enable a 12-month extension to the existing Integrated Lifestyle Service contract, plus 3 elements of additional delivery, with the current provider until 30 June 2025. The total cost of the extension was £3,201,100.

The Consultant in Public Health presented the report and outlined the details of the services that were commissioned. It was noted that the service targeted four leading risk factors which were smoking, weight, physical activity and alcohol. There had been additional complementary elements of service delivery added to the core contract which were a Child & Family Weight Management Service, a Falls Prevention service and an Employee Challenge service for LCC staff and associated NHS partners.

The Executive was advised that this would be funded through the Public Health grant, with a contribution from the NHS. This was an important service for the NHS as it could assist in reducing demand on their services.

The 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 February 2024. The Committee supported the five recommendations to the Executive. The Committee agreed to make several comments, which whilst not directly relevant to the proposal before the Executive, they were initial views on the development of the future contract which would be effective from 1 July 2025. These initial comments would be re-considered by the Committee in October 2024. Comments included welcoming of a pilot Child and Family Weight Management Service; support for the retention of the self-referral route in the new contract along with GP referrals; support for offering the service in 19 locations; that additional funding would be useful in the supporting the development of services; the importance of the Employee Challenge was acknowledged; and finally, the deep-dive overview of the service was welcomed.

During discussion of the report, the following comments by the Executive were noted:

- This was a good programme for families, individuals and young people.
- Members were fully supportive of the proposal, however it was important to recognise that this would not produce changes overnight. There was a need to reinforce positive behaviours around lifestyle etc.
- It was queried whether the percentage of adults classed as overweight was an estimate and it was confirmed that this was an average calculated from national data, but the data could be broken down further into district level information.
- In relation to numbers of reception age children who were classed as overweight or obese, it was highlighted that schools offered healthy meals as well as exercise.

However, it was at home where the children may not have healthy meals or the opportunity to exercise. Officers advised that there were strict criteria for meals which could be served in schools, with free school meals available to all children in Key Stage 1, however, parents did not have to take up the offer of these school meals. There were also PE classes every week. Reassurance was given that schools were working hard on this. The aim of this contract was to explore how families could become involved in adopting healthy lifestyles at home, as well as at weekends and during holidays.

- It was queried whether the review could have been carried out sooner, and officers advised that this would not have been possible as the pilot programmes would not have been running for long enough and the ICB was also keen to invest in prevention programmes.

RESOLVED

1. That the extension of the Integrated Lifestyle Service contract for a period of 12 months from the 1 July 2024 to 30 June 2025, at a value of £2,717,490 be approved.
2. That the extension of the Child & Family Weight Management component for the same period, at a value of £265,610 be approved.
3. That the extension of the Strength & Balance (Falls Prevention) component at a value of £160,000 be approved.
4. That the extension of the Employee Challenge component for the same period, at a value of £58,000 be approved.
5. That authority be delegated to the Executive Director – Adult Care and Community Wellbeing, in consultation with the Executive Councillor for Adult Care and Public Health, to take all decisions necessary to give effect to the above extensions.

69 REVENUE BUDGET MONITORING REPORT 2023/24 (QUARTER 3)

The Executive Director – Resources introduced a report on *Revenue Budget Monitoring 2023/24 – Quarter 3* which provided an update on revenue spending compared with budgets for the financial year which started on 1 April 2023. The Executive Director advised that the government would be making its budget announcement the following day and any impacts to Council budgets would be reported back to a future meeting.

The Assistant Director – Finance presented the report and advised that the overall revenue position forecasted an underspend of £11.9m. this was an increase of £2.3m from the revised quarter two position and was attributed to increased income from Traffic Regulation Orders and the Energy from Waste facility.

The Chairman of the Overview and Scrutiny Management Board presented the comments of the meeting of the Board on 29 February 2024 reported that the Board had unanimously

supported the recommendations to the Executive. The Board raised a number of queries including total spending in relation to adult social care and the Better Care Fund, the increase in fostering placement costs, potential shift in pressure from Special Educational Needs and Disabilities (SEND) schools to mainstream schools, clarification on the underspend related to Traffic Regulation Orders, a potential overspend in home to school transport and also sought clarification in relation revenue funded capital investment.

