



**PUBLIC PROTECTION AND COMMUNITIES
SCRUTINY COMMITTEE
30 JANUARY 2024**

PRESENT: COUNCILLOR N H PEPPER (CHAIRMAN)

Councillors P A Skinner (Vice-Chairman), M R Clarke, Mrs N F Clarke, A Dani, A M Key, K E Lee, A M Hall and N Sear.

Councillors: L A Cawrey (Executive Councillor Fire and Rescue and Culture Services), A P Maughan (Executive Support Councillor Fire and Rescue and Culture Services) and S P Roe (Executive Support Councillor Children's Services, Community Safety, Procurement and Migration) attended the meeting as observers, and C Matthews (Executive Support Councillor NHS Liaison, Integrated Care System, Registration and Coroners) observed the meeting remotely, via Teams.

Officers in attendance:-

Mark Baxter (Chief Fire Officer), Katrina Cope (Senior Democratic Services Officer), Paul Dolby (Senior Trading Standards Officer), Michelle Grady (Assistant Director – Finance), Nicole Hilton (Assistant Director - Communities), Tracy Johnson (Senior Scrutiny Officer), Mark Keal (Head of Trading Standards), Will Mason (Head of Culture), Martyn Parker (Assistant Director Public Protection), Ryan Stacey (Assistant Chief Fire Officer) and Chad Saratoon (Principal Trading Standards Officer).

Officer attendees via Teams

Nicole Hilton (Assistant Director - Communities) and Will Mason (Head of Culture).

54 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors Mrs A M Austin, Mrs J Brockway, W H Gray and E J Sneath.

It was reported that, under Regulation 13 of the Local Government (Committee and Political Groups) Regulations 1990 that Councillors N Sear and A M Hall had been appointed as the replacement members for Councillor Mrs J Brockway and E J Sneath respectively, for this meeting only.

It was noted that an apology had also been received from Lee Sirdifield, Assistant Director – Corporate.

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55 DECLARATIONS OF MEMBERS' INTERESTS

No interests were declared at this point in the proceedings.

56 MINUTES OF THE PUBLIC PROTECTION AND COMMUNITIES SCRUTINY COMMITTEE
MEETING HELD ON 12 DECEMBER 2023

RESOLVED

That the minutes of the Public Protection and Communities Scrutiny Committee meeting held on 12 December 2023 be approved and signed by the Chairman as a correct record, subject to a typographical error on page 6, the start of paragraph 3 being amended to read LFR.

57 ANNOUNCEMENTS BY THE CHAIRMAN, EXECUTIVE COUNCILLORS AND CHIEF
OFFICERS

No Chairman, Executive Councillor or Chief Officer announcements were received.

58 REVENUE AND CAPITAL BUDGET PROPOSALS 2024-2025

Consideration was given to a report from the Assistant Director – Finance, which invited the Committee to consider and comment on the budget proposals for the financial year 1 April 2024 to 31 March 2025 for the Council's Public Protection and Communities services prior to consideration by the Executive at its meeting on the 6 February 2024. It was noted that at this meeting the Executive would be agreeing a final budget proposal to be taken to the budget setting meeting of the County Council on 23 February 2024.

In guiding the Committee through the report, the Assistant Director – Finance referred to the background to the budget proposals; the 2024/25 Revenue Budget; and the proposed Capital Programme.

During consideration of the revenue and capital budget proposals for 2024/25 as detailed in the report presented, the following comments were noted:

- Concerns were raised about the lack of an increase in the revenue budget for a number of service areas and whether this would be feasible. It was clarified that the relevant directors and assistant directors had been consulted with on their budgets, and the only items not included in those service budget proposals was the pay inflation for 2024/25. These had been budgeted for in the Council's contingency budget to ensure that when those pay awards were given, they could then be added into the service budgets;
- Disappointment was expressed regarding the late announcement of the additional £500m funding for councils from the Government which could have provided more certainty around the Council's financial position earlier in the budget setting process. It was confirmed that no information had been received yet regarding how much

additional funding the Council would be receiving from the Government and it was hoped that more information would be included in the final settlement which was due shortly. The challenge for the Council going forward was that the additional funding was only for 2024/25 whereas the cost pressures were being built into the base budget and would be a constant year on year cost which needed to be planned for accordingly;

