

# Public Document Pack



County Offices  
Newland  
Lincoln  
LN1 1YL

10 September 2015

## Council

A meeting of the Council will be held on **Friday, 18 September 2015 in the Council Chamber, County Offices, Newland, Lincoln LN1 1YL, commencing at 10.30 am** for the transaction of the business set out on the attached Agenda. The attendance of all Councillors is requested.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Tony McArdle', written over a horizontal line.

Tony McArdle  
Chief Executive

## Membership of the Council (77 Members of the Council)

Councillors W S Webb (Chairman), T M Trollope-Bellew (Vice-Chairman), B Adams, M G Allan, W J Aron, A M Austin, Mrs V C Ayling, J W Beaver, Mrs P A Bradwell, D Brailsford, C J T H Brewis, A Bridges, Mrs J Brockway, M Brookes, K J Clarke, C J Davie, R G Davies, P M Dilks, S R Dodds, G J Ellis, R G Fairman, I G Fleetwood, R L Foulkes, A G Hagues, M J Hill OBE (Leader of the Council), J D Hough, D C Hoyes MBE, D M Hunter-Clarke, R J Hunter-Clarke, N I Jackson, A J Jesson, M S Jones, B W Keimach, Ms T Keywood-Wainwright, S F Kinch, R C Kirk, C E D Mair, C E H Marfleet, J R Marriott, R A H McAuley, D McNally, D C Morgan, N M Murray, Mrs A M Newton, P J O'Connor, Mrs M J Overton MBE, C R Oxby, C Pain, S L W Palmer, R B Parker, N H Pepper, R J Phillips, Mrs H N J Powell, Miss E L Ransome, Miss F E E Ransome, Mrs S Ransome, Mrs S Rawlins, Mrs J M Renshaw, R A Renshaw, Mrs A E Reynolds, P A Robinson, Mrs L A Rollings, R A Shore, Mrs N J Smith, Mrs E J Sneath, C L Strange, Mrs C A Talbot, A H Turner MBE JP, S M Tweedale, M A Whittington, P Wood, Mrs S Woolley, L Wooten, R Wooten, C N Worth, Mrs S M Wray and B Young



**COUNCIL AGENDA  
FRIDAY, 18 SEPTEMBER 2015**

<b>Item</b>	<b>Title</b>	<b>Pages</b>
<b>1</b>	<b>Apologies for Absence</b>	
<b>2</b>	<b>Declarations of Councillors' Interests</b>	
<b>3</b>	<b>Minutes of the meeting of the Council held on 15 May 2015</b>	5 - 16
<b>4</b>	<b>Submission of Petitions</b>	
<b>5</b>	<b>By-Election result</b>	17 - 18
<b>6</b>	<b>Chairman's Announcements</b>	
<b>7</b>	<b>Statements/Announcements by the Leader and Members of the Executive</b>	19 - 56
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**Please note:** for more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting

- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details set out above.

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[www.lincolnshire.gov.uk/committeerecords](http://www.lincolnshire.gov.uk/committeerecords)



**COUNCIL  
15 MAY 2015**

**PRESENT: COUNCILLOR W S WEBB (CHAIRMAN)**

Councillors W J Aron, B Adams, M G Allan, A M Austin, Mrs V C Ayling, J W Beaver, Mrs P A Bradwell, D Brailsford, C J T H Brewis, A Bridges, Mrs J Brockway, M Brookes, K J Clarke, C J Davie, R G Davies, P M Dilks, S R Dodds, G J Ellis, R G Fairman, I G Fleetwood, R L Foulkes, A G Hagues, M J Hill OBE, J D Hough, D C Hoyes MBE, D M Hunter-Clarke, R J Hunter-Clarke, N I Jackson, M S Jones, B W Keimach, Ms T Keyword-Wainwright, S F Kinch, R C Kirk, C E D Mair, C E H Marfleet, R A H McAuley, D McNally, D C Morgan, N M Murray, Mrs A M Newton, P J O'Connor, Mrs M J Overton MBE, C R Oxby, C Pain, S L W Palmer, R B Parker, N H Pepper, R J Phillips, Mrs H N J Powell, Miss F E E Ransome, Mrs S Ransome, Mrs S Rawlins, Mrs J M Renshaw, R A Renshaw, Mrs A E Reynolds, P A Robinson, Mrs L A Rollings, R A Shore, Mrs N J Smith, Mrs E J Sneath, C L Strange, Mrs C A Talbot, T M Trollope-Bellew, A H Turner MBE JP, S M Tweedale, P Wood, Mrs S Woolley, L Wootten, R Wootten, C N Worth and Mrs S M Wray

1 TO ELECT THE CHAIRMAN OF THE COUNTY COUNCIL FOR THE ENSUING YEAR

On the nomination of Councillor C J T H Brewis, seconded by Councillor M J Hill OBE, and being no other nominations, it was

RESOLVED

That Councillor W S Webb be elected as Chairman of the County Council for the year 2015/16.

Councillor Webb signed the declaration of acceptance of office, was invested with the Chain of Office by the immediate past Chairman, took the Chair and thanked the Council for electing him.

**COUNCILLOR W S WEBB IN THE CHAIR**

CHAIRMAN'S LADY

Mrs J Webb was invested with the Chairman's Lady's Chain of Office.

IMMEDIATE PAST CHAIRMAN

The Chairman presented a past Chairman's Badge to Councillor W J Aron. Members of the County Council paid tribute to Councillor Aron's service to the County Council.

**2**  
**COUNCIL**  
**15 MAY 2015**

**2**      TO ELECT THE VICE-CHAIRMAN OF THE COUNTY COUNCIL FOR THE ENSUING YEAR

On the nomination of Councillor Mrs C A Talbot, seconded by Councillor D McNally, and there being no other nominations, it was

RESOLVED

That Councillor T M Trollope-Bellew be elected Vice-Chairman of the County Council for the year 2015/16.

Councillor T M Trollope-Bellew signed the declaration of acceptance of office, was invested with the Vice-Chairman's Chain of Office and thanked the Council for electing him.

**3**      APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A J Jesson, J R Marriott, Miss E L Ransome and B Young.

**4**      DECLARATIONS OF COUNCILLORS' INTERESTS

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

**5**      MINUTES OF THE MEETING OF THE COUNCIL HELD ON 20 FEBRUARY 2015

RESOLVED

That the minutes of the meeting held on 20 February 2015 be signed by the Chairman as a correct record.

**6**      SUBMISSION OF PETITIONS

(a) Petition in relation to Lincolnshire School Transport Policy and Designated Transport Areas

In accordance with the Council's Petition Scheme, Mr John Briggs spoke for not more than five minutes in explanation of the petition in relation to Lincolnshire School Transport Policy and Designated Transport Areas.

It was reported that the Chief Executive had determined that the petition be referred to the Executive Councillor for Adult Care and Health Services, Children's Services.

(b) Petition in relation to Superfast Broadband in Nocton

In accordance with the Council's Petition Scheme, Councillor MaryAnn Williams spoke for not more than five minutes in explanation of the petition in relation to Superfast Broadband in Nocton.

It was reported that the Chief Executive had determined that the petition be referred to the Executive Councillor for Highways, Transport and IT.

(c) Petition requesting a 30mph zone to cover the junction of Lincoln Road and Stow Lane, Ingham

In accordance with the Council's Petition Scheme, Councillor Roger Patterson spoke for not more than five minutes in explanation of the petition requesting a 30mph zone to cover the junction of Lincoln Road and Stow Lane, Ingham.

It was reported that the Chief Executive had determined that the petition be referred to the Executive Councillor for Highways, Transport and IT.

(d) Petition requesting an extension to the 30mph speed limit beyond the bend on the A159 from Scotter towards Messingham

In accordance with the Council's Petition Scheme, Mr Des Comerford spoke for not more than five minutes in explanation of the petition requesting an extension to the 30mph speed limit beyond the bend on the A159 from Scotter towards Messingham.

It was reported that the Chief Executive had determined that the petition be referred to the Executive Councillor for Highways, Transport and IT.

7 CHAIRMAN TO SIGNIFY THE APPOINTMENT OF CHAIRMAN'S CHAPLAIN

The Chairman informed the Council that the Reverend Rosemary Goddard had kindly agreed to act as Chaplain during his term of office.

8 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised members that this year's Lincolnshire Show would be held at the Lincolnshire Showground on Wednesday 24 and Thursday 25 June 2015. It was hoped that as many members of the Council as possible would be able to attend what was always an enjoyable event. All members should have received an e-mail from the Civic Officer inviting them to take part in "Meet Your Councillor" which gave members of the public the opportunity to meet and talk with their local member. The Marquee for this would be located at the front of the County Council stand. The Chairman reminded members that entrance tickets for the Lincolnshire Show would only be issued to those members taking part.

The County Service of Dedication would be held in Lincoln Cathedral, starting at 3.30pm on Sunday 12 July 2015. Members of the Council would be invited to attend the Service and would be given the opportunity to nominate two people from their area who they would wish to attend the Service.

The Chairman reported the death of Mr David Macklin, Lincolnshire County Council's Chief Executive 1973-1979. Councillors were invited to pay tribute.

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**COUNCIL**  
**15 MAY 2015**

The Chairman advised that a complete list of civic engagements relating to the immediate past Chairman and Vice-Chairman was available from the Civic Officer on request.

9 THE LEADER TO REPORT ON EXECUTIVE PORTFOLIOS AND APPOINTMENTS TO THE EXECUTIVE AND APPOINTMENTS OF EXECUTIVE SUPPORT COUNCILLORS

(a) In accordance with Article 5.02, the Leader notified the Council of the appointments to the Executive and for the purposes of Part 3 (Responsibilities for Functions) the responsibilities of each Portfolio Holder. The Leader also notified the Council of the Executive Support Councillors he had appointed in accordance with Article 5.07, as set out in Appendix A of these minutes.

(b) In accordance with Part 4 and paragraph 18 of the Overview and Scrutiny Procedure Rules of the Council's Constitution, it was moved, seconded and

RESOLVED

That Councillor Mrs J Brockway be appointed as Chief Whip for the Council.

10 STATEMENTS/ANNOUNCEMENTS BY THE LEADER AND MEMBERS OF THE EXECUTIVE

Statements by Members of the Executive had been circulated with the agenda.

A copy of the Leader's Annual Statement was circulated separately.

Members were advised that the Local Government Boundary Commission for England (LGBCE) had written to the Chief Executive expressing that it was minded to recommend that 71 councillors should be elected to Lincolnshire County Council in the future.

The Commission invited proposals from the Council, interested parties and members of the public on a pattern of electoral divisions to accommodate those councillors.

The consultation would end on 21 July 2015.

It was moved, seconded and

RESOLVED

1. That the Leader of the Council appoint a facilitating member for each district council area to arrange discussions on the consequences of these numbers on divisional boundaries;

2. That the results of these conversations be reported to the Group Leaders. Group Leaders to determine the best means of responding to the Boundary Commission.

11 QUESTIONS TO THE CHAIRMAN, THE LEADER, EXECUTIVE COUNCILLORS, CHAIRMEN OF COMMITTEES AND SUB-COMMITTEES

Questions pursuant to Council Procedure Rule 10.3 were asked and answered as follows:

<u>Question by</u>	<u>Answered by</u>	<u>Subject</u>
(a) J D Hough	M J Hill OBE	Potential for further reductions to services;
(b) D McNally	R G Davies	Reports of reductions to bus services
(c) S L W Palmer	Mrs S Woolley	Annual report on public Health
(d) Mrs J Renshaw	C N Worth	Sending information to councillors
(e) R J Phillips	R G Davies	Update on broadband roll-out
(f) C Pain	R G Davies	Secretary of State's visit to Lincolnshire
(g) D C Morgan	Mrs C A Talbot	Monitoring of number of practicing GP's in Lincolnshire
(h) A M Austin	M J Hill OBE	Funding for repair of Black Sluice Gate
(i) N I Jackson	R G Davies	Street Lighting on Monks Road
(j) R C Kirk	Mrs P A Bradwell	Public Health Grants
(k) I G Fleetwood	C J Davie	Local members responses to planning applications
(l) S R Dodds	Mrs P A Bradwell	Homestart contract

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COUNCIL  
15 MAY 2015**

(m) Mrs M J Overton MBE	M J Hill OBE	National Planning Policy framework
(n) P M Dilks	Mrs P A Bradwell	Closure of youth centre
(o) K J Clarke	R G Davies	Parking outside of St Francis Hill School
(p) R B Parker	M J Hill OBE	Living wage

12 COMMITTEE STRUCTURE, POLITICAL BALANCE ON COMMITTEES AND SUB-COMMITTEES AND ALLOCATION OF PLACES TO POLITICAL GROUPS

A report by the Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

1. That the change in the political make-up of the Council be noted;
2. That Appendix A, as attached to the Order of Proceedings, be adopted as the amended political balance of committees, sub-committees and outside bodies;
3. That the Methodist Church Representative seat be removed from the Children and Young People Scrutiny Committee and Overview and Scrutiny Management Committee.

13 APPOINTMENT OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES AND SUB-COMMITTEES (EXCEPT THE LINCOLNSHIRE HEALTH AND WELLBEING BOARD AND THE HEALTH SCRUTINY COMMITTEE FOR LINCOLNSHIRE AND THE BOURNE TOWN HALL TRUST MANAGEMENT COMMITTEE)

A report by the Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

That the appointment of Chairmen and Vice-Chairmen of Committees and Sub-Committees be considered and approved.

14 OVERVIEW AND SCRUTINY ANNUAL REPORT 2014-15

A report by the Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

That the Overview and Scrutiny Annual Report for 2014-15 be approved.

15     CALENDAR OF MEETINGS 2015/16

A report by the Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

That the calendar of meeting dates 2015/16, as shown in Appendix A of the report be approved, subject to it being noted that the meeting of the Health Scrutiny Committee for Lincolnshire would take place on Thursday, 11 June 2015 instead of Wednesday, 17 June 2015.

16     APPOINTMENT TO OUTSIDE BODIES

A report by the Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

That the appointments to outside bodies, as circulated as Schedule 5 with the Order of Proceedings, be approved.

17     AMENDMENTS TO THE COUNCIL'S CONSTITUTION ARISING FROM LEGISLATIVE CHANGES

A report by the Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

1. That the amendments to the Council's Constitution detailed at Appendices A, B, C and D of the report be approved;
2. That the appointment of one or more additional independent person under Section 28(7) of the Localism Act 2011 be approved; and
3. That the recruitment process for such independent persons be delegated to the Monitoring Officer and that the outcome be reported for decision to a future meeting of the Council.

