



**EXECUTIVE
6 FEBRUARY 2024**

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), L A Cawrey (Executive Councillor for Fire & Rescue and Cultural Services), C J Davie (Executive Councillor for Economic Development, Environment and Planning), 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: M Brookes (Chairman of the Highways and Transport Scrutiny Committee) (via Teams), N H Pepper (Chairman of the Public Protection and Communities Scrutiny Committee) (via Teams) and T J N Smith (Vice-Chairman of the Overview and Scrutiny Management Board) attended the meeting as observers

Officers in attendance:-

Debbie Barnes OBE (Chief Executive), Mark Baxter (Chief Fire Officer), Justin Brown (Assistant Director Growth), Andrew Crookham (Executive Director Resources), Sam Edwards (Head of Highways Infrastructure), Michelle Grady (Assistant Director – Finance), Andy Gutherson (Executive Director Place), Linsay Hill Pritchard (Principal Commissioning Officer), Martin Samuels (Executive Director - Adult Care and Community Wellbeing), Heather Sandy (Executive Director of Children's Services), Ryan Stacey (Assistant Chief Fire Officer), Nigel West (Head of Democratic Services and Statutory Scrutiny Officer) and Rachel Wilson (Democratic Services Officer)

54 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 R G Davies (Executive Councillor for Highways, Transport and IT)

55 DECLARATIONS OF COUNCILLORS' INTERESTS

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

56 ANNOUNCEMENTS BY THE LEADER, EXECUTIVE COUNCILLORS AND EXECUTIVE DIRECTORS

There were no announcements from the Leader, Executive Councillors or Executive Directors.

57 MINUTES OF THE MEETING OF THE EXECUTIVE HELD ON 9 JANUARY 2024

RESOLVED

That the minutes of the meeting held on 9 January 2024 be signed by the Chairman as a correct record.

58 COUNCIL BUDGET 2024/25

Consideration was given to a report from the Executive Director – Resources which asked Executive to propose to full Council the Council’s budget and council tax in light of the provisional local government settlement and consultation comments on its initial proposals. The Executive was also asked to consider prudential targets in relation to capital financing and other treasury management matters.

The Executive Director – Resources introduced the report and reiterated some of the key messages following the report presented to the Executive in January 2024. He highlighted that officers were still working through the settlement and no final figure for the one off monies had been received yet. It was confirmed that in relation to the figures being presented, there would be some updates in terms of the final detail and these figures did not include the additional money the government had announced the previous week.

The Assistant Director – Finance guided the Executive through a further update to the Council Budget 2024/25, which had been circulated prior to the meeting, which set out a revised budget position following confirmation from the district councils of the Council Tax bases; Council Tax Collection fund; Business Rates Tax Base; and the Business rates Collection Fund. An updated Appendix E to the report was also circulated in advance of the meeting which included budget consultation feedback from scrutiny committees, members of the public and notes from the consultation meeting with external stakeholders.

It was highlighted that the small surplus expected from the Council Tax collection fund was now a small deficit, which was due to estimates of council tax growth. It was noted that the deficit was around £0.5m. The Executive was advised that final local government settlement had been announced and would be debated in Parliament the following day.

During discussion by the Executive, the following was noted:

- Clarification was sought regarding the deficit in the collection fund, and it was noted that districts would estimate how much council tax they expected to collect.
- It was highlighted that South Kesteven moved from a surplus position of £71,000 for 2023/24 to a deficit of £208,000 for 2024/25 for the council tax collection fund. It was confirmed that a dialogue was maintained with districts throughout the year.
- In terms of the consultation results, 1100 surveys were completed, with 54% supporting a 2.99% rise and 19% supporting the 4.99% increase in council tax. General themes of comments included cutting staff costs and carrying out road repairs. The scrutiny consultation work was supportive of the increase of 4.99% and

recognised the need to support services. It was also highlighted that the way respondents were able to access the survey had changed to allow anonymous submissions, and it was believed that this had led to an increase in responses.

- In relation to the additional £8m that the Council was expected to receive, it was queried whether there were any restrictions on this, and the Executive was advised that it would be for social care. The Council was being asked to report back regularly to government, particularly around adult social care.
- It was noted that the Government had also announced an expectation that Councils would submit a productivity plan, and would cover things such as transformation of services, good use of funding. The government had committed to providing further guidance on this.
- It was commented that Lincolnshire was within a minority of councils who were living within budget. It was queried whether there was some one-off investment the authority could make within social care which could give a permanent and long standing benefit. The Executive was advised that in terms of adult social care there were a range of programmes in place which supported prevention. They would need to be explored further to determine which could be scaled up and then down again. In relation to Children's Social Care, officers were always looking at how risk could be reduced, e.g. children's home provision and bringing that provision in house in order to protect the council from market vulnerability.