- In response to a query regarding the budget for the Fire Fleet and Equipment capital scheme, it was confirmed that it was difficult to estimate the cost for a new fire appliance as this would depend on the standards and requirements needed and market research. When the contract goes out to tender in the future, there could be next generation replacement appliances available, and there could be a need to consider different capabilities which would be based on what the future risks were. For the previous contract, the cost was around £8m for 33 fire appliances, which meant that each one had cost approximately £242,000. However, it was clarified that there might not be a need to replace all the equipment depending on risk and usage, and it was anticipated that the costings would be different moving forward;
- The Committee questioned the £614,000 additional costs for the contract inflation on the libraries contract, and it was confirmed that this would be included in the base budget for the service moving forward. It was clarified that a report on the recommissioning of the libraries contract from April 2026 would be brought to a meeting of the Public Protection and Communities Scrutiny Committee over the next few months. Consideration was being given to the potential impact on the budget of recommissioning, and it would be approached in a way that would allow for some negotiation of the contract to ensure the Council could maintain an affordable and deliverable library service; and
- The Committee explored whether there were any future risks to the Public Protection and Communities services which could impact on the budget. It was clarified that there was a contingency of £6m planned for next year to deal with some of the volatility around prices, particularly for the contracts which were easier to forecast as they tended to be a year behind and could be built in. In addition, there were some general reserves which could support any unplanned cost pressures.

The Chairman on behalf of the Committee thanked the Assistant Director – Finance for her presentation.

RESOLVED

That support be given to the budget proposals presented in the report for the Public Protection and Communities services for 2024/25 and that the comments raised by the Committee be passed on to the Executive for consideration at its 6 February 2024 meeting.

Note: Councillor K E Lee wished it to be noted that she had abstained from voting.

59 COMMUNITY RISK MANAGEMENT PLAN 2024-2028

The Committee considered a report from the Assistant Chief Fire Officer and the Group Manager Integrated Risk, which invited comments on the Lincolnshire Fire and Rescue Community Risk Management Plan (CRMP) for 2024-2028, prior to a decision by the Executive at its 6 February 2024 meeting.

The Assistant Chief Fire Officer presented the report and made reference to the fact that the adoption and publication of an CRMP was a requirement of the Fire and Rescue National Framework for England 2018, and that it allowed the Service to focus its plans and resources based on a thorough assessment of the risks facing its communities. It was noted that engagement feedback and internal review had provided a document that would take the service forward into 2028. A copy of the proposed Community Risk Management Plan 2024-2028 was detailed in Appendix A (pages 33 to 49) to the Executive report for the Committee to consider.

During consideration of this item, the following comments were noted:

Community Risks

- In relation to severe weather risks, it was clarified that in the Integrated Risk Management Plan (IRMP), the risk of wildfire and flooding were grouped together under severe weather events. However, in the Community Risk Management Plan (CRMP) these had been separated out to provide a greater emphasis on the different ways these two types of incidents would be dealt with and provide a greater focus on each one. It was confirmed that snow and tidal surge would fall under severe weather risks, and that LFR had a number of four-wheel drive vehicles to make sure it could respond in every area of the county;
- Consideration was given to whether the level of wildfires had changed compared to when farmers used to burn crop stubble. It was confirmed that the legislation changed in the late 1990's to prevent farmers from burning stubble and no analysis had been undertaken about the impact of stubble burning. The stubble was now being used for other things, in particular fuel for power stations, and steps were taken to safeguard stacks of stubble, as fires had occurred in those stacks. However, the biggest concern was standing crops as a fire could progress very quickly from one field to the next;
- With regards to malicious attacks, the risk of these was derived from the national strategic risk register which was published and updated on an annual basis. It was confirmed that these sites had critical national infrastructure which had a heightened risk of a terror style of attack. Lincolnshire Fire and Rescue (LFR) worked with the Lincolnshire Resilience Forum to consider how to provide a multi-agency response. LFR would work with colleagues to make sure there were plans produced and then they would exercise those plans on a periodic basis to ensure that they were suitable and sufficient;
- In response to a suggestion as to whether high rise buildings should be included as a risk, it was confirmed that these were now treated as a business-as-usual activity.