18 MONITORING OFFICER'S ANNUAL REPORT 2014-15

A report by the Monitoring Office had been circulated.

It was moved, seconded and

RESOLVED

That Council receive the report.

19 MINERALS AND WASTE PLAN CORE STRATEGY AND DEVELOPMENT  
MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT:  
SUBMISSION DRAFT

A report by the Executive Director for Economy and Environment had been circulated.

It was moved, seconded and

RESOLVED

1. That the Minerals and Waste Core Strategy and Development Management Policies for submission to the Planning Inspectorate be approved;
2. That the Statement of Representations and Schedule of Proposed Minor Modifications be approved;
3. That the Strategic Planning Manager be authorised to make any further minor modifications to the Plan and supporting documents, to address and errors and ensure consistency before submission of the Plan; and
4. That the Strategic Planning Manager be authorised to make further modifications as necessary to address issues raised during the EiP hearing sessions and to allow consultation those proposed modifications.

20 TO RECEIVE THE MINUTES OF THE COUNCIL'S COMMITTEES AS  
FOLLOWS:

20a Audit Committee - 26 January 2015

RESOLVED

That the minutes of the meeting held on 26 January 2015 be received.

20b Audit Committee - 30 March 2015 (Draft)

RESOLVED

That the draft minutes of the meeting held on 30 March 2015 be received.

20c Planning and Regulation - 16 February 2015

RESOLVED

That the minutes of the meeting held on 16 February 2015 be received.

20d Planning and Regulation - 16 March 2015

RESOLVED

That the minutes of the meeting held on 16 March 2016 be received.

20e Planning and Regulation - 13 April 2015

RESOLVED

That the minutes of the meeting held on 13 April 2015 be received.

21 MOTIONS ON NOTICE SUBMITTED IN ACCORDANCE WITH THE COUNCIL'S CONSTITUTION

(1) Motion by Councillor Mrs A Reynolds

It was moved and seconded that:-

Thousands of visitors arrive in Mablethorpe over the holiday period. There are only a couple of hundred street parking places, which being free, holiday makers fill.

This is the period when The Lifeboat Crew get most call outs. But some live in terraced properties and must park on the road outside their home.

From 1st May when the traffic bylaws come into force this means a 1 hour on and 1 hour off parking enforcement.

During April - Sept they may have to park several streets away. The additional 2 minutes dash to their car and added travel time may increase the response time by 2-3 minutes.

This may not seem like a great delay in the general scale of things to us but to someone exhausted, hypothermic and struggling to survive in the sea, it can make all the difference between life and death.

Therefore I would like to propose that these voluntary men and women, who are part of the emergency services - after all, you do have to dial 999 to set them into operation – are given Parking Permit Waivers.

It is therefore proposed:

That this Council grants Parking Permit Waivers to Voluntary Lifeboat Crews.

An amendment was moved and seconded as follows:

That this matter be referred to the Highways and Transport Scrutiny Committee and the Portfolio Holder to look into further.

Upon being put to the vote, the amendment was supported. This then became the substantive motion, and upon being put to the vote, the motion was carried and it was

RESOLVED

That this matter be referred to the Highways and Transport Scrutiny Committee and the Portfolio Holder for Highways, Transport and IT.

The Chairman advised that there would be one concurrent debate for the following two motions. At the end of the debate, there would be a vote on each of the two motions.

(2) Motion by Councillor M J Hill OBE

It was moved and seconded that:

The people of this country have elected a majority Conservative Government and thereby decisively accepted the argument that the national finances need to be balanced during this parliament.

It is safe to assume that the Chancellor of the Exchequer will continue with the Government's plan to achieve that and spending will reduce accordingly. Local government, including Lincolnshire, has been at the forefront of delivering savings and LCC has so far achieved £140 million with a potential further £120 million in the offing.

This Council supports the principle of eliminating the national deficit in this parliament.

We accept that local government, including Lincolnshire, should continue to contribute to that ambition by finding additional savings.

However, we believe that the burden should be fairly spread across the public sector and not unduly target local government.

Further local government savings should take account of the differentials in

Government financial support to councils and the unfair funding formula should be reformed as soon as possible.

Further devolution of responsibilities to city and county areas such as Lincolnshire from Government should be pursued and the opportunity taken to rationalise local decision-making and remove the structural impediments to delivering cost-effective and efficient local services.

**IT IS PROPOSED that:**

The Council instructs the Unitary Options task and finish group to include these considerations within its remit and asks the Leader of the Council to write to the Secretary of State for Communities and Local Government making the case for the urgent reform of the funding allocation system and the extension of devolved opportunities to Lincolnshire.

(3) Motion by Councillor Mrs M J Overton MBE

It was moved and seconded that:

Care of the elderly and vulnerable in rural areas creates particular demands and is a growing demand.

This government is ring-fencing the NHS, but not the care needed in the community, particularly for the elderly and vulnerable.

It is therefore proposed that this Council calls on the Treasury to recognise this fact and ensure that appropriate provision is made in the funding formula that affects us here in Lincolnshire.

It was agreed that one debate would take place for both motions. During debate an amendment was proposed and seconded in relation to the motion by Councillor M J Hill OBE as follows:

Following the election victory of the Conservative Party on 7 May 2015, it is safe to assume that the Chancellor of the Exchequer will continue with the Government's plans and public spending will reduce accordingly. Local government, including Lincolnshire, has been at the forefront of delivering savings and LCC has so far achieved £140million with a potential £120million in the offing.

Given the experience of the last five years when national debt spiralled from £800 billion to £1.5 trillion we recognise the difficulties we face.

Massive reorganisation of public services may achieve little or no improvement for the public, as we saw with the billions wasted on the NHS reorganisation by David Cameron's last government.

This Council RESOLVES to redouble efforts to work closer with Lincolnshire's District Councils and all public bodies serving Lincolnshire to find new ways to deliver the services Lincolnshire's people deserve and pay for.

The Council ADVISES the Unitary Options task and finish group to include these considerations within its remit and asks the Leader of the Council to write to the Secretary of State for Communities and Local Government making the case for the urgent reform of the funding allocation system and the extension of devolved opportunities to Lincolnshire.

Upon being put to the vote the amendment was lost.

Upon being put to the vote, motion (2) was carried.

Upon being put to the vote, motion (3) was carried.

The meeting closed at 3.35 pm

# Agenda Item 5

## COUNTY COUNCIL MEETING – 18 SEPTEMBER 2015

### LINCOLNSHIRE COUNTY COUNCIL

#### ELECTION OF A COUNCILLOR FOR THE GRANTHAM BARROWBY ELECTORAL DIVISION

ELECTION DATE: 2 JULY 2015

Notice is hereby given that the under-mentioned person was elected as the Councillor for the Grantham Barrowby Electoral Division at the election held on 2 July 2015: -

Name: Mark Anthony Whittington

Address: 5 Reedings Close  
Barrowby  
Grantham  
Lincs  
NG32 1AX

Political Party: Conservative

Tony McArdle  
Returning Officer

Dated: 3 July 2015

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# Agenda Item 7

## COUNTY COUNCIL MEETING – 18 SEPTEMBER 2015

**Statement from: Councillor M J Hill OBE– Leader and Executive Councillor for Governance, Communication and Commissioning**

### **THE COMMERCIAL TEAM**

#### **Library Service**

The Team is working jointly with Public Health in the procurement of library services providing the necessary project management, procurement and commercial support adopting the new model of service delivery approved by the Executive. It is hoped that the procurement will deliver further savings; improved services and increased community resilience. Bidders have been encouraged to propose new ways of working and three solutions have now been submitted. A dialogue phase is currently in progress to refine the solutions and identify where savings and service improvements can be made. The Executive will be asked to consider awarding a contract to the successful bidder in early December.

#### **Contract Register**

A review of the Corporate Contracts Register and supporting processes is being carried out to improve the transparency of all Council contracts ensure the information held is accurate and recorded correctly. This will help the Commercial Team and commissioners proactively monitor and plan for forthcoming procurements and will support more cost effective decision making.

This has involved engagement with all districts as well as the county to establish the continuing need for goods and services going forward.

#### **Serco**

The Team continue to hold Serco to account for its performance and ensure that continuing issues are dealt with at the highest levels of both organisations.

#### **Contract Regulations and Procurement Procedure Rules**

The Team has reviewed and consulted on the Council's contract regulations in the light of continuing austerity and to ensure that they are in line with the new Public Contracts Regulations. Work will now be carried out to update the Contract and Procurement Procedure Rules to ensure high quality guidance is available to all commissioners. Training requirements will be identified and met.

#### **Adult Care Re-provision**

The Team continue to work hard on delivering a highly ambitious programme of work with a significant amount of the overall Adult Care programme being re-procured within 2015 alone. Achievements include:

## ICES

The contract for Integrated Community Equipment Service has been re-procured and awarded to NRS Ltd. The new contract continues the successful partnership with Health and will deliver up to £1m savings per year.

## Community Support Homecare

Twelve new contracts for the Councils home care services have now been awarded. The procurement process started in February with extensive market engagement and support followed by an intensive four month procurement exercise resulting in the new model of home care services becoming a commercial reality. Five of the twelve providers are newly established collaborative solutions comprised of local business a key aspiration of the market engagement element. The new 'Prime Providers' are now in a three month transition period mobilising to deliver services in their designated zone by October 2015.

## Community Supported Living

Running alongside the re-procurement of home care services the People Services team also established a new Open Select List for Community Supported Living services in June. The new contracts will allow for existing care arrangements to continue without disruption, introduce new capability and capacity to the market as well as improving value for money.

## Advocacy

The new contract for Advocacy services awarded to VoiceAbility in April 2015 commenced on 1<sup>st</sup> July run for an initial three year period.

## Home Based Re-ablement Service

A new procurement exercise is underway and almost complete. This is a key service that represents a vital bridge between Social Care and Health and with the award of the home care contracts happening at the same time will afford the Council the opportunity to work towards establishing a more efficient and integrated end to end service.

## Adult Care Contract Management

Following the improved position of adult care contract management in receiving 'Substantial Assurance' in the recent internal audit the Contracts team has successfully implemented a new risk management toolkit which has taken a fundamental review of the existing risk position of all key Adult Care contracts. This has allowed the Contracts team to identify and address important areas of risk within its portfolio of contracts.

## **The Council's New Performance Management Framework**

The Team has developed the Council's new style Business Plan 2015/2016 which is using Infographics techniques designed to aid effective review and scrutiny of performance and inform decision making. The infographics are welcomed as they:

- show trends in performance,
- easily identify performance, and

- provide both the big picture and the detail across the commissioning strategies, targets and performance.

## **Devolution**

The Council has been involved in an intense period of work with partners on the production on an Expression of Interest for a devolution package of powers and funding for Greater Lincolnshire. The rationale for the bid is that exercising these responsibilities locally will boost the contribution our area makes to the national drive for growth and will enable us to design better and more cost-effective local services. The proposals centre on developing a skilled workforce, accelerating growth in our economy, improving the health of our people and enhancing their safety.

The submission was made on 4 September, the Treasury's deadline for views on the forthcoming Comprehensive Spending Review. The submission seeks inclusion in the considerations of that Review and asks the Government for a negotiation over the powers and funding sought. (The details are contained in a paper elsewhere on the agenda for this meeting.)

## **Projects**

Other priority projects supported are:

Procurement projects within Adult Care including Integrated Community Equipment Service (ICES) where a new section 75 agreement with health partners has been renewed alongside a brand new contract for ICES; redesign of the Community Support Framework where the new contract establishes 'prime providers' across Lincolnshire delivering homecare services in specific geographical zones.

Channel Shift, where the Council is seeking to shift to less costly ways of doing business with a move to more self-service.

Children Services Transport Review - home to school transport for Lincolnshire special schools, considering the potential of 'one contractor/one area or school' arrangements for any and all Lincolnshire special schools and other non-mainstream settings.

Children Services Readiness for School and Children's Health Services Commissioning Review examining what type of services families need to help their children have the best start in early life, be ready for school and continue to lead happy and healthy lives in preparation for adulthood and commissioning to meet those needs.

The team co-ordinated and organised two engagement and marketing events for the Magna Carta, attended by national and local organisations, sponsors and stakeholders. The success of these events was celebrated by many individuals returning for the royal opening in June.

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## **COUNTY COUNCIL MEETING – 18 SEPTEMBER 2015**

**Statement from: Councillor Mrs P A Bradwell, Deputy Leader and Executive Councillor for Adult Care and Health Services, Children's Services**

### **CHILDREN'S SERVICES**

#### **GCSE / A-level results**

Early indications of GCSE results across Lincolnshire show continued improvements this year. With a few schools still to return data, provisional figures indicate that the overall result for the national key GCSE indicator of 5+ A\*-C, including English and maths, has increased this year to 58.6%, an improvement of 3.8% on last year.

Fourteen schools achieved in excess of 90% of students earning 5+ A\*-C including English and maths. Provisional results from the majority of sixth forms in the county show an increase in A-level passes and an increase in higher level grades awarded. The pass rate for A-levels in Lincolnshire schools reached 99% and is 0.9% above the national figure. Fourteen of our schools achieved 100% of pass grades.

#### **Ofsted inspection of Children's Centres 2015**

Two centre groups, East Lindsey North and North Kesteven North, were inspected in July- both achieving an overall outcome of GOOD. According to statistics released by Ofsted (March 15) only 50% of children's centre groups nationally are graded GOOD, and under the revised framework Lincolnshire continues to have a 100% record of achieving GOOD outcomes.

#### **Signs of Safety Innovation Project Update.**

Children's Services continue to take a full and active part in this innovation project with Eileen Munro. Over the last two months refresher training has been completed with staff. The project lead, Danielle Marshall, has commenced training work with health colleagues this month, meeting to support them in their understanding and application of the practice framework. The research being undertaken by Eileen Munro continues and the telephone interviews with parents of children subject to child protection plans for phase two will commence over the next two weeks. Kings College continue to evaluate the whole project and the researcher has interviewed twelve parents and children with further interviews scheduled for this week to complete the identified fifteen interviews for the study. The lead Kings College researcher, Mary Baginsky, was in Lincoln for two days at the end of July to gather other data to support the evaluation which will be produced at the end of the project in 2016.

#### **Launch of 'Adopter Voice' in Lincolnshire**

Lincolnshire is one of the ten pilot areas who will be launching the 'Adopter Voice' project, which has been funded by the DFE and is being developed nationally by Adoption UK.