RESOLVED

1. That the effect of funding available and revenue expenditure position as noted in paragraphs 1.54 – 1.55 and Table B of the report, supported by additional information in Appendix H and the document entitled "Update to the Council Budget 2024/25 report to the Executive 06 February 2024" ("the Update") be noted.
2. That the Equality Impact Analysis at Appendix A of the report and the consultation and engagement as shown in Appendix E as supplemented prior to the meeting be noted.
3. Subject to recommendations 4 and 5 below, that the below be recommended to full Council:
 - a) The revenue budget for 2024/25 proposed in Table B of the report, with funding and transfers to or from earmarked reserves as amended in Table A of "the Update".
 - b) The capital programme for 2024/25 proposed in Table C and Appendix B of the report.
 - c) The levels of council tax proposed in Table D and shown in Table D of the report including the increasing of council tax in 2024/25 by 4.99% inclusive of 2% for Adult Social Care.

- d) The prudential indicators for 2024/25 shown in Appendix D of the report.
 - e) The Medium Term Financial Strategy attached at Appendix F to the report.
 - f) The Capital Strategy 2024/25 attached at Appendix G to the report.
4. That the Leader review and amend the Executive's budget recommendations to the County Council, as appropriate, in respect of the final Local Government Finance Settlement.
 5. That the Leader review and amend the figures within the Medium-Term Financial Strategy to be recommended to the County Council as appropriate, to ensure consistency with final budget recommendations made to the County Council meeting on 23 February 2024.

59 NORTH HYKEHAM RELIEF ROAD - LAND ASSEMBLY PREPARATION AND HIGHWAY MATTERS

The Executive Director – Place introduced a report which sought approval to carry out the preliminary steps necessary for the preparation and pursuit of a Compulsory Purchase Order (CPO) and Side Roads Order (SRO) which were required to enable the Council to deliver the North Hykeham Relief Road.

The Head of Highways Infrastructure guided members through the report and advised that planning permission had been submitted in mid-November 2023 and was currently going through the consultation period. It was expected that the application would be considered by the Planning and Regulation Committee in either Spring or May 2024. It was noted that for previous schemes, officers had waited until planning permission was granted before starting work on the legal orders. In order to expedite the delivery of the scheme a decision was sought to allow officers to start to prepare the Orders. The Executive was reassured that the Orders could not be published until planning permission had been granted.

Councillor M Brookes, Chairman of the Highways and Transport Scrutiny Committee was in attendance remotely to present the comments of the Committee following its consideration of the same report at its meeting on 29 January 2024 where the recommendations to the Executive were supported unanimously. A number of comments and queries were raised by the Committee during its discussion which included clarification regarding potential additional funding, concerns about the compulsory land purchase process and potential challenges in engagement related to the National Highways Section 6 agreement.

During discussion by the Executive, the following was noted:

- Clarification was sought regarding the potential for additional funding from Network North to be received for this scheme and whether the Council would need to bid for it. Officers advised that a business case process had been undertaken when the allocation of £110m was awarded, and the scheme estimate was £154m. During the

early stages of the project, Balfour Beatty's saw an increase of 23% in costs, with the scheme costs now projected at approximately £194m. It was noted that the Council was set to receive additional funding which would increase the external funding from £110m to £154m. The County Council would still be required to fund the difference of £39m.

- In relation to the CPOs which were required, it was queried whether there were any houses which still needed to be purchased, and it was noted that there was just one left, and the rest had been purchased. The blight notice had been served 2 – 2.5 years ago and a price had been agreed. Further progress was dependent on the home owner finding another house. It was also noted that a blight notice only lasted for three years. However, officers were confident that the purchase would go through.
- Assurance was sought that there was no risk in carrying out the parallel process, and officers confirmed that there wasn't. This was an opportunity for the council to commence its due diligence at an earlier stage. The only risk was in perception that the Council was second guessing the planning process. The Executive was also advised that officers had deliberately not included a decision within this report to be able to progress the Orders if planning permission was granted. A further decision would be needed to gain permission to carry out the legal processes.
- In relation to National Highways and the Section 6 agreement, it was noted that policies had not changed and officers did not know what the value would be until planning permission had been granted. However, it was highlighted that this would only relate to the roundabout at South Hykeham which would significantly increase in size.

