

**Open Report on behalf of Debbie Barnes OBE, Head of Paid Service**

Report to:	<b>Executive</b>
Date:	<b>05 February 2019</b>
Subject:	<b>Final Draft Council Business Plan 2019 - 2020</b>
Decision Reference:	<b>I016892</b>
Key decision?	<b>No</b>

**Summary:**

The purpose of this report is for Executive to consider the outcomes and measures that are the final draft Council Business Plan detailed in Appendix A and decide whether to recommend them to full Council on 22 February 2019. The Council Business Plan is part of the Budget and Policy Framework and must be approved by full Council.

**Recommendation(s):**

That:-

1. The Executive approve in principle the recommendation of outcomes and measures generally as specified in Appendix A as the Council Business Plan for 2019 - 2020; and
2. The Leader of the Council determines any changes to the said outcomes and measures to be finally recommended to full Council following discussion with Executive Councillors.

**Alternatives Considered:**

To amend the final draft Council Business Plan 2019 - 2020.

**Reasons for Recommendation:**

The final draft Council Business Plan 2019 - 2020 sets out the outcomes and measures recommended by senior managers to Members of the Executive.

## 1. Background

The format and content of the Council Business Plan remains largely unchanged from previous years, except of course for the inclusion of 2019 - 2020 targets and a small number of changes to the measures. The draft Council Business Plan is attached in Appendix A and the changes to the content are detailed in Appendix B.

The targets in the final draft Council Business Plan, that is the outcomes and measures from the commissioning strategies are based on performance information as at mid-December 2018 and some targets may be subject to change once the 2018 -2019 out turn is known. Once approved the Council Business Plan may require to be changed to reflect changes in the wider economy, the nature of demand and the consequences of any service changes. A caveat to reflect this has been included in the draft Council Business Plan 2019 – 2020, see Appendix A. Full Council in approving the Business Plan will be invited to grant a delegation to the Head of Paid Service to give effect to any change in discussion with the Leader of the Council and relevant Executive Councillors.

## Next Steps

Council Business Plan 2019 - 2020 to be finalised by the Leader and recommended for approval by Council on 22 February 2019.

## 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.

The Report presents targets and measures that are the Council Business Plan many of which relate to people with a protected characteristic including young people, older people and people with a disability. It is the responsibility of each service when it is considering making a change, stopping, or starting a new service to make sure equality considerations are taken into account and an equality impact analysis completed.

#### 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 Report presents targets and measures that are the Council Business Plan. It is the responsibility of each service when it is considering making a change, stopping, or starting a new service to have regard to the JSNA and the JHWS.

#### 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 The Report presents targets and measures that are the Council Business Plan. It is the responsibility of each service when it is considering making a change, stopping, or starting a new service to comply with section 17 of the Crime and Disorder Act 1988.

### **3. Conclusion**

The outcomes and measures in Appendix A represent the final draft Council Business Plan 2019/2020 and the Executive is invited to consider and approve the

final draft in principle for recommendation to Council with any changes being made by the Leader in light of comments from Overview and Scrutiny Management Board and discussions with Executive Councillors.

#### **4. Legal Comments:**

The Executive is asked to recommend the Business Plan to Full Council. The approval of the Council's Business Plan is reserved to full Council.

The decision as to what to recommend is lawful and within the remit of the Executive and the Leader has the necessary authority to make final changes prior to recommendation.

#### **5. Resource Comments:**

The financial resources required to deliver this plan will be included in the budget to be considered by full Council at its meeting on 22 February 2019.

#### **6. Consultation**

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

N/A

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

N/A

##### **c) Scrutiny Comments**

The draft Council Business Plan will be discussed at the meeting of the Overview and Scrutiny Management Board (OSMB) on 31 January 2019. Any comments of the Board will be presented to the Executive at its meeting on 5 February 2019.

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

No

##### **e) Risks and Impact Analysis**

Any changes to services, policies and projects are subject to an Equality Impact Analysis. The considerations of the contents and subsequent decisions are all taken with regard to existing policies.

## 7. Appendices

These are listed below and attached at the back of the report	
Appendix A	Draft Council Business Plan 2019-2020
Appendix B	Changes to Council Business Plan

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

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