Adopter Voice will develop a network of local advocates and 'adopter champions' at regional levels to improve the understanding of voluntary adoption agencies, local authorities and the health and education sectors.

This will be developed by creating online communities enabling adopters and professionals to communicate on aspects of adoption, and to share best practice and evidence. There will be local forums and adopter champions will engage with regional boards to bring the 'lived' experience of adoption to decision making.

Adoptions UK are looking for Lincolnshire adopters who would want to become adoption champions.

### **Advocacy**

Total Voice Lincolnshire has launched a new Advocacy Hub. In a new partnership, the service brings together specialist advocacy for adults, children and young people across Lincolnshire into one service and has enhanced the different ways people can speak directly to fully-trained advocates.

Advocacy is a free, independent and confidential service commissioned by Lincolnshire County Council and provided by Total Voice Lincolnshire (TVL), led by VoiceAbility. Other partners involved include Age UK and Lincs2Advice with Barnardos providing the service to Children and Young People. Barnardos has delivered advocacy and children's rights services for more than 20 years, and is contracted for more than 40 advocacy services across the UK.

The service commenced on 1 July 2015. The Council's Children and Young People's Plan 2013/16 emphasises the need to consistently capture and act upon the views and wishes of children and their families, enabling them to be active partners in their care and safety plans. The new service is committed to ensuring that children and young people are listened to, taken seriously, and responded to appropriately. Advocates use language and communication methods which are clearly understood and appropriate to the individual, and enable a child or young person with emerging and enduring physical, emotional and mental health needs to access support informing them of their rights and signposting them to relevant services.

### **Education Support**

There are over 15,500 children starting school or transferring to secondary schools. This year over 99% of parents received their first or second choice of secondary school and 97% for primary schools. 95% of parents now apply online and additional support is offered to families new to the country to help them through the admission process.

For the school terms autumn 2013 – spring 2014 the overall absence from Lincolnshire primary schools was 3.4% compared to 3.2% nationally. For secondary schools it was 4.2% compared to 3.9% nationally. As a result of our attendance strategy 'Every Day Matters', launched in September 2012, we have seen persistent absence reduce significantly. For primary schools it is now 2.6% compared to 2.8% nationally and for secondary schools it is 5.9% compared to 5.8% nationally. We continue to target schools with a high percentage of school absences and by

reduced persistent absences we have reclaimed 5,000 learning days. In addition to this, more than 800 cases of children missing education have been investigated and closed this year.

Permanent exclusions in schools remain a concern as Lincolnshire continues to be above the national average according to latest figures for 2013/14. This isn't acceptable and we are working with schools, with strategies in place to improve the situation quickly. It's important that children and young people are in school and developing their skills and knowledge – schools should use exclusions as an absolute last resort when all other options have been exhausted.

Prospects for post 16 young people remain positive; 97.7% of Year 11 pupils had an offer of learning for the coming academic year and the percentage of young people not in employment and education has reduced from 5.6% to 4.5%.

## **ADULT CARE**

### **Care Act**

Following implementation of the Care Act 2014 in April this year Adult Care now has a single modern statute that puts the person and their wellbeing at the heart of their care. The translation of the aims of the Act into practice continue to be embedded across the service and as new research, resources and products emerge they are being considered by Adult Care to support and improve services further in the future.

Preliminary work had been started for the funding reforms which were due to come into force in April 2016 but the Government has decided to delay implementation until April 2020. The Government has said that the delay will allow time to be taken to ensure that everyone is ready to introduce the new system and to look at what more can be done to support people with the costs of care.

- The Cap on Care Costs (to April 2020)
- The extension to the Means Test Thresholds (to April 2020)
- The Appeals system (pending the Comprehensive Spending review).

### **Activity and Performance**

In the last financial year, Adult Care supported 12,300 people with longer term support in residential or nursing care or in the community with a personal budget. Bearing in mind that 32,000 new requests for support were received in the year, only 1,900 people went on to receive longer term support, with the lowest number of admissions to residential or nursing care for several years. Over 70% of requests from people had their needs met with the right information and advice, or were signposted to other support services in the community. 3,000 individuals benefitted from the reablement service, 86% of which were diverted away from long term support as a result of the intensive 6 week intervention. In addition to this, 6,500 people were supported with lower level services such as equipment, telecare and the Wellbeing Service to enable them to remain independent in their communities. It is encouraging to see that demand for services is being managed effectively, and there is scope to improve this further with our new business services provider, Serco, who now manage the Customer Service Centre, and by increasing capacity within the

Reablement Service. Over and above this, almost 6,000 carers were provided with support in the year, many of which with a direct payment.

With the Better Care Fund, a series of projects are in place to reduce the pressure on the health sector. Social Care have helped by supporting the County's Accident and Emergency departments, being involved in joint discharge planning, arranging care packages quickly for patients ready for discharge, and making sure assessments are completed quickly. Moreover, ensuring people get the help they need early, can have a profound effect on delaying and/or reducing their need for longer term health and social care. Over the last 12 months, demand for NHS services has been widespread; calls to '111' and the East Midlands Ambulance Service (EMAS) have increased, and demand for out of hours health care has also seen a rise. As a result, the system has been stretched. Despite the pressure, there has not been a significant rise in unnecessary delays for patients, which is still relatively low by comparison, and is good to see. Delays have increased in the first quarter of 2015/16 and these are being monitored closely.

### **Homecare**

The Council has recently awarded new Homecare contracts to twelve Prime providers who will work in a specific geographical area. This new model of delivery will allow providers to deliver a more reactive service for people and support the market to meet rising demand. We are now in the process of transferring people to the new providers ready for the start of the new contract at the end of September 2015. During this change of contracts, our priority is to keep disruption to a minimum for people who receive home care. We have asked all current and incoming providers to work closely with us. In some cases the current provider has chosen to give notice to end the package of care for some individuals. In those cases we are working closely with the person and their family to make sure that their needs are met.

### **Reablement**

The Council is re-procuring the current reablement service to ensure we have increased quality capacity across the County. The new provider is due to commence on 3<sup>rd</sup> November 2015 following transfer of staff from the current provider.

## **COMMUNITY LEARNING**

The Government, through the Skills Funding Agency, fully funds our provision of community learning. The Government is slightly shifting its skills policies so that there is more of an emphasis on productivity and on local priorities, and we have planned and responded to this shift to ensure that our Learning Service remains up to date with Government and Skills changes.

We recently re-tendered for our adult learning contracts, and we made it clear to anyone who was interested in delivering adult learning that we would want them to focus on economic growth, Information Technology, basic skills, volunteering, and local conditions. Setting out this focus was important because it helps to ensure that adult learning meets wider council objectives, and it also demonstrates to government that their funding will be used effectively.

Despite the team having to deal with a substantially higher number of submissions than the funding available, we believe that we have agreed to a good quality package of schemes that support wider council objectives and that will be delivered both by further education colleges and by private and voluntary sector providers that deliver high quality learning across Lincolnshire.

The new courses will start to be delivered in the autumn.

## **PUBLIC HEALTH**

### **Housing Related Support**

Our new model of support service for people who need help getting and making a success of their housing launched in June 2015 as planned. Stable housing that meets people's needs is an essential underpinning of their wellbeing, and I have prioritised safeguarding these services by seeking maximum efficiency.

The re-commissioning provides services for as many people as the old model for a significantly reduced budget. It is an example of what can be achieved with fewer resources when we apply good processes of engagement with service users and providers, and follow a rigorous evaluation of proposals from prospective suppliers.

The new system will also provide us with much better intelligence about local need and service usage by supporting people through their application for places and seeking the best fit for them through a central IT system.

We saw 350 referrals into the new system in the first 6 weeks. As always when we introduce new services and systems, we will keep the implementation under review and work with partners to adapt the service as we go.

### **Wellbeing Service**

The Wellbeing Service has now been in operation for around a year providing preventative, tailored support to many individuals in the County in order to meet individual people's needs regardless of their tenure of financial status. People have access to a range of simple equipment aids for daily living, Telecare and other practical support at home. This applies whether that home is the family home or supported housing, rented or owned.

Several thousand County residents have been helped and supported in this way throughout the year with our key providers; and an evaluation has recently been completed with newly available data highlighting successes in keeping people independent for longer. PH intends to continue to work in close partnership with Adult Social Care as the service enters its second year to ensure it continues to excel and provide value for money for the Council.

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## **COUNTY COUNCIL MEETING – 18 SEPTEMBER 2015**

**Statement from: Councillor C J Davie, Executive Councillor for  
Economic Development, Environment, Planning, Tourism**

### **Economic Development & Tourism**

At the time of writing this statement I am looking forward to welcoming a Chinese delegation to Lincoln and signing an economic agreement with Hunan Province, China. Our relationship with Hunan represents an excellent way to promote Lincolnshire's businesses. We already have a wide range of businesses that trade successfully with the Far East, and our relationship with Hunan is intended to greatly increase trade opportunities. Early rewards for this investment are already being secured with an example being the contracts that local company Delta Simons have secured to provide consultancy support for construction projects in China.

In parallel with direct actions to increase foreign trade, the economic development team attended the UKTI National Conference and as a result are in detailed discussion with the Government's Trade and Investment Department designed to secure better support for Lincolnshire businesses so that they are well placed to take advantage of these opportunities.

It is not all about foreign business however, and in addition to the above, we have invested significant time in managing an inward investment enquiry from the Know-how Group who are considering expanding their facility at Newark but recognising that this would offer job potential for residents of Greater Lincoln.

Other direct involvement that my officers have had with helping local businesses to grow and creating new job opportunities include facilitating Duckworth Land Rover to expand its operation in the south of the county by selling them land at Kirton Business Park. Duckworths will join SportsbikeUK Ltd who are currently building a 5000 sqft new distribution facility on the same park. These sales (plus others which are under negotiation) will take this park to 50% occupancy.

The reputation of the Council's Economic Development team as a provider of valuable support to local business continues to grow. We have been successfully active with local construction sector consultancy companies such as Pygott & Crone, Hodgson Elkington, Globe and Morgan Tucker in developing a business network which is now beginning to support activities designed to promote Lincolnshire as an investment location.

The Council's investment in Lincoln Castle continues to be successful. We had an excellent Official Opening in June; in July I had the pleasure of welcoming the 100,000<sup>th</sup> visitor since our re-opening, and the past two weeks have seen a wide range of artistic activities taking place under the banner of 'Festival 800'. I would like to thank the Arts Council for England for their substantial financial contribution towards events that have been held in the city during the summer and I would also like to thank the commercial sponsors who got behind the great events of the summer especially Siemens. The redevelopment of the Castle, and the events that have been held will continue into the autumn, and will all help to place Lincolnshire on the tourism and investor map. I will work hard to ensure that Lincolnshire remains on that map.

As well as the excellent events that the Council has led, there have been many other activities during this summer. Lincoln BIG's Barons' Trail has been very successful, and newspaper reports indicate that the National Cycle Championships generated over £2m.

I recently circulated a Members' newsletter, and I described the Government's proposals for a Midlands Engine. I anticipate that Government will want to focus its economic growth and productivity activity through initiatives like this and the Northern Powerhouse, and I am working to make sure that Lincolnshire is seen as a core element of both. In fact, I recently represented the Greater Lincolnshire LEP at a meeting with Ministers about the Midlands Engine and I was pleased that Ministers specifically acknowledged that the Midlands Engine will only be successful if it is relevant and productive for counties at the edge of the Midlands such as Shropshire or Lincolnshire.

Finally, I continue to be grateful for the work of the Economic Scrutiny Committee which is ably led by Councillor Tony Bridges. Since the last full Council meeting we have had useful debates about skills, which included a question and answer session with some of the County Council's own apprentices, which was particularly relevant given that the highest ever percentage of businesses surveyed said that they expect to recruit in the next 12 months. The committee has also done some very effective prior scrutiny of the Enterprise Commissioning Strategy and it continues to identify examples of transport projects that will trigger economic growth – that work in particular will help us to develop strong Single Local Growth Fund bids which will add to those previously successfully submitted such as Holbeach Peppermint Junction and Skegness Countryside Business Park, both of which are progressing well and where the latter should see construction commence in early 2016.

## **Planning**

### **Minerals and Waste**

Following public consultation on the Minerals and Waste Local Plan: Core Strategy and Development Management Policies, a public hearing has been arranged with the Planning Inspectorate. A total of 56 separate organisations and individuals responded to 37 different questions set out within the document. A total of 680 comments were duly made. The Core Strategy will set out the key principles to guide the future winning and working of minerals and the form of waste management development in the county. The Development Management Policies set out the criteria against which planning applications for minerals and waste development will be considered.

Inspector Andrew S Freeman has been appointed by the Secretary of State for Communities and Local Government to carry out the independent examination of the Plan and Mrs Eloise Shieber has been appointed as the independent Programme Officer. The Programme Officer is responsible for organising the programming and all procedural matters associated with the Examination. The Inspector will hold a number of hearing sessions between 13 October 2015 and 16 October 2015 at The Holiday Inn, Brayford Wharf, Lincoln.

## **Central Lincolnshire**

Consultation will take place during October and November 2015 on the next draft Local Plan. The last round in late 2014 generated a very high level of interest and a good level of responses on a broad range of issues. All feedback has been reviewed and comments have been considered to ensure that policies and development proposals in the Local Plan, can continue to receive a strong level of support from our local communities. The next draft Local Plan will be published in early September 2015, when it will be considered by the Central Lincolnshire Joint Strategic Planning Committee before public consultation opens at the start of October, lasting for 6 weeks.

The next draft will be different to the last draft in several ways. All the policies have been reviewed to ensure they are up to date with the latest available evidence on, amongst other things, economic growth, job creation and housing needs. The area is expected to grow considerably over the next 20 years and the role of the Local Plan is to identify the correct level of growth and to plan for where this growth should occur. Suitable locations for growth are to be identified, based upon the evidence that has been collected. The focus is to ensure that growth is steered towards the most sustainable locations, balancing the planned levels of growth with the clear need to protect Central Lincolnshire's rich heritage and rural character. The draft plan will show proposed land allocations so that all consultees can clearly identify what kind of development will take place and where.

LCC staff have been fully engaged in supporting this work, particularly in the areas of demographics, housing targets, infrastructure delivery and energy policy.