RESOLVED

1. That the carrying out of all necessary steps to enable the preparation of a Compulsory Purchase Order or Orders under Sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and the Acquisition of Land Act 1981, to compulsorily acquire land and rights required to deliver the North Hykeham Relief Road be approved.
2. That the carrying out of all necessary steps to enable the preparation of a Side Roads Order or Orders under section 14 and 125 of the Highways Act 1980, to improve, stop up, and construct new highway and to stop up and provide new private means of access, required to deliver the North Hykeham Relief Road, be approved.
3. That the exercise of power under section 16 of the Local Government (Miscellaneous Provisions) Act 1976 including the serving of notices in respect of any land which is connected to the delivery of the North Hykeham Relief Road, be approved.
4. That the acquisition by agreement under section 120 of the Local Government Act 1972 of the land and interests required to deliver the North Hykeham Relief Road be approved, in parallel to preparing a CPO

5. That negotiations with National Highways and/or the Secretary of State for Transport for an agreement pursuant to section 6 of the Highways Act 1980 with regards to highways works in the A46 trunk road and the subsequent exercise by Lincolnshire County Council of National Highway's statutory powers required to deliver the North Hykeham Relief Road, be authorised.
6. That authority be delegated to the Executive Director of Place, in consultation with the Executive Councillor for Highways, Transport and IT, to undertake all necessary negotiations, take all necessary decisions and determine the final form and approve the entering into of the prospective section 6 agreement referred to in paragraph 5 above.
7. That authority be delegated to the Executive Director of Place, in consultation with the Executive Councillor for Highways, Transport and IT, to undertake all necessary negotiations, take all necessary decisions and determine the final form and approve the entering into of all necessary legal documentation to give effect to the acquisitions referred to in paragraph 4 above.

60 SUBMISSION OF BUSINESS CASES FOR CAPITAL FUNDING UNDER THE GREATER LINCOLNSHIRE DEVOLUTION DEAL

The Assistant Director – Growth introduced a report which recommended that the County Council submitted business cases to the Department for Levelling Up, Housing and Communities (DLUHC) for six projects which would receive funding as part of the Greater Lincolnshire Devolution Deal. The six projects which had been identified were:

- UK Food Valley Grant Programme
- Flood Prevention Schemes (Market Rasen, Kirkby on Bain)
- Grantham Streetworks Programme
- Lincoln area – Improvements to Trans Midlands Trade Corridor
- Old Roman Bank, Sandilands
- Sleaford Moor Enterprise Park.

It was reported that these projects had been chosen as they met a clear local need, were consistent with the guidance for the funding given by DLUHC and delivered against the strategic priorities in the devolution deal.

Councillor T J N Smith, Vice Chairman of the Overview and Scrutiny Management Board was in attendance and presented the comments of the Board following its consideration of this report at its meeting on 25 January 2024. All Board members welcomed the schemes proposed and noted the apparent benefits that could emerge from them. However, queries had been raised regarding why some schemes had been unsuccessful and further detail had been sought regarding the addition £1.5million which had been allocated for Flood Prevention Schemes as well as the significant allocation of funding to Roman Bank.

The Executive sought further detail around the queries which had been raised, and officers advised that in relation to the three schemes submitted by Boston Borough Council which had been unsuccessful, one was not consistent with the devolution prospectus (it related to health and leisure), one related to a brownfield development which was ineligible under the funding, and the other was a Local Development Order for new industrial estates, which would be revenue-based funding rather than capital.

Clarification was sought around the timescales for these schemes to be approved and delivered. It was noted that the additional funding for Flooding Prevention was preparatory work and dependent on the workload of partners such as The Environment Agency but it was in addition to the funding that the Executive had already made available. In relation to timescales for approval, the government had committed to make these decisions within 6 - 8 weeks. However, it was noted that if a point was reached where it was believed that the government had approved the schemes but the Council had not yet received confirmation, officers would have discussions with the Leader, Executive Director - Resources and the Executive Councillor for Economic Development, Environment and Planning about commencing projects at risk.

The Executive Director – Place advised that the projects which had been proposed for submission were ones where there was already some work in progress in order to ensure that work could commence once approval was received. It was noted that projects were chosen carefully to ensure that they met the criteria from the government and were those that had the most confidence in terms of being delivered.

In terms of risk, it was queried whether there were any examples where the government had retracted the money due to projects running over schedule. Officers advised that this would only happen in those circumstances either where no progress had been made or they had not delivered the outcomes they set out to. However, the government did want the projects to be delivered.