RESOLVED

That the current position on the revenue budget be noted.

70 CAPITAL BUDGET MONITORING REPORT 2023/24 (QUARTER 3)

The Assistant Director – Finance presented a report entitled *Capital Budget Monitoring Report 2023/24 – Quarter 3* which provided an update on capital spending compared with budgets for the financial year which started on 1 April 2023. It was noted that a £25m underspend was forecasted, this was due to the assumption that the new developments capital contingency budget would remain unspent as well as a number of other initiatives such as the LED Replacement, Waste Transfer Station improvements and Cross Keys Bridge improvements. Budgets would need to be rephased to take account of this.

The Chairman of the Overview and Scrutiny Management Board was in attendance to present the comments of the Board following its consideration of the report at its meeting on 29 February 2024, where the recommendation to the Executive was unanimously supported. It was noted that the Board had discussed the Council's ability to absorb external shocks, such as changes in national interest rates or global events which affected commodities. Officers reassured the Board of contingency measures which were in place to handle unforeseen events which provided a level of confidence in the Council's ability to respond to and absorb such shocks.

In response to a query regarding current levels of inflation, it was confirmed that the situation was now stabilising and the Council could have a level of confidence that the contingency measures in place would be adequate to deal with any future shocks.

RESOLVED

That the position on the capital programme be noted.

71 CORPORATE PLAN SUCCESS FRAMEWORK 2023/24 - QUARTER 3

Consideration was given to a report introduced by the Lead of Corporate Performance which presented an overview of performance against the Corporate Plan as at 31 December 2023. Detailed information on performance could be viewed on the Council's website. It was noted that there were 43 activities which could be reported in Quarter 3, and of those only three were amber rated, all others were green and progressing as planned.

In terms of Key Performance Indicators (KPIs), 88% were either achieving or exceeding target, it was noted that of the nine indicators which were exceeding target, six were also exceeding in quarter 2, and three were new. It was noted that PI 15 – percentage of children in care living within a family environment was reprofiled earlier in the year to remove unaccompanied asylum seeking children from this data. It was also reported that in terms of number of businesses supported, an additional 800 businesses had been supported in Quarter 3.

Of the three measures which were not achieving target, two of these were also not achieving target in Quarter 2. Two of the measures were related to waste and recycling. It was noted that recycling at Household Waste Recycling Centres (HWRC) had dropped slightly in Quarter 3, and the slight reductions could be attributed to seasonal variations.

In terms of the contextual measures, it was highlighted that there were now 239 Section 19 investigations ongoing in quarter 3.

The 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 February 2024, where the recommendations to the Executive were unanimously supported. Comments raised by the Board included queries regarding the percentage of disabled adults employed; concerns about limited space in recycling centres, proposing a reuse centre similar to the Seagull Recycling Centre in Skegness; the inclusion of public sector volunteer managers; concerns regarding the delayed progress of extra care housing projects; queries were raised regarding the potential financial impact of the separate food waste collections and clarification was sought on potential financial burdens resulting from the Environment Act 2021.

During discussion by the Executive, the following was noted:

- It was confirmed that there were plans to open a reuse centre in Tattershall in the summer of 2024. It was noted that similar schemes were run in North East Lincolnshire, and any money made was donated to local charities.
- In relation to the delayed extra care housing projects, it was confirmed that the Welton project should be completed by the end of 2024. In relation to the site at Horncastle, work was still underway to find a suitable provider. The Chief Executive noted that there had been some issues, but they were site specific. This was an opportunity to take stock in terms of lessons learned and a review of the Strategic Needs Assessment was taking place to establish where the demand was.
- In relation to the Environment Act, it was suggested that it may be useful for the Executive to receive a briefing on any further developments and potential impacts.
- In relation to Visit Lincolnshire, it was noted that it was very pleasing that there had been a high number of visits to the website and conversions to bookings. It was noted that there was a commitment to develop green tourism in Lincolnshire.
- In terms of flood investigations, new staff were being recruited, and an ambitious target had been set to deal with all investigations by the end of August.

RESOLVED

That performance for Quarter 3 2023-24 as at 31 December 2023 be considered and noted.

The meeting closed at 12.15 pm