## **Triton Knoll**

On 3 September the Preliminary meeting for Inquiry for the Triton Knoll took place and LCC attended along with local MPs to ensure that the concerns about the process and the implications of the proposed scheme were placed in front of the Planning Inspectorate. I will keep you updated of the process and timetable for the examination

## **Flood Risk Management**

Members will be aware of the challenges that we face in securing the funding needed to continue to provide our current high standards of protection from flooding. In coastal areas this issue is compounded by the need to manage the risk of flooding while sustaining the huge contribution that these areas make to the county and national economy. My officers have been actively seeking solutions to these challenges, and are working on behalf of the Council and the Local Enterprise Partnership to put in place a coherent programme of schemes designed to attract additional funding streams from Government and Europe. This programme – the GLLEP's Water Management Plan – is being put together with all our partners, including the larger coastal businesses, and is expected to be launched in November this year, in time for the next round of Government funding streams.

I attended the official launch of the Louth Flood Alleviation Scheme on 11 August. It's great to see projects being delivered to benefit local communities from our £6m investment.

The Council continues to work actively with its partners to establish a long-term approach to coastal management for Lincolnshire, and we will be exploring the role of private investment in this area during September. The county also continues to play a wider role, recently contributing through the Association of Drainage Authorities to supporting our colleagues in Somerset to establish robust partnership arrangements for the future. Because circumstances in Somerset will require secondary legislation, with potentially wider geographical application, it was important to influence the outcome to avoid any unintended consequences.

### **Natural Environment**

Progress continues with the reinstatement of the Gibraltar Point visitor centre, and the first stages of creating an improved, joined-up visitor experience on the coast has been completed with the 'wild coast' scoping report. This sets out options for implementing a comprehensive tourism offer by improving access to and between major existing sites (such as Donna Nook and the Coastal Country Park).

The wild coast initiative is designed to make the most of our existing environmental assets and programmes, with a focus on improved access for all, support for the visitor economy and improved amenities for local communities.

### **England Coastal Path**

Officers have undertaken an initial start-up meeting with Natural England concerning the Lincolnshire stretch of the national coastal path. The route will be dealt with in three sections with the section from Sutton Bridge to Skegness Pier and from the Pier to Donna Nook being dealt with first, with the section from Donna Nook to the Humber following on after.

It is expected that the first two sections will be complete by 2018 and the final route will become Lincolnshire's only National Trail. Officers are arranging a presentation by Natural England for councillors in October to provide greater details on how the scheme will progress.

## **COUNTY COUNCIL MEETING: 18 SEPTEMBER 2015**

**Statement from: Councillor R G Davies, Executive Councillor for  
Highways, Transport, IT**

### **LINCOLN EASTERN BYPASS**

The Public Inquiry into the Orders for the Scheme has now concluded and a decision is awaited from the Secretary of State. It is not possible to give a date for this decision as there are no statutory timescales for a response. However, the Secretary of State has been made fully aware of the need for an early decision on the Orders.

The scheme is being progressed as a single carriageway under the current funding arrangements.

### **LINCOLN EAST WEST LINK**

The contractor has re-programmed works after reviewing current constraints and is planning to complete the Highway and Heritage building works earlier than the original proposed completion date. However, this depends on satisfactory progress with utility diversions.

Following the demolition of the property on the corner of High Street and Tentercroft Street, contractors have worked to reduce site levels to accommodate the new left turn lane from Tentercroft Street. In the course of this work, significant archaeological finds were made which are now being removed or preserved in order to enable engineering and replacement building construction to continue.

Additional funding for the East West link has been secured from the government Growth Deal, and this will enable the installation of utility services within the road thereby permitting new development on plots of land fronting the highway.

The scheme is having minimal impact on traffic movement in the city. Relations with the public is excellent with virtually no issues or concerns.

### **HIGH STREET FOOTBRIDGE**

Network Rail has submitted a revised planning application for the full demolition (as opposed to partial demolition) of 179 High Street. This has resulted in a minor delay and the expected completion date for the footbridge is now March 2016.

## **SKEGNESS COUNTRYSIDE BUSINESS PARK**

There has been some delay to the project whilst the utility and drainage requirements of the developer of the first 12 acre plot of land on the park have been ascertained. This information has now been received allowing design work to be recommenced.

Construction works are now expected to commence in spring 2016, and will be managed so as to avoid significant impact on tourist traffic using the A52.

## **HOLBEACH PEPPERMINT JUNCTION**

Growth Deal funding has been secured to implement a residential and commercial development project at the junction of A151/A17 at Holbeach which will include significant highway improvements. Activities to prepare planning applications have commenced.

Lincolnshire County Council will be consulting with the public on proposals to construct new roundabouts on the A17 and A151 - this included a Public Exhibition in Holbeach on 17 September. The consultation will also include a further aspiration to construct a section of dual carriageway on the A17 between the proposed new roundabout and the Boston Road roundabout. Whilst no funding stream has been secured as yet for this dual carriageway, the roundabouts are designed to cater for this addition at a later date.

## **GRANTHAM - SOUTHERN QUADRANT LINK ROAD (SQLR)**

The S.73 change to planning application has been submitted to SKDC, and they have validated and started the 16 week consultation period. The determination is expected by November 2015.

Last month Larkfleet Homes appealed to the High Court to overrule a previous decision and quash the planning permission. The appeal was based on the fact the developer felt SKDC did not take into account the environmental impact of a proposal for a nearby housing development. The challenge was rejected by three Appeal Court Judges.

## **GRANTHAM - KING31 INCLUDING A1 CONNECTION**

Tenders for Phase 1 of the King31 have been received, a preferred bidder secured, and consultation with local businesses has been carried out. Subject to completion of Heads of Terms legal agreement, a start on site is imminent.

## **SPALDING WESTERN RELIEF ROAD**

In addition to the formal public consultation in November, work has started on draft Memorandum of Understanding to facilitate the delivery of Phase 1 (Holland Park).

## **WINTER MAINTENANCE**

The County Council will enter the winter of 2015/16 with 14,000 tonnes of salt within our eight highway depots. NGS Ltd have confirmed that the county strategic salt supply of 20,000 tonnes will be stored on Immingham Docks this winter.

## **LINCOLNSHIRE ROAD SAFETY PARTNERSHIP**

Provisional figures indicate that there have been 153 killed or serious injury (KSI) casualties to the end of June 2015, compared to 202 for the corresponding period last year. Regrettably, the number of fatal casualties now stands at 25 - eight higher than for the corresponding period last year.

The three year annual average trend for KSI casualties and all user groups remains down, and on track to better the target set for 2015. Figures from the Department for Transport show there has been a 5% increase nationally in the number of people killed or seriously injured between 2013 and 2014. Lincolnshire saw a 3.9% decrease over that period. Overall casualties also increased by 6% nationally, but in Lincolnshire they reduced by 2.2% and were the lowest recorded in the county since 1985 - all very positive news.

Works to install an average speed camera system on the A15 at Metheringham is nearing completion. In addition, LCC Accident Investigation and Prevention engineers (based within LRSP) have also identified that a high number of KSI collisions occurring on the A16 Crowland bypass are likely to be prevented by the installation of an average camera system. The LRSP Strategic Board consider such a camera system is the most appropriate intervention to reduce the number of casualties that are occurring on that road. I will keep you informed of progress on this matter.

At the last meeting of the Strategic Board, members approved the publication of a new 10 year strategy for the Road Safety Partnership. The strategy will shortly be available to view on the website.

## **ENGAGEMENT WITH COUNCILLORS AND PUBLIC**

Since becoming a Portfolio Holder for Highways and Transport, I have been keen to improve the way we inform elected members and members of the public of what we do.

I recognise that a lot happens on our roads and not all of it is us! The utility companies have their own works. I have asked officers to consider how we might achieve better information dissemination. Councillors will probably have noticed that

they are now getting copies of correspondence between the MPs and the highways department. We shall also be providing more information on works.

I do not want to create an industry, and I do want to minimise cost. Nevertheless, we need to do this better and I will update you as new systems are put in place.

## **INFORMATION MANAGEMENT AND TECHNOLOGY**

IMT Services being delivered by Serco are improving, following a difficult start during the first quarter of 2015.

### **User Experience**

There has been significant effort, and a partnership approach developed with Serco, which is improving services and bringing them to the contracted levels. User surveys during July showed that 80% of users rated the service received as either 'good' (17%) or 'excellent' (67%) in relation to resolving IT issues.

### **Project Delivery**

Challenges remain in the day to day small project arena, and many projects which should take a few days to action are taking considerably more time as Serco establish resources and processes. Some projects have been delayed due to commercial clarifications, where the IMT team has taken a firm stance in ensuring that a precedent is set that will ensure future savings, rather than compromise to meet a short term need. This has had a negative impact on some Service Areas within the Council and has caused operational difficulties in isolated incidents. Serco believe that the backlog will be cleared by the end of October, with a waiting time of no more than six weeks from commissioning to closing project requests of this type.

### **Transformation Technology**

Remedial activities remain underway for Transformation Projects which were due for delivery at the commencement of the Contract. Focus on resolving Agresso issues has led to delays. However, there is now a plan and indicative timescales for this work to be completed.

Unfortunately, the delay in establishing the foundation technologies has meant that a number of initiatives to help create efficiencies within service areas, via new technology and working practices, have been delayed.

The current portfolio of activity includes:

- the review of identity management to improve data security
- changes to telephony systems to reduce cost and provide enhanced 'remote' functionality to staff
- improved systems to share information and systems with third parties to enable partnership working
- rationalisation and efficiencies in the provision and usage of spatial data
- an improved approach to the management/deployment of corporate information rationalisation of associated systems.

### **Data Centre Relocation**

Finalisations of plans for the transfer of systems to the resilient cloud-based data centres are nearing completion. This probably represents the most complex and challenging project undertaken for some time, and provides an opportunity to rationalise systems and review our network to ensure it is designed to meet the needs of the organisation in the future. This will transform the organisations ability to cater for disaster recovery scenarios and also enable greater opportunities to procure services from 'the cloud' where it is advantageous to do so.

### **Staff Self Service**

IMT are now looking to extend the benefits of user self-service by an extension of the functionality available via the 'MyPortal' functionality. This will enable a greater range of requests to be generated electronically, access to a 'self help' knowledge base and the ability to access information relating to their queries and personal information quickly without needing to access different systems.

### **Citizen Self-Service**

Improvements to the working practices and technology available to the Council's Customer Service Centre continue and the number of new self-service channels available is increasing with new functionality being delivered.

### **Website**

IMT has commissioned work to deliver a new web presence for the Council and District partners that will integrate citizen self-service and information portal functionality. A number of initiatives for the Customer Service Centre will be incorporated into its design to include a web chat service, co-browsing and improved 'my location' information. Improvements in citizen identity management and federated search will allow visitors to be signposted to the correct information, even if this is not a service provided by the Council, significantly improving user experience.

### **Agresso**

The poor implementation of Agresso has caused the Council, schools, staff and suppliers many difficulties. Serco are continuing to work through identifying the cause of the problems and resolving these with the support of Unit 4. Serco have assured the Council that the majority of issues should be resolved by the end of September.

### **Broadband**

The Lincolnshire Broadband Programme is progressing to plan and delivering faster broadband to over 112,000 premises to date. The total Intervention Area for the project sits at 156,667 premises which equates to roughly half of the total premises within Lincolnshire.

We are currently working within Phases 6 and 7 of the 8 phases in total and remain on course to deliver the contracted levels of Superfast coverage (89.1%) by 31 March 2016. Before the project commenced, it was anticipated that the total Superfast broadband coverage in the Intervention Area would hit 76.1% and when added to existing commercial Superfast coverage provided by both BT and Virgin Media, we would arrive at 90% Superfast coverage overall. At this point in time,

Superfast coverage in the Intervention Area sits at 83.9%, so a significant improvement over the projected figure.

In addition, the project is currently underspent against budget and the team are looking at how any potential underspend at project end, can be most effectively used to further improve on county-wide coverage.

Close working relations between BT, Highways, Districts and Planners are prominent in facilitating the timely delivery of the programme.

We have now signed a contract with BT for the delivery of a second contract that will look to push overall Superfast coverage towards 95% across the county. BT is quoting an anticipated end result of circa 93%, but it is anticipated that with the emerging technologies now coming into operation, we will improve upon this figure. The programme team are working through the proposed coverage areas and are due to meet with BT shortly to finalise the coverage areas.

## **COUNTY COUNCIL MEETING – 18 SEPTEMBER 2015**

**Statement from: Councillor M Jones – Executive Councillor for Finance and Property**

### **Finance Matters**

The July 2015 Summer Budget from the Chancellor set out the Government's future spending on services going forward to 2020/21, it scaled back reductions in departmental spending by £83.3bn in the 5 year period from April 2015. Spending on services will now decline by £18bn over this period, down from £42b as announced in the March 2015 budget. Expected in early December, the Government Spending Review will allocate these reductions between departments, including the DCLG, who will in turn allocate funding to each local authority later that month.

It is worth noting that defence has now effectively been given protected status along with health, education and overseas development funding.

Whilst there may be optimism that funding reductions may not be as large as previously predicted, there are some new cost pressures emerging from other aspects of the Summer Budget that will place significant additional burden on our finances, with the new national minimum wage increase impacting significantly on our social care, residential and home care contracts. Provisional estimates suggest an increase of around £15m by the end of 2018/19 in this area alone, rising to over £30m by the end of 2020. Despite the good work done as part of our 2014 fundamental budget review which identified savings of around £65m in the four years to 2018/19, our estimates are that we still need to find a further £66m in that period. This will be a significant challenge and work is underway to consider how this best can be achieved. It is our intention to keep the relevant Scrutiny Committees briefed on progress.

### **Corporate Property**

We have continued to rationalise our office property portfolio; this year nearly 20% of the workforce have moved to more efficient office space and, as a result of this, we are well on our way to achieving £1m worth of savings. Planning is now underway to identify further savings from leased office accommodation.

We have invested £23.4 million in schools properties over the last 12 months, helping to meet and improve the educational needs of our children.

We have successfully commenced the new property services contract with VINCI mouchel including the introduction of the Property Service Centre (PSC). The PSC co-locates the 'helpdesk' with operational decision makers which has led to timely and well-considered responses to calls with the satisfaction rate currently standing at 92%.

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## **COUNTY COUNCIL MEETING – 18 SEPTEMBER 2015**

**Statement from: Councillor P A Robinson, Executive Councillor for  
Fire & Rescue, Emergency Planning, Trading Standards,  
Equality and Diversity**

### **Fire and Rescue**

#### **Fire Ambulance Project**

The joint project between our Fire Service and East Midlands Ambulance Service continues to draw interest from around the country as an innovative collaborative approach to delivering better more effective outcomes to Lincolnshire's communities.