There were circa 19 premises defined as high rise within the county, and there was a lot of work undertaken with the fire protection teams from a legislative fire safety perspective and with the response teams in terms of exercising the procedures at some of those high rise buildings, which had led to a change to some of the equipment carried to provide a safe method of escape from the building for members of the public; and

- In relation to road traffic collision and road safety, LFR worked closely with the Lincolnshire Road Safety Partnership to understand where it could have an impact and develop a hierarchy of risk to engineer out the risk on the roads. Work was undertaken with the police around alcohol and drug driving, and in schools in terms of the impact of driving carelessly and negligently. With regards to the number of miles of road in Lincolnshire, which was stated as 4,200 miles in the CRMP, it was confirmed that this was an error and would be corrected to 5,500 miles.

Recruitment and Retention of Staff

- With regards to recruiting and retaining staff, it was confirmed that LFR ran apprenticeships in various parts of the organisation which it was looking to expand. LFR accessed the apprenticeship levy to fund the education style apprenticeships and was looking to expand that for firefighters in the near future. LFR also worked closely with Lincolnshire County Council colleagues in relation to organising 'have a go' days across the county at divisional and fire station level. These were structured events that allowed people to try the fitness tests that they would be required to take when they joined LFR to give them an understanding as to whether they had the required fitness level. This also enabled LFR to give people fitness plans to help them improve in any areas they might be struggling in, and also gave the people the opportunity to try the equipment they would be using, should they be successful in the role;
- Concerns were raised about only 0.89% of the LFR workforce being from BAME backgrounds, in comparison to 4.01% of the Lincolnshire population who were from BAME backgrounds. It was confirmed that this was difficult to meet as LFR was a small organisation of around 100 wholtime firefighters, so although four members of staff to meet that population figure of 4.01% sounded achievable, only one member of staff needed to leave and it would be below the population figure. There was a societal issue around the job of a firefighter being accessible to members of the BAME community. Work was ongoing to address this issue by working with this community and strengthening the 'have a go' days where specific elements of the community in Lincolnshire would be targeted. It was suggested that the percentages included in the CRMP were not helpful if they were affected so much by a small change in the number of BAME staff, and maybe the actual numbers would be more helpful to include;
- In response to a suggestion to have a mini firefighter scheme in schools, it was highlighted that LFR did not want to create a parallel fire scheme and dilute the impact of the mini police scheme which was very successful. LFR did run a fire cadets scheme across a number of locations around the county and it was something that it was looking to expand. Consideration was being given to how to bridge the gap

further from leaving the fire cadets scheme to joining the fire and rescue service as it was a successful scheme for recruitment; and

- Concerns were raised about the impact on staff from dealing with difficult incidences and how they were supported. It was confirmed that there was a well embedded welfare team who were trained in counselling, and staff would be routinely and proactively offered welfare support. In addition, there would be a critical incident debrief with the crew which would give them the opportunity to talk about it. Additional controls were also put in place for on-call firefighters and flexible duty response officers to ensure that they received a welfare call and were offered mental health first aiders. There was also support through an informal network of peer support, occupational health, and access to counsellors trained to counsel for post-traumatic stress type incidents. There was also the opportunity to self-refer to the Council's free counselling service.

Future Intentions

- Consideration was given to the lack of future intentions in the CRMP, which other fire and rescue services had included in their versions. It was clarified that the proposed changes to Leverton fire station had not been included in the CRMP as it was proposed to build a like for like replacement as part of the capital estates programme. If it was proposed to change the use or location of Leverton fire station, then this would be subject to public consultation. Some fire and rescue services were considering amalgamating stations that were close to each other, but it was confirmed that this was not something LFR would be looking at doing in the next four years. A review might be undertaken in the next four years which would be subject to public consultation at that point.

Review of CRMP and Risk Analysis

- In relation to the periodic review of the risk analysis throughout the life of the CRMP, it was confirmed that it was expected to be in two years from the date of publication, which would be the mid-point of the CRMP; and
- The performance against the CRMP would be assessed by bringing an end of year review report to the Public Protection and Communities Scrutiny Committee in July each year, which would coincide with LFR's statement of assurance. This would allow time to analyse what has been delivered and set out what has been achieved against the CRMP.