RESOLVED

1. That the submission during February 2024 to the Department for Levelling Up, Housing and Communities of business cases for capital funding for the following schemes: UK Food Valley Grant Programme; Flood Prevention Schemes in Kirkby on Bain and Market Rasen; a Streetworks Programme in Grantham; Lincoln Area – Improvements to Trans Midlands Trade Corridor including Nettleham Roundabout; Old Roman Bank, Sandilands; and Sleaford Moor Enterprise Park, be approved.
2. That authority be delegated to the Executive Director – Place, in consultation with the Leader of the Council (Executive Councillor for Resources, Communications and Commissioning), (i) to determine the final form and to submit the individual business cases and (ii) to initiate and deliver the schemes described in the report if and when funding approval is given by the Department for Levelling Up, Housing and Communities to include approving the final form and the entering into of any contracts or other legal documentation necessary to give effect to the schemes.

61 COMMUNITY RISK MANAGEMENT PLAN 2024 - 28

The Executive Councillor for Fire and Rescue and Cultural Services introduced a report which presented the proposed Community Risk Management Plan (CRMP), previously known as the Integrated Risk Management Plan, which covered the period of April 2024 to April 2028. Approval was sought for the CRMP and associated documents including the Community Risk Profile and Equality Impact Assessment.

The Chief Fire Officer presented the report and advised that the Community Risk Management Plan (CRMP) was based on the assessment of community risks, both current ones and those expected over the next four years. It was intended that this would be delivered over the next four years, however there would also be a service plan which would focus on the priorities on a year by year basis. This would also be presented to the Public Protection and Communities Scrutiny Committee on a two year basis.

In terms of the consultation and engagement, it was reported that this was a more successful consultation than for the previous Integrated Risk Management Plan, as consultation responses had increased from around 100 to almost 1000.

Councillor N H Pepper, Chairman of the Public Protection and Communities Scrutiny Committee presented the comments of the Scrutiny Committee following its consideration of the report at its meeting held on 30 January 2024, where the recommendations were unanimously supported. It was noted that during discussion of the report a range of questions were asked in relation to community risks, recruitment and retention of staff, future intentions and review of CRMP and risk analysis. In relation to a question regarding whether high rise buildings and student accommodation should be included separately, and officers advised that this was now included as business as usual activities. It was also noted that a couple of inaccuracies had been identified and these would be corrected for publication of the CRMP.

In responding to comments raised by the Scrutiny Committee, officers advised that Lincolnshire had 19 buildings that were classed as 'high rise', however this was not considered a strategic risk as a lot of 'business as usual' activity was carried out with them, for example they would all receive a visit annually. It was also noted that a lot of changes had come through from new legislation.

It was also noted that a pandemic had been removed as a strategic risk as it still had status as 'business as usual' activity.

During discussion by the Executive, the following comments were made:

- It was confirmed that the fire station estate would stay as it was.
- The CRMP was a strategic four-year document. Whenever there was a major change, it was expected that this would be brought through Committee as a separate consultation.

- In relation to Leverton Fire Station, this was currently in the design stage, and the land had been acquired subject to planning permission being granted. If planning permission was granted, there would be a more detailed design phase before it went out to tender.
- It was queried what measures were in place to support people with hoarding issues as this wasn't specifically mentioned in the CRMP. Officers advised that this was linked in the prevention strategy and through the SHERMAN approach. It was noted that this was a priority for the Fire and Rescue Service and did link into the service plans, however it was dependent on partner referrals and intelligence. Members were provided with assurance that this was within annual plans and departmental plans.
- It was noted that Fire and Rescue Services did not have enforcement powers in relation to hoarding issues, however they could signpost to partners who would have more powers to act. There were no legislative powers around enforcing fire safety in domestic homes (except for Homes of Multiple Occupation).
- In relation to the proposed plans for RAF Scampton, it was confirmed that all relevant fire safety legislation was being adhered to, and Fire and Rescue colleagues were linked into the working groups. However, as it was a Crown property, the Fire and Rescue service did not have any powers. It was also highlighted that appropriate response plans were in place in the event of an incident including adequate water supplies and appropriate ingress and egress routes. The local divisional teams would have plans in place if a response was required.

RESOLVED

1. That the Lincolnshire Fire and Rescue Service Community Risk Management Plan (CRMP), to cover the period 2024 – 2028 in the form of the documents presented in the report, be approved.
2. That the publication of the CRMP (and associated documents), be approved with immediate effect.

The meeting closed at 12.05 pm

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