To date the 3 fire stations taking part in the pilot have attended nearly 1,000 medical emergencies and transported over 230 people to hospital. Whilst the evaluation of the project is still being carried out, early headline statistics suggest that on average patients who are transported by the project are reaching hospital on average some 20 minutes earlier than in the same period last year. Work is also underway to gauge patient satisfaction with the project and assess the Social Return on the investment to date.

The final report will be presented to the project board in the next couple of months so that decisions on the next steps may be made.

Also worthy of note is the nomination of our Fire Service and East Midlands Ambulance Service in the 'Value in Health Service' category in the prestigious Health Service Journal annual awards. We shall find out on 22 September if the nomination has been successful.

#### **New Fire Stations for Louth**

The new fire station covering Louth and the surrounding area has been completed and the crews started to respond from the station on a 24 hours basis from the beginning of September. The new station will provide our fire crews with an excellent work base at the heart of the community.

#### **Prince's Trust Team Programme**

Unfortunately, due to national funding cuts, the number of Prince's Trust Team Programmes for this year has had to be reduced. I am sure councillors will share my disappointment in this but officers are working hard to look at alternative funding streams to secure the longer term provision of this valuable service.

### **Emergency Planning**

On 18 July 150 Lincolnshire children as young as five through to teenagers from youth groups attended the Waddington training centre to take part in various activities and to receive the first ever Duke of Cornwall Community Safety Awards. This is a national scheme inspired by HRH Prince Charles. Alongside county police officers and firefighters, they took part in a series of age-related activities designed to be both fun and informative. These activities included finding their way through a derailed train, escaping from a smoke-damaged house and investigating a crime scene.

At the end of the activities, the young people received from the Lord Lieutenant, Mr Toby Dennis, one of the following awards:

- The Heroes Award (ages 5-11)
- The Neighbourhood Award (ages 10-14)
- The Community Award (ages 14-18)

On 22 September a Leaders' Resilience Summit will take place at F&R HQ, to update representatives from District Councils, the County Council, the Police and local communities on the work of the Local Resilience Forum (LRF), the community leadership role of elected members and the engagement of local communities to ensure they are well prepared for civil emergencies in Lincolnshire.

On Thursday 12 November, the Lincolnshire Resilience Forum will be working with 3 local communities (Anderby, Wyberton and 'Suttons on the Wash') and the voluntary sector in the county to demonstrate how local communities can be a part of the response to civil emergencies in the county during Exercise Barnes Wallis.

The exercise, which will include 'live' play at Anderby and 'table-top' exercises at Wyberton and 'Suttons on the Wash', will test how well the emergency services and other responders (such as our council) can work with local communities who have their own emergency plans – and in particular, how to make best use of local knowledge, skills and facilities to support those affected by emergencies. The exercise builds on learning from the Tidal Surge in 2013 that local communities should be seen as part of the response and recovery arrangements in Lincolnshire.

We will also use the exercise to encourage more communities in Lincolnshire to engage in local emergency planning.

### **Trading Standards**

Recently, Public Health England announced that E-cigarettes are at least 95% safer than traditionally smoked tobacco. However, due to the rapid rise in demand for vaping products, some of these items may be unsafe if not used and kept properly. Safety concerns were brought to the fore following a number of serious fires and poisoning incidents. The risk posed by some of these products arises because E-cigarettes generally use a lithium battery as a power source. Some of these batteries have been manufactured without cut-off devices that prevent over charging, and this has resulted in devices over-heating, exploding & catching fire.

Nicotine in liquid form within the E-liquid is toxic. It is able to be absorbed through the skin and even relatively low doses of nicotine in this form can be fatal to small children and pets. Symptoms of nicotine poisoning include vomiting, nausea and difficulty breathing. The Trading Standards service have sent letters to all businesses known to be selling these products reminding them of their responsibilities under the General Product Safety Regulations to check that the products are safe and to ensure consumers are aware of the hazards and how to use the products properly. Posters highlighting the warnings have also have been provided for display in business premises.

## **COUNTY COUNCIL MEETING – 18 SEPTEMBER 2015**

**Statement from: Councillor R A Shore, Executive Councillor for Waste, Recycling**

### **PRESENT SITUATION**

- **New Dry Recycling Contract - The Next Steps**

The new countywide contract became effective from the 1 July 2015. This will help to ensure that the recycling mix is optimised, in order to attain the best possible quality and price for the council taxpayer. Furthermore, by working closely with the Lincolnshire Waste Partnership, we are aiming to produce a sustainable waste solution for all the residents in our county.

- **Lincolnshire Waste Partnership**

There are a number of operational issues which we will want to take to the Partnership during the ensuing months, and this includes gaining a comprehensive understanding of what constitutes the contamination of recyclables. All councils and contractors have their own views on what constitutes recycling contamination: one important task, therefore, is to work towards gaining a consensus of what is 'contamination', and at what level we in Lincolnshire should be striving to achieve. Personally, I would love to see it fall consistently below 5%!

To achieve these ambitions, we need the help of our residents. With a comprehensive and sustained education programme, everyone in our county would be clear about what to do with their recyclables: what to put in the recycling bin, what goes to local recycling centres, and what goes to the Energy from Waste plant to be burned.

### **CHALLENGES**

- The greatest challenge for all portfolio holders during this coming year will be trying to make the books balance following the latest budget review. The actual amount of savings the Council needs to find are eye watering, and really quite depressing. As a result, we are having to rethink the way the council does business and, indeed, what business it can effectively do. My portfolio is no different to any other and must share equally the burden of responsibility. With this in mind, all non-statutory services, which have for so long been taken for granted, must be subject to review. This may lead to closure of some and rationalisation of others, and I hope that Members will understand should this have implications for their area.

## **SUCCESES**

- Planning permission has been awarded for the Energy from Waste facility to increase the total capacity from 150,000 tonnes to 170,000 tonnes.
- Payment from the Salvation Army for the recycling of textiles at our HWRCs. I would like to thank the Environmental Scrutiny Committee for their good work in this matter.
- Planning permission has been awarded for LCC-owned Household Waste Recycling Centre in Bourne.

## **FUTURE AMBITIONS/CONSIDERATIONS**

- To reconsider the present recycling scheme for charitable bodies, and whether a more appropriate method could be found to support charities' income whilst decreasing the burden on LCC.
- The outline business case for our own Materials Reclamation Facility will be completed by end of September and, following timely scrutiny evaluation, we will work towards developing the soundest possible waste service for our county.
- Researching and finding imaginative ways to maximise the effectiveness and efficiency of Lincolnshire's waste service, within a reducing budget provision.
- Partnership possibilities with other authorities of sharing waste services.

## **COUNTY COUNCIL MEETING – 18 SEPTEMBER 2015**

**Statement from: Councillor Mrs S Woolley, Executive Councillor for  
NHS Liaison, Community Engagement**

### **Lincolnshire Health and Wellbeing Board**

#### **Joint Health and Wellbeing Strategy**

As previously reported to Council, the Board recently undertook a mid-term review of the Joint Health and Wellbeing Strategy (JHWS). This review focused on updating the actions under each of the priorities and on making sure we have the correct measures in place to track progress. The review was completed in May and the outcome was approved by the Health and Wellbeing Board at its meeting in June 2015. A copy of the updated JHWS has been circulated to Clinical Commissioning Groups (CCGs), partners, councillors and made available on the Council's website.

The Annual Assurance Report on the JHWS, providing details on the progress being made to deliver the priorities in the JHWS, will be presented to the Board in September 2015.

#### **Review of the Joint Strategic Needs Assessment**

The Board has also recently embarked upon a formal review of Lincolnshire's Joint Strategic Needs Assessment (JSNA). The JSNA reports on the health and wellbeing needs of the people of Lincolnshire. It brings together detailed information on the local need, and looks ahead at emerging challenges and projected future needs. The JSNA is a continuous process of strategic assessment and planning led by Public Health and involving Children's and Adult Services, CCGs, District Councils, Healthwatch, the voluntary and community sector and other partners. Responsibility for producing the JSNA sits with the Health and Wellbeing Board.

The first stage of the review will take place between June and December 2015 and will focus on reviewing the processes, including the current format, content and structure. A programme of engagement with topic leads, partnerships and strategic boards has been put in place to engage with a wide range of partners and key stakeholders. The key findings and recommendations will be considered by the Health and Wellbeing Board in March 2016.

#### **The Better Care Fund (BCF)**

The BCF is nearly half-way through its first year of operation and colleagues will recall that the Government is expected to announce how it wishes the BCF to be progressed into 2016/17. The expected date of any announcement regarding future arrangements is sometime in September though early signals are that the Government still sees the BCF as a key driver for supporting pooled budgets and integrated services between health and social care.

In the meantime, the Lincolnshire Health and Wellbeing Board continue to monitor performance at every formal meeting, notably those areas which generate a financial risk to either health or social care services. I advised councillors in my previous

briefing of a key metric related to non-elective admission into acute care and the target of a 3.5% reduction between January and December 2015 (the calendar year). This metric has a pay for performance element attached which, in total, is valued at £3.75m. A contingency has been set-aside to cover this sum if performance is not achieved although with the health and social care system under incredible pressure, you will appreciate just how much that money is needed elsewhere. If not achieved, the funding is relocated to the Acute Trust.

In the first quarterly return to Government, performance was good with a reduction in non-elective activity of 4.1%. In consequence, the Pay for Performance sum was secured for the quarter (averaging at about £930,000). You may be interested to note that only a minority of systems in the country actually achieved their Pay for Performance target in quarter 1.

The next performance report to Government was provided by the due deadline of 28 August. This second quarter's performance was less encouraging with the Pay for Performance element not being achieved. Despite this, since the population has increased (in the last 12 months), this translates as a lower rate per 100,000 (compared to April to June 2014) which, given the demographic growth pressures in Lincolnshire which the BCF funding seeks to address, may be considered an improvement. Also, performance in Lincolnshire is still good when compared elsewhere.

### **Helping Communities Help Themselves**

It is essential that we have strong and vibrant communities that support themselves and make maximum use of the many assets and activities that are available across the county. Our Community Engagement Team has recently developed an initiative to support communities to do this. The team has secured Public Health funding for a time limited project to support community groups to map their own assets with the guidance and support of their local Community Adviser. So far, 87 groups have accessed funding which has been used towards things such as new equipment, promotion, improving community cafes and general enhancements to improve access and usage of community buildings. In some cases, groups have been able to use local grants to lever in external grants and multiply the benefit of this scheme.

In future, Scheme data will be used to help Community Advisers identify common themes to enable partnerships between groups that enable bids for larger pots of national funding which are inaccessible to individual groups. It will also help us identify where communities can benefit from sharing information, experience and knowledge, and in identifying gaps in services. This will help commissioners as well as individuals maximise the benefits of the wealth of activities that occur on a daily basis within our communities.

### **Cycle Recycle**

Cycle Recycle is a project aimed at giving unemployed people access to transport and giving them the maintenance skills to help them restore and repair them. It is run by our Community Engagement Team, with funding and support from Lincoln City Council, Lincolnshire Police, Addaction and Lincoln Share. Nearly 100 bikes have been donated so far. At the end of the four week long project, those involved are able to keep a bike that has been restored to full working order. The remainder are sold, with the revenue reinvested in the project.

This project is a great example of everyone working together for a positive outcome.

### **Investing in our Volunteers**

Since the Council registered for *Investing in Volunteers (liV) Accreditation* earlier this year, the Community Engagement Team has been working with officers from across the Authority that have responsibility for the management of volunteers. The group has produced a self-assessment document identifying the successes and areas for development in volunteer management practice, which has led to the further production of a Development Plan that includes activities to address the areas where further work is required. This will now be considered by an liV Assessor and a final decision is expected before the end of the calendar year.

Accreditation will be of great value to the organisation and to officers with responsibility for volunteers; it will help us to ensure we are effectively managing and supporting volunteers, whilst at the same time recognising their immense contribution.

### **Big Society Fund 2014/15**

Allocations of grants from The Big Society Fund have started well, with approximately 80 awards having been made so far. The Big Society Fund Application Form and Guidance Notes have been refreshed with revised contact details. I strongly urge my colleagues to read through the refreshed guidance ahead of meeting groups requesting funding.

### **Community Grants**

The Community Grants programme continued to be oversubscribed during 2014/15 with applications received from 87 'not for profit' organisations across the county. The value of applications received totalled nearly £1.2m; almost £800k more than was available in the Fund. A total of 29 projects of various sizes were supported with grant funds of £419k, and by the time those projects are complete, this investment in our communities will lever into the county a further £2.4m.

A capital grant of £25,000 was awarded to Digby War Memorial Hall in November 2014. The funding was towards carrying out essential refurbishment of the Hall which was completed at the beginning of August 2015. The total project costs amounted to just over £50,000 and additional funding was secured through NKDC, WREN, Digby Parish Council and their own fundraising.

Support was offered to all unsuccessful applicants, including advice regarding any re-application and alternative funding sources.

The programme for 2015/16 is now well under way, when it is anticipated there will be a similarly large number of applications.

### **LCC Funding Portal**

The Funding Portal continues to be a well-used and valuable resource for community groups wishing to carry out searches for funding opportunities. During the year

2014/15 there was an average of 100 visits per month and a total of 3,000 hits. LCC have renewed the contract for a further three years with the supplier that operates the system behind our portal in order to continue to deliver this valuable service for our communities.

### **Lincolnshire Sports Partnership**

- **PE and School Sport Conference** took place on 9 June at BGU - over 100 teachers and governors attending this first Primary Conference; guest speakers included Ofsted Inspectors and sector leads.
- **Workplace Challenge Rounders** competition took place at Lincoln Christ's Hospital on Tuesday 16 June - 22 teams from local businesses took part.
- **Lincolnshire Show Sports Zone** took place over 24/25 June with 14 sporting activities available on the site, as well as visit from Steve Cram and two Macmillan activity demonstrations.
- **National Road Race Championships** on Sunday 28 June with an Expo area in the Castle promoting the Sports Library and Activity Finder. The Partnership is also in the process of collating the results from an economic impact survey for the Championships, which showed a spend of over £2.25m across the county over the Championship weekend.
- **Sainsbury's School Games** took place on Wednesday 8 July at Grantham Meres Leisure Centre with over 1,000 athletes taking part in 14 competitions across 9 sports. This event was supported by 150 young people acting as volunteers and officials.
- 28 teams took part in the **New Age Kurling Competition** on 28 June, with the competitors' average age being around 70.