Funding

- In response to a query regarding funding for the co-responding capability, it was confirmed that funding was secured for 2024/25 and not just 2024 as stated under the IRMP evaluation section of the report. It was confirmed that this would be amended.

The Chairman on behalf of the Committee extended his thanks to the Assistant Chief Fire Officer for his presentation.

RESOLVED

That unanimous support be given to the recommendations to the Executive as detailed on page 25 of the report pack and that the comments raised by the Committee be passed on to the Executive for consideration at its meeting on 6 February 2024.

60 LINCOLNSHIRE FIRE AND RESCUE ATTENDANCE AT FLOODING INCIDENTS - ANNUAL REPORT ON PERFORMANCE UP TO MARCH 2023

Consideration was given to a report from the Chief Fire Officer, which provided the Committee with an update on the flooding incidents that Lincolnshire Fire and Rescue (LFR) had attended since 2018 up to March 2023.

It was highlighted that the report only focused on the demand placed on the LFR operational response and did not highlight areas that the Local Lead Flood Authority was committed to for preventative measures and response activities.

In conclusion, the Committee noted that there had been a gradual increase in demand in the number of flooding incidents, and that LFR were confident that they had the appropriate assets, equipment, and skills to support Lincolnshire County Council in mitigating the risks to communities.

During consideration of this item, the following comments were noted:

- The Committee was advised that Lincolnshire was well served with regard to the type of assets it had available and that these assets would be continually reviewed;
- Clarification was provided that the definition of a pump as mentioned on page 115 of the report pack referred to standard fire appliances;
- Confirmation was given that flooding was not a statutory duty for Fire and Rescue, and as such, it was not part of the service's core responsibilities. There was however recognition that LFR had the capabilities and the skills to support communities. It was highlighted that the service did not get direct funding to deliver such services. The Committee noted that the service was only able to support communities because of the support it received from Lincolnshire County Council through its budget setting process. It was highlighted that LFR had duties under the Civil Contingencies Act 2004, which was covered through the Local Resilience Forum;
- Some concern was expressed that people were unaware of who to call in the event of a flood, with particular reference being made to surface water flooding. The Committee was advised that LFR received an enormous number of calls when flooding events occurred. It was noted that when calls were received in the control room, they were triaged, and risk assessed on a risk of life basis. LFR would then respond to any incident if there was a risk to life, and assets would be prioritised to support any infrastructure within the county that would impact on people's

wellbeing and welfare. The Committee was reminded that LFR would still be responding to other emergency incidents within their statutory duties, so the service needed to continually balance its availability to ensure it could meet all those demands. It was agreed that officers would investigate obtaining more data as to the type of flooding incidents, and the types of properties that were impacted. It was suggested that more information needed to be made available as to who to call, as not everyone required a fire service response. The Committee was advised that contact information had been published in the winter/spring edition of County News to help residents in the event of heavy rain being forecast; and

- It was reported that following recent flooding events, the multi-agency response to these incidents was going to be reviewed by a working group of the Flood and Water Management Scrutiny Committee, which was due to commence on 16 February 2024.

The Chairman on behalf of the Committee extended his thanks to the Chief Fire Officer.

RESOLVED

That the Committee's satisfaction on the performance of the Fire Service and its approach to supporting the local communities during flooding incidents be recorded, and that comments/suggestions raised during debate be taken into consideration by officers.

61 LINCOLNSHIRE LOCAL RESILIENCE FORUM BUSINESS PLAN 2023-2026

The Committee considered a report from the Chief Fire Officer and the Head of Emergency Planning & Business Continuity, which provided the Committee with a summary of the Lincolnshire's Local Resilience Forum (LRF) Business Plan 2023-2026, which outlined the strategic objectives to be delivered over the next three years.

The Chief Fire Officer advised the Committee of the background to the LRF process under the Civil Contingencies Act 2004, details of the Category one and two agencies involved for Lincolnshire were shown on page 118 of the report pack and page 119 of the report provided details of the structure operating to deliver the outcomes of the business plan.

