

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

Report to:	County Council
Date:	22 February 2019
Subject:	Council Business Plan 2019 – 2020

Summary:

This report presents in Appendix A the outcomes and measures that are recommended by the Executive for adoption by the Council as the Council Business Plan 2019 - 2020. The Council Business Plan is part of the Budget and Policy Framework and must be approved by Council.

Recommendation(s):

That Council:-

1. approves the Council Business Plan 2019 - 2020 in the form attached in Appendix A; and
2. delegates to the Head of Paid Service in consultation with the Leader of the Council and relevant Executive Councillors authority to:-
 - (a) finalise or amend any measures in the light of 2018 - 2019 outturns; and
 - (b) approve amendments to the Council Business Plan in year to reflect changes in circumstances including changes in the wider economy; the nature of demand; and the consequences of any service changes.

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 Council Business Plan is attached in Appendix A and the changes to the content are detailed in Appendix B.

The targets in the 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. Some measures cannot be finalised in the absence of the out turn for 2018-2019. Recommendation 2 contains a delegation which would authorise the Head of Paid Service in consultation with the Leader of the Council and the relevant Executive Councillor to amend or finalise any measures in the light of the 2018-19 out turn.

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 Council Business Plan 2019 – 2020, see Appendix A. Full Council in approving the Council Business Plan are invited to grant a delegation to the Head of Paid Service to give effect to any change in consultation with the Leader of the Council and relevant Executive Councillors.

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 are recommended by the Executive for adoption as the Council Business Plan 2019 - 2020.

4. Legal Comments:

The decision to approve the Council Business Plan is within the remit of Full Council. The delegation is lawful and within the remit of Full Council.

5. Resource Comments:

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

6. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

n/a

c) Scrutiny Comments

The Overview and Scrutiny Management Board met on 31st January 2019 and considered a report concerning the Final Draft Council Business Plan 2019 - 2020. The comments of the Committee were passed on to the Executive together with responses from Commissioning Leads and considered by them in recommending the Council Business Plan.

d) Have Risks and Impact Analysis been carried out?

No

e) Risks and Impact Analysis

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 and equality impact analysis are completed.

7. Appendices

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

8. Background Papers

The following background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

Document Title	Where the Document can be viewed
Executive Report "Final Draft Council Business Plan 2019-20 dated 5 February 2019	Democratic Services
Comments of Overview and Scrutiny Management Board on Final Draft Council Business Plan 2019 -2020	Democratic Services

This report was written by Jasmine Sodhi who can be contacted on jasmine.sodhi@lincolnshire.gov.uk or 01522 552124.

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