### **Macmillan Project**

We have 2 Macmillan officers working with cancer patients across the county. In the first 6 months they have worked with 70+ clients, 95% of these being referrals from a medical professional. Key areas of activity at the moment are Boston and Spalding – Upper GI and bowel cancer being the most prevalent cancer type. 153 professional briefings have been carried out and 498 interventions conducted with health professionals.

### **Activities**

**Athletics** - 'Couch to 5K' is a programme to get individuals who currently do no exercise to be able to complete a 5K run after 12 weeks. We have programmes running all over the county and have 199 new runners countywide. We use this project as a starting point to help establish our Park Run programmes. Figures currently stand at 250 for Lincoln and 50 for Gainsborough. We are working with groups in Boston, Grantham and Spalding to establish other running groups across the county.

This is the 7<sup>th</sup> year we have been running the Lincolnshire Elite Athlete Programme (LEAP). We have 31 athletes on the programme this year, taking the total of athletes supported to over 300. Athletes who have been on this programme include Jade Etherington (GB Paralympian), Robert York (European U18 Wind Surfing Champion), Emma Bristow (SuperEnduro Women's World Championship) and Jack Harvey (Indi Car Racer). This is one of the Lincolnshire 2012 legacy programmes.

**Workplace Challenge** – this is a programme that engages people in activity in the workplace. IN 2014/15, we had over 2010 people in over 200 businesses sign up to take part in activity through the website. 25% of the people taking part identified themselves as non-active.

**National Citizen Service (NCS)** – Lincolnshire Sport is working with Lincoln City Football City Sport and Education Trust (LCFCSET) and EBP to deliver the NCS programme in Lincolnshire. This programme is open to all 16 & 17 year olds in England. It helps build skills for work and life whilst taking on new challenges and making new friends. NCS brings together young people from different backgrounds and helps them develop greater confidence, self-awareness and responsibility. It encourages personal and social development by working on skills like leadership, teamwork and communication.

**School-Club Links / Satellite clubs** – these are sports clubs established on a school site run by community clubs and volunteers. Lincolnshire Sport have supported the development of 40 new satellite clubs running with over 1,000 young people.

**Sportivate** – this is a 2012 legacy programme which engages 14-25 year olds in various sports projects and this year we have had 68 projects across the county involving over 4,000 young people.

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## **COUNTY COUNCIL MEETING – 18 SEPTEMBER 2015**

**Statement from: Councillor C N Worth, Executive Councillor for  
Libraries, Heritage, Culture, Registration and Coroners  
Service**

### **Libraries Services**

On 28 July the High Court made a decision following a further Judicial Review of our decision to change library provision in Lincolnshire.

The three grounds proposed in the claim against the Council were all found to be without sound legal argument. As such they were dismissed by the Court without further action being required. At the time of writing, the detailed judgement has just been received and is now being studied. We will now be able to move forward with some certainty and support local people to use our new services effectively.

The Community Hub roll-out programme has commenced. At the time of writing six libraries have transferred across to the new service delivery model (Sutton on Sea, Caistor, Scotter, Birchwood, Ermine and Bracebridge Health) and a further twenty two will transfer in the coming months. Just three communities, Washingborough, Skellingthorpe and Coningsby/Tattershall, have decided not to pursue the Community Hub route and these communities will receive a mobile service from October onwards.

Successful Community Hub applications were received from six communities currently without a County Council static library (Barrowby, Heckington, Ingoldmells, Navenby, Sutton Bridge and Swineshead) and library colleagues will be working with communities to bring these to fruition in the autumn.

This has, of course, been a period of fundamental change for the library service with many greatly valued colleagues leaving the service after many years of dedicated service and I would like to take this opportunity to put on record my gratitude and appreciation for all their hard work and commitment to the County Council over the years.

### **Heritage & Culture**

#### **Lincoln Castle Revealed**

Lincoln Castle was officially opened by HRH Princess Anne on 8 June in one of the best Royal opening events that the county has seen for many a year. The castle has had a fantastic summer with record numbers of visitors passing through its doors and enjoying the experience – in excess of 161,000 to date.

I would like to take this opportunity to thank all of the staff at the Castle who have worked tirelessly over recent months to deliver such a great programme of events with such positive feedback from visitors.

#### **Lincolnshire's Great Exhibition**

A few weeks after Princess Anne's visit, HRH the Duke of Gloucester toured the Castle, Cathedral libraries, Collection and Usher Gallery to open Lincolnshire's Great

Exhibition. Like all those who have visited the exhibition, he was very impressed by the fabulous contents and glorious catalogues which have been assembled by officers and the exhibition's guest curators Dr Alan Borg and Jeff James.

As with Lincoln Castle Revealed, considerable thanks must also be extended to Lord Cormack and the Historic Lincoln Trust for making the exhibition possible.

Both Lincoln Castle Revealed and Lincolnshire's Great Exhibition are a great basis to take forward the future of heritage in the county.

### **Registration, Celebratory and Coroner's Services**

The Registration Service has been particularly busy since the beginning of the year and in particular over the summer months with a large number of ceremonies. There are now over 100 venues licensed for civil ceremonies offering a wide choice of location, price and ambiance. Sadly, the volume of deaths this year has been higher than normal, however, additional appointments have been made available to meet this demand. To monitor its performance, the service has completed its annual customer satisfaction survey during the month of August and results should be available in September.

Lincolnshire County Council, in liaison with HM Senior Coroners for Central and South Lincolnshire, intend to award contracts for Mortuary and Post Mortem services in line with Coroners and Justice Act 2009 (c. 25) to empath (East Midlands Pathology Services). Empath is an organisation created jointly by Nottingham University Hospitals and the University Hospitals of Leicester NHS trusts to provide a standalone pathology service across both those NHS organisations and to the wider East Midlands.

In practice this means that mortuary services and post mortems will continue to be completed at Queen's Medical Centre Nottingham for Central Lincolnshire cases. In the south of the county there will be a change of provider from Peterborough and Stamford (P&S) Hospitals NHS Foundation Trust in Peterborough to empath at Leicester Royal Infirmary with effect from 01 September 2015.

A robust and competitive procurement exercise has been completed. P&S Hospitals have delivered a sensitive and dedicated service, however, they have been unsuccessful in their tender application on this occasion. We would like to thank them for the commitment and dedication over the last four years and recognise the very valuable and much appreciated service that they have provided.

We are looking to work with all agencies on a smooth transition of service.

The Coroner's Service continues to evolve with the further rollout of an e-form for referrals by hospital medical practitioners to the Coroner. This has been well received and will be rolled out to GP surgeries in the next month.

## **COUNTY COUNCIL MEETING – 18 SEPTEMBER 2015**

**Statement from: Councillor B Young, Executive Councillor for  
Crime Reduction, People Management, Legal**

### **CRIME REDUCTION**

The Safer Communities Service commissions a number of projects whose aim is to prevent crime and support the victims of crime and anti-social behaviour. One such project is the Vulnerable Victims Service which targets support to repeat and vulnerable victims experiencing and complaining of anti-social behaviour. As well as safeguarding these individuals, the project's aim is to reduce demands on council and police services. For many victims referred into the service the issues of anti-social behaviour are magnified by social isolation, or it may be that there is an underlying medical condition. Advocates working with these victims are able to support the individual to access additional services such as befriending, dementia, or mental health support. The service receives around 100 referrals per year.

### **YOUTH OFFENDING SERVICE**

The Youth Offending Service has now completed the restructure which was necessary following the Fundamental Budget Review. The new operating model is in place, based on a revised two team structure and core bases at Lincoln and Grantham. The service is progressing the opportunity to locate duty staff within the Police station in Lincoln city centre. This will provide support to children on their reception into Police custody and assist in transferring information, addressing safeguarding concerns, and informing decision making

As part of on-going efficiency measures, Her Majesty's Court Services are consulting around the proposal to close existing Courts located at Skegness and Grantham. Given the geography and scale of Lincolnshire, this proposal will have implications and interests for criminal justice agencies working with both and adults and youths, with the potential of leaving Lincoln as the remaining Youth Court in Lincolnshire.

Finally, at the request of the Ministry of Justice, the Youth Justice Board are due to consult with all Youth Offending Services regarding the need to generate further in year (2015-16) national savings of approximately £12M. The early indications are that this may represent a further individual 14% budget reduction in service funding (approximately £125,000 for Lincolnshire) on top of the 7.5% savings announced in April 2015.

### **DOMESTIC ABUSE**

In order to understand fully the current picture and longer term trends of domestic abuse in Lincolnshire, a very in-depth analytical report has been produced by the Safer Communities analytical team. This strategic overview involved input by many partners, including the police and health organisations. The report contains 69 key findings and 24 recommendations which will inform the County Council's and other partners' approach to supporting victims, targeting the perpetrators, and preventing

domestic abuse. The national crime survey suggests that 1 in 15 adults (aged between 16 and 59) suffered at least one incident of domestic abuse in 2013/14 – this means that there were around 25,500 victims of domestic abuse in Lincolnshire during that year. Although many incidents are not reported, those that are account for a high proportion of the workload of many public agencies, including 1 in 7 police urgent callouts, 1 in 3 violent crimes, 1 in 4 adult safeguarding referrals, and 2 in 5 children's social care assessments.

## **PEOPLE MANAGEMENT**

### **Impact of Agresso Implementation on HR and Payroll**

The difficulties experienced since the launch of the Agresso system in April 2015, and the delays in resolving the system issues, have impacted negatively on some aspects of the service which People Management delivers. This relates specifically to:

- the Payroll Service, where many Council employees have been affected as a result of incorrect pay;
- delays for Managers inputting key data into the system, such as appraisals, due to system issues;
- delays in developing the Agresso reporting functionality which has impacted on the production of key performance reports, including sickness absence

Serco have indicated that the major system issues will be fixed by the end of September, and a programme is in place to monitor this work to ensure an effective working system by then. Further improvements will follow between October 2015 and March 2016.

Despite these system issues, the HR Advisory service has continued to deliver 'business as usual' activity, including supporting Managers with complex disciplinary, sickness absence and grievance matters. The Service has continued to provide HR support to service area restructures (see below).

### **Managing Workforce Change**

Restructures in 2015/16 (which began in June) are being managed within the planned programme for:

- Environment & Economy, including Legal Services & Democratic Services
- Audit & Finance
- Targeted areas in children's services
- Libraries and Heritage management

### **Recruitment and Retention of Key Skills**

Despite the reduction in the overall size of the Council workforce, recruitment and retention of key skills remain a key focus for the Corporate Management Board.

Within this, a key priority is to maintain our reputation as a good employer and ensure that we remain attractive in the market place. The People Management Service have been requested to provide specific support and offer innovative solutions to address recruitment and retention issues, with particular focus on hard-to-fill posts including qualified Social Workers, Engineers, Public Procurement Officers and Planners.

Additionally, since April 2015, the People Management Service has led on a project to engage with and promote employment opportunities for young people within the Council. This includes work experience, supported internships, traineeships and apprenticeships. A key focus is to 'grow our own' through increasing apprenticeships in hard-to-fill areas, ensuring effective succession planning.

## **LEGAL SERVICES**

Legal Services Lincolnshire has continued to support the County Council's major initiatives including the Public Inquiry into plans for the Lincoln Eastern Bypass, progression of the Grantham Southern Relief Road, and implementation of the library changes including the procurement process required by the Localism Act.

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**Open report on behalf of Tony McArdle, Chief Executive**

Report to:	<b>County Council</b>
Date:	<b>18 September 2015</b>
Subject:	<b>Review of Unitary Possibilities for Lincolnshire</b>

**Summary:**

In February of this year the Council set up a task and finish group to look into the potential benefits, risks, costs and savings from having unitary status for Lincolnshire. This report seeks to update councillors on the work of the task and finish group.

**Recommendation(s):**

- 1) That Council notes the potential for savings from having unitary status.
- 2) In view of central government's lack of appetite for driving the unitary option for two-tier councils the Council does not pursue this option for the term of the current parliament.
- 3) That Council instead supports a joint case being put to central government in support of the devolution of powers

## **1. Background**

At a meeting of Council on 20 February 2015, councillors resolved as follows:

*"The Council sets up a Task and Finish Group to look closely at the potential benefits, risks, costs and savings from having unitary status for our county; and this group makes recommendations back to full council as soon as its work is completed."*

A further resolution was agreed on 15 May 2105 in that...

*"The Council instructs the Unitary Options task and finish group to include these considerations within its remit and asks the Leader of the Council to write to the Secretary of State for Communities and Local Government making the case for the urgent reform of the funding allocation system and the extension of devolved opportunities to Lincolnshire."*

The County Council needs to make significant savings over the coming years. District Councils are also facing the prospect of having to make savings, albeit to a lesser extent. The move to County unitary from two tier structures in other parts of the country has shown significant savings.

A Task and Finish Group was established, comprising Councillors M J Hill OBE (chairman), CJ Davie, R G Davies, J R Marriott, CJTH Brewis, C Pain, J D Hough, D McNally and A Austin supported by Tony McArdle, Richard Wills, Nigel West and George Spiteri.

### **Scope**

The County Council wished to identify opportunities that could be realised and savings that could be achieved from the creation of a single unitary council or new structural options in the County area. There are a number of options that might be considered: -

- a. A single unitary authority coterminous with the existing geographical boundary of the county council amalgamating the County Council and the seven District Authorities or two or three such unitary authorities contained within this geography.
- b. A single unitary authority coterminous with the existing ceremonial boundary of the county of Lincolnshire (Humber to The Wash) amalgamating the County Council, the seven District Authorities and the two unitary councils, North Lincolnshire and North East Lincolnshire or two or three such unitary authorities contained within this geography.
- c. A single, devolved, public sector organisation coterminous with the existing ceremonial boundary of the county of Lincolnshire (Humber to The Wash) amalgamating some or all public sector bodies (apart from Defence) in the region; this could include the local authorities (ten in total), NHS (Including Hospitals, CCG's etc.), Police, Fire & Rescue, EMAS, DWP, and other local government agencies.

It follows that a key determinate will be the population base for any new authority and an early view should be formed over the population size that could sustain such a body or bodies.