In conclusion, it was reported that the Lincolnshire LRF business plan 2023-26 would ensure that there was a clear programme of work for the next three years, and it would provide appropriate scrutiny and accountability of the LRF in terms of delivering against its statutory duties and supported the recognition that LRFs were playing more vital roles in responding to current and future risks of the county.

During consideration of this item, the following comments were noted:

- One member enquired whether there was a plan to include a digital approach to warn the public via their mobile phones of a major incident. The Committee noted that the government had recently launched 'Emergency Alert' which was a system

that would enable key messages to be sent to all mobile phones from government office or from being initiated at local resilience forum level;

- The purpose of the LRF was being able to respond when one single agency had an event or situation they were unable to respond to from their own resources or capabilities;
- Thanks were extended to all those involved in the LRF;
- The need for all councillors to help their communities to come together to help themselves and have a plan in place in the event of an emergency. The Committee noted that colleagues from the County Emergency Centre were working with district councillors to get plans in place within their communities. It was highlighted that resources were available to help every parish/community to have an emergency plan. Any councillor wishing to know any further information regarding emergency plans were urged to contact the County Emergency Centre;
- It was reported that training and exercise planning was ongoing and that once lessons had been learnt from the last two significant flooding events, this would inform further training exercises going forward;
- One member advised that some residents within their division had an issue with surface water flooding, and in order to help themselves they had downloaded a Storm Alert App, so that they are aware of when a storm was approaching. The Committee noted that when an emergency event occurred the Council worked very closely with partner agencies who were able to provide support to people who were not able to help themselves as there was recognition that not everyone had the same capacity to help themselves. All Councillors were encouraged to attend member training events regarding emergency planning, as these provided information to assist Councillors to help their communities in an emergency situation;
- It was reported that all the deliverables in Appendix B were being worked on by various groups at the same time. It was highlighted that any learning from recent events would probably change some of the priority areas; and
- Confirmation was provided that the Department for Levelling Up, Housing and Communities funding was being used to deliver key projects that supported the delivery of the strategic objectives; details of the four projects that Lincolnshire LRF had undertaken were shown on page 123 of the report. The Committee was advised that currently there was no costs being picked up by Lincolnshire. The Committee noted that quarterly progress updates were provided to the Cabinet Office relating to the projects, and that a full evaluation of the projects was due to be carried out. It was highlighted that LRF funding was only guaranteed up to 2025, however the Committee noted that there was an expectation that the funding would continue because of the profile and impact of LRFs, but at the moment there had not been any confirmation from the government.

The Chairman on behalf of the Committee extended his thanks to the Chief Fire Officer.

RESOLVED

That the Lincolnshire Local Resilience Forum Business Plan 2023-26 be received and that annual updates on progress against the LRF Business Plan 2023-26 be presented to the Committee.

62 TRADING STANDARDS FOOD SAFETY ACTIVITY 2022-2023

Consideration was given to a report from the Head of Trading Standards, which provided the Committee with an update on the work undertaken by the Council's Trading Standards service in respect of Food Safety Standards enforcement in the financial year 2022/23.

The Senior Trading Standards Officer and the Principal Trading Standards Officer were also present for this item.

The Head of Trading Standards advised the Committee that following last year's update, and the challenge from the Committee regarding the low number of inspections carried out, the team had looked at ways to improve their efficiency. Part of the improvements had been to bring food officers together in one specialist team, to give the team more opportunity to focus on areas of work. It was felt that inspections would be closer to 300 for 2024. Thanks were extended in particular to Councillor Key for his earlier comments and for challenging the team.

During consideration of the report, the Committee raised the following comments:

- There was recognition that the service would fall short of the number of interventions required under the Food Law Code of Practice. The Committee was advised that getting additional qualified officers into the service was a challenge. It was reported that there were a limited number of frontline officers who were fully food qualified; as a result the service was doing its best to train officers, as the service struggled to recruit officers with a food qualification. The Committee noted that this was not just a challenge for Lincolnshire, as nationally there was a shortage of food qualified officers. One member expressed concern as to whether the service was being given the priority it needed as a statutory service. Reassurance was given that the situation was improving;
- The Committee was advised that the service had established working arrangements with the District Councils and other regional trading standards services, as these partnerships were an effective means of sharing intelligence and best practice. The Committee was advised further that six of the seven District Councils had signed up to the FSA electronic registration system which enabled the service to get notifications earlier regarding new businesses. It was noted also that regular meetings were held with District Council Environmental Health colleagues, and that work was ongoing with regard to an information sharing agreement, which was currently being drafted;
- The Committee was advised that the service had a slightly different approach to apprenticeships in that the service recruited entry level trading standards officers to

come into the service and attain a qualification. The apprenticeship enabled individuals to attain a formally recognised trading standards qualification;

- That all food complaints received by trading standards were reviewed on receipt by the service's intelligence team and assessed in line with service objectives and documented Duty Officer guidance. The Committee noted that searches could be made on individuals making repeated complaints/malicious comments, but confirmation was given that this did not happen very often;
- Some concern was raised regarding the level of hygiene in some businesses. The Committee was advised that this would be a matter for Environmental Health;
- The Committee noted that as part of trading standards investigations, processes would be looked at to make sure that they were being followed. Records were checked to make sure that people had signed off what they said they were going to sign off, and if a problem was then found, further action could then be taken. The Committee noted further that some of the larger businesses invested in good quality systems, and as a result had robust policies and procedures in place;
- Clarification was provided that the service covered the whole of the county, with officers based in the North and South of the county;
- It was highlighted that the food allergy aspect of food safety was a shared responsibility with the Council and Environmental Health colleagues, each sharing information when problems were identified;
- Officers were aware of the impact the cost of living was having on individuals, but there had been no evidence that businesses were being set up to get rid of old food. Officers agreed to looking into the issue with environmental health colleagues;
- It was reported that there was lots of information for businesses to get advice regarding food allergies. The Head of Trading Standards advised that it would be useful if individuals reported any issues they encountered i.e. when visiting a restaurant and they ordered food, and they were not asked whether they had an allergy. The Committee noted that from individuals reporting incidents follow up work can then be instigated. The Committee noted further that trading standards had a variety of resources available for businesses, which provided comprehensive advice of what was required;
- In relation to paragraph 8.1, clarification was sought as to the category of other food premises found to be non-compliant. Officers agreed to look at the breakdown of the category;
- A request was made for future reports to identify how many interventions the service should be making, and how many interventions were actually taking place, broken down into headings such as inspections, monitoring, surveillance and also information as to what sort of backlog had built up. Officers agreed to look at how figures were presented going forward. It was however highlighted that a new food risk assessment was due to be implemented during the summer that might have an impact on the categories. It was suggested that as the service already had a backlog that a further report should be received in six months' time rather than waiting for the annual report; and
- One member highlighted that there was a need to raise the profile of Trading Standards within the authority as the service was an important statutory service.

The Chairman on behalf of the Committee extended his thanks to the presenters.

RESOLVED

That the report on Trading Standards Food Activity 2022/23 be reviewed and that it be recorded that the Committee is satisfied with the delivery of food safety standards work undertaken by the Trading Standards Service, and that a further report be received at a frequency to be agreed.

63 PUBLIC PROTECTION AND COMMUNITIES SCRUTINY COMMITTEE WORK
PROGRAMME

Consideration was given to a report from the Senior Scrutiny Officer, which invited the Committee to review the work programme and to highlight any additional scrutiny activity which could be included for consideration in the work programme.

The Senior Scrutiny Officer briefed the Committee on the items for consideration at the 19 March 2024 meeting.

The Committee were also advised that a request had been received for the Citizens Advice Annual report to be rescheduled from the 14 May meeting.

The Senior Scrutiny Officer also highlighted items for inclusion from earlier items on the agenda which included an annual update from the Lincolnshire Local Resilience Forum regarding the Business Plan 2023-26, and an update from Trading Standards relating to Food Safety and that confirmation would be sought from the Head of Trading Standards as to whether this would be a six monthly/yearly update. It was subsequently agreed that the annual report would be presented in September 2024, when Trading Standards Impacts and Outcomes Framework Annual Report was also due to be presented.

RESOLVED

That the work programme presented be approved.

The meeting closed at 12.38 pm.