### **Findings**

Research was conducted into the savings declared by other authorities that have already become unitary authorities. Table 1 gives the results and what the likely savings would be if the percentage against budget was to be applied to the Lincolnshire scenario (the figures are as in 2013)

	Cornwall	Durham	Shropshire	Wiltshire	Lincolnshire
Population	532,273	510,000	308,207	470,981	718,800
Area (hectares)	356,300	233,000	319,736	325,534	592,062
No of District Councils prior to Unitary	6	7	5	4	7
Combined budgets prior to Unitary	£421m	£486m	£356m	£327m	£462m
Savings £ (full year)	£16m	£21m	£15m	£17m	
% Savings	3.8%	4.3%	4.2%	5.3%	
Transitional; costs	£40.0m	£12.5m	£15.1m	£17.0m	
Transitional Costs as % saving	250%	60%	101%	100%	
<b>Savings if % applied to Lincolnshire</b>	<b>£17.6m</b>	<b>£19.9m</b>	<b>£19.4m</b>	<b>£24.5m</b>	

Table 1. Savings summary for Unitary Authorities

Further analysis with a strategic partner has suggested that, based on their experience in other authorities, the potential for transformational savings could be in excess of £30m per annum. The level of savings would reduce if more than one unitary were to be created.

Discussions with academics (University of Birmingham) suggest that, to be viable and sustainable, a unitary authority needs to serve a population in the region of a 250,000 to 300,000 citizens as a minimum.

There is a clear indication from central government that there is little or no appetite for driving the unitary model and there is more focus on bids for combined authorities and devolved powers. A Unitary bid will only be considered if all parties are in agreement.

In Lincolnshire district councils have voiced opposition to pursuing unitary status for the county.

## 2. Conclusion

While it can be demonstrated that substantial savings can be made by introducing unitary status, in the absence of support from Lincolnshire's district councils and a lack of appetite from central government to drive the process, the pragmatic approach would be to put the council's energies into a devolution document.

It was the common view of the group that no one was taking forward an application for unitary status.

**3. Legal Comments:**

The recommendation is lawful and within the remit of the Council.

**4. Resource Comments:**

There are no additional financial pressures arising for the County Council in accepting the recommendations in this report

**5. Consultation****a) Has Local Member Been Consulted?**

N/A

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

N/A

**c) Scrutiny Comments**

N/A

**d) Policy Proofing Actions Required**

N/A

**6. 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 George Spiteri, who can be contacted on 01522 552120 or [George.spiteri@lincolnshire.gov.uk](mailto:George.spiteri@lincolnshire.gov.uk).

**Open Report on behalf of Tony McArdle, Chief Executive**

Report to:	<b>County Council</b>
Date:	<b>18 September 2015</b>
Subject:	<b>Devolution of Government Powers - Expression of Interest</b>

**Summary:**

As part of the Government's Spending Review, Her Majesty's Treasury invited cities and other local authority areas to indicate how they might use devolved powers from Whitehall to advance their areas. Local authority leaders across the historic county of Lincolnshire concluded that an expression of interest should be submitted with local partners such as the Greater Lincolnshire Local Enterprise Partnership, the Police & Crime Commissioner, the Clinical Commissioning Groups, the universities, further education establishments and others. In total there were twenty-one signatories to a document submitted to the Government on 4 September that invited further engagement.

This paper appends that document and invites the Council to endorse this expression of interest.

**Recommendation(s):**

That the Council endorses the expression of interest to Government in negotiating devolved powers from Central Government as indicated in the document "Greater Lincolnshire: A Place to Grow .... faster than anywhere" (appended to this report).

## **1. Background**

### Government's Aims

- 1.1 A consequence of the referendum decision on Scottish Independence was a debate on how there might be more devolution within England. The Government has indicated that it would be willing to consider how some powers and money, which are presently vested in Central Government, might be devolved to local areas. The *Cities and Local Devolution Bill* was introduced to Parliament by the Government in May, very shortly after it was elected.

- 1.2 Initially attention was concentrated on the Cities. There was a view that City Regions could be the engines for economic growth and were places with which people readily identified. The Government was also keen to make decision taking on significant sums of public money to be as transparent as possible with clear accountabilities. In the opinion of many in Government, this would be most easily achieved if there were directly elected mayors in relevant areas.
- 1.3 However, political leaders elsewhere demonstrated that rural areas with smaller provincial cities and towns, also contributed significantly to the country's economic performance. There was more doubt about the best form of Governance in rural areas, particularly if the areas defined for devolved powers encompassed several county areas. Some felt that elected mayors may not be the right means for citizens to identify accountability for decision taking.
- 1.4 As part of the Chancellor of the Exchequer's Emergency Budget in July, Greater Manchester and Cornwall were identified as two areas that were to receive devolved powers from Government. In addition, the Government published its document, *A country that lives within its means - Spending Review 2015*. In the Executive Summary George Osborne and Greg Sands stated, "*Devolution within England has only just begun. This Spending Review is an opportunity to take a further big step forward.*"

#### Local Authority Responses

- 1.5 Within the local government community there has been an expectation that cities would engage with their hinterland authorities to establish areas for devolved powers, with or without an elected mayor as the preferred governance model. Combined Authorities were also suggested as well as less formal arrangements. For those areas that wished their devolution proposals to be considered as part of the Spending Review, the Government established a deadline for submission of 4 September 2015.
- 1.6 The County Council Leader believed that this was an opportunity that Lincolnshire should take. He initiated conversations with district councils, the unitary councils of North Lincolnshire and North East Lincolnshire, the Greater Lincolnshire Local Enterprise Partnership, the Police & Crime Commissioner, the Clinical Commissioning Groups, the universities, the further education sector and others.
- 1.7 There was broad agreement early on that a devolution proposal should be prepared, and that ideally this should cover Greater Lincolnshire, but there were differing views about the timescale for submission. Civil Servants confirmed that there was no requirement for areas to submit anything and that proposals would be accepted after the 4 September. However, it became apparent that submissions that came later would not be dealt with in the same way. Those submitted by the deadline and accepted by HM Treasury would probably have budgets allocated as part of the Spending Review, with money directly top-sliced from Departments. Any that were

considered after the spending review would most likely be considered on a department by department basis.

- 1.8 The County Council commenced a draft expression of interest document and shared it with potential signatories. Chief Executives of the unitary and district councils worked collaboratively with the Chief Executive of this council to finalise the words having consulted with the other signatories.
- 1.9 The document has the status of an expression of interest and is not binding on the parties. It specifically states "*We believe that, in discussion with government, we can develop these proposals to form a strong, viable and transformational plan for Greater Lincolnshire, and we ask government to engage with us to that end.*"

## **2. Conclusion**

- 2.1 The signatories recognise that this is an expression of interest to enter into a discussion with Her Majesty's Government. The proposals in the document are not binding on any party, not least because the Government will wish to negotiate terms with the various interested organisations, should it invite them to do so.
- 2.2 The timetable for the submission has been such that it has not been possible for most of the organisations to obtain formal agreement of their governance bodies to approve the document. The Leader of the Council has signed this document based on the conversations with the leaders and representatives of organisations in Lincolnshire, some of whom are signatories to the document.
- 2.3 At this stage there are no policy or budget changes that would require the approval of the Council. However, Council members are invited to recognise the potential benefits of receiving devolved powers and to endorse the submitted document, which is appended to this report.

### **3. Legal Comments:**

The submission of an expression of interest falls within the executive powers of the Leader of the Council. The County Council does not need to approve formally this document for it to be valid, but may endorse it as a means of demonstrating its support. The report notes, correctly, that the submitted proposals are not binding on the Council or any other organisation.

#### 4. Resource Comments:

There are no immediate budget implications in endorsing the submission document.

Should there be an invitation to enter into discussions with HM Government, then there will be some expenditure but this would fall within the present Budget Framework.

#### 5. Consultation

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

n/a

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

Yes

##### c) Scrutiny Comments

Not applicable

##### d) Policy Proofing Actions Required

Not applicable because this is a new area of policy and governance.

#### 6. Appendices

These are listed below and attached at the back of the report

Appendix A	Greater Lincolnshire: A Place to Grow ... faster than anywhere.
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#### 7. Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Cities and Local Devolution Bill	<a href="http://services.parliament.uk/bills/2015-16/citiesandlocalgovernmentdevolution.html">http://services.parliament.uk/bills/2015-16/citiesandlocalgovernmentdevolution.html</a>
A country that lives within its means	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/447101/a_country_that_lives_within_its_means.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/447101/a_country_that_lives_within_its_means.pdf</a>

This report was written by Richard Wills, who can be contacted on 01522 553001 or [richard.wills@lincolnshire.gov.uk](mailto:richard.wills@lincolnshire.gov.uk).

# Greater Lincolnshire

A Place to Grow... faster than anywhere



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# A Place to Grow...faster than anywhere

This is a proposal from organisations in Greater Lincolnshire to accelerate growth and productivity in our economy, deliver a step change in our skills base, be at the forefront of new technologies, improve health and wellbeing outcomes and deliver radical public service reform for the benefit of our citizens. The guiding principle of this Expression of Interest is that the risks of commissioning and delivery are devolved to the local place where they are best and most efficiently managed. We make strong proposals for governance accordingly.

We are an economic powerhouse, key to the Midlands Engine, the Humber “Energy Estuary” and the Northern Powerhouse, integral to UK Plc and a major gateway to Europe. We have clear high-growth potential in key industry sectors and we have the space and political will to exploit this. If we can gain from the Government the devolution of a range of specific powers and control over the associated funding **we can achieve growth more quickly than anywhere else**

**in the UK**, enhance our collective financial resilience and establish a sustainable platform for our area to thrive, adapt and innovate. We will;

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increase the value of the Greater Lincolnshire economy by £8bn;

create 29,000 new jobs;

- deliver 100,000 new homes;
- redesign locally services for the administration of justice, health and social care, flood and water management and public safety.

Greater Lincolnshire has a population of 1,060,000. It consists of the Unitary Authorities of North Lincolnshire and North East Lincolnshire (both bordering the south bank of the Humber Estuary) together with the County of Lincolnshire and its constituent seven districts, bounded entirely by the Local Enterprise Partnership of the same name.

The area makes distinctive contributions worth £16bn GVA to the UK economy. Some of the most significant energy, food manufacturing and chemical industries in England are located here. It has the largest UK port by tonnage and the area's logistics companies serve the whole of the UK. Tourist visitors visiting the area generate more than £1bn business a year.



## Accelerated Growth

*The south bank of the Humber is at the centre of an emerging £100bn offshore wind market, with the potential to create wholly new supply chains. We will deliver an 'Energy Estuary' working with partners in all sectors across the Humber and create new UK modal shifts in transport across the north, decongesting the south east ports. We are at the centre of new offshore gas production in the southern North Sea and home to the 2nd largest chemical cluster (£6bn pa), the largest helicopter facility in England and the largest UK refinery cluster – 27 % of UK total capacity.*

*Food processing is a major sector for growth and innovation. The sector has potential for the growth of national and international companies and small businesses alike. Logistics is a key area for both food and freight and transport infrastructure is key to our future growth.*

*Southern Lincolnshire is growing fast because it is the most affordable housing area within an hour's commute of London and it acts as a strategic gateway into Greater Lincolnshire.*

*We plan to double the value of the visitor economy to £2bn over the next 5 years by capitalising on our heritage and environment assets.*

### We offer to...

- grow the area's three defining and most competitive sectors:
  - **agri-food** - 25% of England's grade 1 land, already producing 25% of the country's vegetables, which is vital to the food security of the UK. We also process 70% of UK seafood;
  - create an environment which encourages inward investment and develops **manufacturing and engineering** (a sector currently worth £1.8bn) to continue to develop innovative ideas and put Greater Lincolnshire on the map as a global manufacturing and engineering hub;
  - **a visitor economy** that attracts 17.4 million visitors per year to our world class heritage sites, our 550km<sup>2</sup> area of outstanding natural beauty and our major coastal resorts.

- boost the future defining advantages of the area:
  - the busiest ports in the UK, the largest UK port complex by tonnage and the largest Ro-Ro facility on the East Coast together with the biggest undeveloped deep-water estuary in Europe and the landside space to exploit a huge logistics opportunity. We will develop our unique estuary land assets to **create new logistics, manufacturing and trade routes** in order to become the North's 'Gateway to Europe';
  - becoming the renewable **energy and offshore wind** capital of Europe;
  - **health and care** – implement the GLLEP Care Sector plan encompassing community resourcing, improved housing, workforce development and research.
- drive this growth by putting expansion into new markets, modern telecommunications, infrastructure improvements and the skills of individuals and business owners;
- be an active contributor to the Northern Powerhouse and Midlands Engine and to participate in the Midlands Connect programme in order to encourage cohesion across the Midlands region;
- enable our universities, colleges, and intermediary organisations to support businesses to obtain investment funding through collaboration in innovative projects and through the elimination of the disjointed and cyclical bidding rounds;
- grow the economy more quickly through EUSIF devolution leading to speedier decision taking, delivery of projects and in reducing the costs of administration;
- develop Greater Lincolnshire's environmental offer as a direct contributor to the visitor economy and the health of our communities;
- deliver the Government's Rural Productivity Plan.

### In order to do this we seek...

- **a pilot scheme for statutory agencies** (including Natural England, MMO, Highways for England, English Heritage and the Environment Agency), to be accountable to our new Greater Lincolnshire governance structure to deliver our ambitions for growth and to fast track delivery;
- **alignment with the local Growth Plan of business support budgets**, including those of the Business Growth Service, Manufacturing Advice Service, HEFCE

Catalyst and the UK Trade and Investment (UKTI) Export Advice service; Devolution of the governance of these funds to provide strategic leadership and integration of EU funded “opt ins”;

- **appropriate share of Single Local Growth Fund monies**, and from devolved transportation capital, so that we can create a Greater Lincolnshire Investment Fund which enables us to invest in projects which will generate high quality jobs and housing. Funding for this will be augmented by ringfencing a proportion of the EU funding programme;
- **devolution of the management of our EU programme** including granting of Intermediate Body status. The EUSIF programme gives the LEP the opportunity to develop local solutions to economic opportunities, but the setting of strategies and the processing of applications is done nationally with limited involvement at the local level. Devolution will improve the speed with which projects come forward and thus help to promote productivity more quickly and reduce the costs of administration;
- approval for the South Humber Estuary coastal ports and airports **enterprise zone and the enterprise zones** currently being considered by the GLLEP;
- the **development of a strategic land use plan** that aligns our economic ambitions with private and public sector funding streams, streamlined planning and development process for major projects through enhanced CPO procedures / support to acquire locked critical land assets (similar to New Town Act powers) and site exemptions from use of ‘zones’ and local development orders.

## Transport

*Business leaders in Greater Lincolnshire have consistently identified connectivity as a significant enabler for prosperity. Connectivity includes access to high speed telecommunications. However, accessibility through transport is usually cited as the highest priority. Many of our growth sectors rely on good transport; especially food manufacturing and tourism.*

### We offer to...

- utilise the planning process and local investment funding (matched with

LGF) to facilitate enhanced growth around the A1 and East Coast Main Line corridor, the A17 and A15, strategic routes to coasts and ports and to Skegness, Boston and Sleaford;

- invest in infrastructure (transport and housing) through a local infrastructure delivery plan, prepared by an Infrastructure Board that would involve other public sector partners such as EA, Network Rail, Highways England, Historic England, HCA and some private sector providers including utility operators and digital communications and infrastructure companies.

### In order to do this we seek...

- **amendment to the Highways England programme** to give priority to connection points for A46/ A17/ A52/ A18 onto the strategic network e.g. A1 and M180 in order to produce faster east-west links as set out in the Midlands Engine commitments;
- commitment from the Department for Transport to allocate funding within its second Roads Investment Strategy for 2020;
- **recognition that the following road corridors within Greater Lincolnshire fulfil a national role** in moving people and goods:
  - A46 Newark to Lincoln and A158 Lincoln to Skegness;
  - A17 Newark to Kings Lynn;
  - A15 Lincoln to M180 to Humber Bridge;
  - A16 East Coast Route;
  - A52 from the Wash to the A1.
- rationalisation of the appraisal process for transport projects to considerably shorten timescales, and then implementation of the new process in conjunction with DfT;
- powers to adopt bus service franchise powers to be applied in appropriate areas;
- powers to apply a discounted fuel duty scheme to support transport in rural areas;
- phased implementation of the outcomes of the GLLEP’s rail strategy, which supports the Midlands Engine commitment to improving rail services and seeks gauge improvements and electrification.

## Skills

*Greater Lincolnshire has a comparatively low skills base and is often described as a low wage, low productivity economy, with consequent lower GVA than the UK average.*

*One particular challenge to Greater Lincolnshire's growth is the difficulty in recruiting and retaining skilled workers in the health and care sectors. The GLLEP has produced a Health and Care sector strategy which identifies priorities, of which a Medical School is key. It is widely recognised that areas with a medical school find it easier to retain trained medical staff than those without. Other increasingly important sectors in the region, such as construction and engineering, defence and aerospace, also have significant skills needs and gaps in current provision.*

*A further challenge is the need to rapidly up skill and re-skill the workforce in order to access the thousands of new jobs that will shortly be arriving with the development of a new offshore wind industry.*

*This proposal promotes a pioneering approach to integrated skills development across the shared economic geography. We want to develop a workforce to drive the local economy, both through supporting existing businesses and attracting more diverse and higher value inward investment. We look flexibly across our boundaries to address skills for the southern part of the GLLEP area in a new and emerging skills partnership with Greater Peterborough, recognizing the real impact of travel to work areas and economic geography.*

### We offer...

- faster business growth, and lower unemployment;
- lower youth unemployment and fewer NEET (not in employment, education or training) because young people have better employability skills and understand the opportunities available to them locally;
- greater value for money – e.g. services for Work Programme clients will be integrated at local level reducing wasteful duplication; SME employer engagement carried out by different agencies will be joined up reducing duplication;

- a more integrated approach to the delivery of professional and technical skills with enhanced collaboration between employers, the GLLEP and providers, enabled perhaps through local outcome agreements;
- strong support for an 'area review' of the post-16 education and skills system to ensure that is responsive to local economic priorities; this should be comprehensive and thus include schools, academies, UTCs and colleges, as well as any relevant local authority, private sector and university provision;
- to re-shape and re-structure the Further Education (FE) provision within Greater Lincolnshire so that a new FE system is put in place with appropriate governance to ensure that it delivers people with the right skills in the right place;
- a boost to our economy, and productivity, by creating a local workforce that can fill the 200,000 job vacancies that are predicted to be available over the next ten years as our industries grow and as people retire by:
  - creating a seamless transfer from learning to work;
  - working closely with employers, the National Careers Service, and the Careers and Enterprise Company to shape their provision in line with our jobs and skills forecasts. We will also work closely with our SMEs in order to create more apprenticeships;
  - eradicating the very low HE participation rate locally through supporting the efforts of the all further education and higher education establishments in Greater Lincolnshire;
- providing sufficient supply of good education places that matches the pattern of economic growth and allows parental choice to achieve the education and skills necessary for 21st Century society;
- innovation and investment in new models of delivery for technical and professional skills against our skills priorities and to meet the specific needs of the related industries;
- support to schools, UTC and college leaders so that they can develop curricula which meet the priorities that are set out in the council's strategy framework for education;

- changing the landscape of education and skills development across the health and care sector, including flexible vocational routes and support to establish a Career College and a Post-Graduate Medical School followed by a Graduate Medical School;
- Support to restructure education and skills development in the health and care sector to enable flexible routes to medical, nursing and other care professions and match the needs identified in the area Health and Care sustainability programmes;
- support for the efforts of the higher education and skills sector in raising aspirations and creating sustainable integrated lifelong learning pathways at all stages of education, skills development and continuing professional development;
- educating and retaining high quality skilled graduates, and utilising the skills of the significant number of RAF personnel leaving the forces and settling in the area mid-career in order to contribute to local economic growth.

## Page 70 In order to do this we seek...

The powers to give strategic direction to the range of education and skills funding streams which could be integrated to maximise the potential of the emerging GLLLEP Skills Strategy and to achieve skills development through devolving:

- **power to reshape and re-structure Further Education (FE) provision** within Greater Lincolnshire, in line with the governments invitation issued in the Rural Productivity Plan of August 2015;
- **funding streams of Post 16 Education Funding Agency and Skills Funding Agency (SFA) budgets;**
- responsibility for all of the **funding relating to career information, advice and guidance (CIAG)** for adults and young people, including a new Career & Enterprise Company;
- the transfer of the duty on schools around career information, advice and guidance (CIAG), to the GLLLEP;
- an increased role in the coordination of the delivery of professional and technical skills across the region, following an 'area review' of the post-16 technical and professional skills system to ensure that is responsive to local economic priorities;

- responsibility for commissioning part of the Adult Skills & the Skills Infrastructure budgets (e.g. National Apprenticeship Service helpline) and to be an integral part of the area reviews of post-16 provision;
- **responsibility for identifying and managing the expansion of apprenticeships** in food, farming and tourism, in line with the commitment in the RPP, and in engineering and renewables;
- **devolved commissioning to the local level of the Youth Contract** supporting 16/17 year olds into education or employment;
- **decision making for local school funding;**
- control over the incentives on providers in order to provide more flexibility over who is entitled to receive support;
- for FE providers in Greater Lincolnshire to be given a duty to co-operate with the GLLLEP's new joint skills board, and an SFA procurement regime that mirrors the LEP's strategies and offers some flexibility to move funding amongst headings;
- devolution of the responsibilities and resources of Health Education England, Skills for Health and Skills for Care and the power to reshape commissioning health and care education opportunities;
- **to commission locally adult universal benefits integrated with Council Tax benefits**, commission the next phase of the Work Programme; and to discuss joint accountability with DWP for the work of Jobcentre Plus.

# Housing

*With house prices eight times the average salary, pricing many people out of the housing market, there is a need to fix the housing market in Greater Lincolnshire if aspirations for economic growth are to be realised.*

*The volume of housing required allows for the pressure created as a consequence of the ageing population not releasing the housing stock in the face of requirements to house the growing workforce.*

*Local Authorities in Greater Lincolnshire have allocated significant amounts of land for housing. We are positive about population growth in conjunction with economic growth in the key sectors identified. We wish to minimise the time taken from allocation to build.*



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## We offer to...

- deliver 100,000 new homes (consistent with the Greater Lincolnshire Strategic Economic Plan and emerging Local Plans), with an appropriate proportion of affordable housing and starter homes supported by appropriate infrastructure and our local public assets;
- develop and co-ordinate 'Right to build' schemes by the community;
- develop a Greater Lincolnshire Housing Partnership of registered providers, developers, and land owners together with HCA, LEP and Councils in the area.

## In order to do this we seek...

- **enhanced powers to allow councils to use short hold assured tenancies**, to remove borrowing caps and allow councils and Registered Providers (RPs) to use prudential borrowing., and to allow financing through a council's general fund.
- to increase and improve the quality and affordability of housing supply through
  - the One Public Estate approach for land including control over nationally held public assets such as surplus MOD land and Network Rail land.
  - freedom to develop local housing rules on right to buy and housing stock financing and management;
- **the pooling and devolution of central government and HCA resources** into a Housing Investment Fund;
- devolved power for both Registered Providers and Local Authorities to set rents and retain right to buy receipts;
- to explore a unique deal that specifically tackles the underlying causes of in- work poverty including linking the payment of Housing Benefit to the delivery of certain minimum housing standards in the private rented sector.



## Water

*We must prioritise tackling flood risk. We have a long and highly vulnerable coastline. No other part of Britain faces the scale of significant inundation from the sea as does Greater Lincolnshire.*

*A serious coastal flood in Greater Lincolnshire would seriously compromise the UK's capacity to produce high grade crops for up to seven years. Our action on this is acknowledged as one of the leading areas for collaboration to address flood risk but more is needed.*

*We wish to incentivise investment in water management and realise the potential for substantial private contributions to flood defence.*

### We offer to utilise...

- delegated powers and funding to deliver a 30% efficiency in developing projects currently subject to Defra's funding controls and approval processes; the Water Resources study recently commissioned by the Greater Lincolnshire LEP to devise means of applying spatial planning priorities and infrastructure funding and provide water resources for an expanding manufacturing sector and a growing population;
- the water resources study to manage flood risk as well as a range of coastal flood defence investments and other minor local schemes.

### In order to do this we seek...

- delegation of decision-making powers over flood risk management priorities (including large-scale coastal management schemes) and resources in the medium-term programme (MTP) from national to the local level to increase the effectiveness of our existing partnership arrangements;
- **tax incentives for agri-food businesses and the steel industry** to develop water resources or water efficiency measures on their sites;

- **freedom to extend the arrangements for tax relief for businesses** contributing to flood relief schemes benefitting from national funding to include privately proposed and funded schemes that meet the objectives of the Local Flood Risk Management Strategy and the LEP Growth Strategy;
- **devolution of the EA powers around flood risk operations** and use of the capital funding within the Medium Term Programme (MTP).



## Health

*Our acute health sector faces significant issues in respect of both performance and financial viability. We have above average growth in our elderly population. We have plans across our area (Lincolnshire Health and Care (LHAC) and 'Healthy Lives Healthy Futures') which reflect the NHS 5-year view in seeking an integrated strategic approach to health and social care reform which fairly and accurately incorporates the priorities of the full range of NHS and social care stakeholders, including acute trusts.*

*Clinical Commissioning Groups and local authorities will continue to collaborate while each retains their statutory function.*

### We offer to deliver...

- a substantially more integrated approach to health and care service planning and delivery in Greater Lincolnshire, offering better outcomes and more cost effective health and care services;
- greater support to people with physical and mental health issues to be active in the workplace;
- further development of neighbourhood based services including a significant increase in care delivered closer to home and improved outcomes;
- a model for emergency care, urgent care and planned care services that delivers safe, high quality services which are affordable and sustainable;
- a substantial increase in physical activity levels and engagement in arts and cultural activity to improve health outcomes and reduce demand on acute NHS services.

### In order to do this we seek...

- **devolution of the range of commissioning resources that support the health and wellbeing** of Greater Lincolnshire people. These include the resources of Public Health England, NHS England and Health Education England;

- greater coordination of Local NHS and Social Care Commissioners with a devolved place-based health & social care budget with a minimum four year settlement;
- **integrated commissioning of all community services.** This includes health and social care delivered services;
- joint commissioning of DCMS sports, physical activity, culture and arts programmes to align with local health and wellbeing strategies.

## Public protection

*Crime is local. Altogether 92% of prisoners from Lincolnshire reside in Lincolnshire prisons but the drivers of crime and anti-social behaviour lie in our communities, and solutions are also to be found there.*

*There are current proposals, which we believe we can assist with, to provide better access to Magistrates Courts services through reducing the estate and re-investing savings.*

### We offer to deliver...

- improved access to justice whilst making savings through the integration of courts with the local public estate;
- to reduce re-offending rates through integration of Offender Management with Community Safety, Health and Safeguarding programmes.

### In order to do this we seek...

- **transfer of the commissioning of Prison Services to local political control;**
- **transfer of the administration of HMCTS and the MoJ estate** to be delivered by local authorities in the area.

## Our leadership

We believe that bringing the risks of commissioning and delivery to the local place enables them to be best managed. We understand that government expects robust structures of governance to be put in place to enable this to take place. We rule nothing out in terms of new governance in seeking to deliver our new agenda for growth.

**We anticipate that the range of powers and funding sought in this expression of interest may take us into territory for which the governance arrangements would be no less than a Combined Authority. We wish to enter into discussions with the Government over the precise governance arrangements that would be most appropriate in order to fully secure the scale of devolution that we seek.**

Whilst this prospectus requests devolved powers we in turn will distribute powers differently. In achieving our ambitions our approach to governance will be:

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- to enable people do things for themselves as individuals;
  - to empower community partners at a local level;
  - to encourage private, public and third sector organisations to align their activities with our ambitions;
  - for the devolution partners to identify gaps, prioritise and utilise the devolved powers and resources in the delivery of our ambitions.

We will strengthen neighbourhoods and communities by devolving powers and funding from the Greater Lincolnshire level to individual constituent councils or groups thereof.

We recognise that for many activities political boundaries are crossed and we will continue to interact with our neighbours. We shall work collaboratively with those organisations that share many similar characteristics and operate beyond our area including those in Peterborough, Hull, East Riding of Yorkshire, Kings Lynn and West Norfolk, and on our western boundary.

It is also hoped the Government will accept the arguments for a more flexible approach to the current council tax referendum limits and processes nationally. This would also fit well with the principles of local accountability and decision making which underpin the approach to devolution.

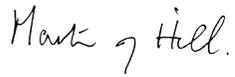
## We offer...

- a governance arrangement that will provide transparent democratic accountability and an effective interface for ministers whilst continuing to ensure that specialists such as clinical commissioners maintain a strong voice;
- integrated democratic leadership of local authorities working with elected bodies including the PCCs bringing these elected leaders together with the NHS leadership and the Chair of the LEP.

## In order to do this we seek...

- as well as potential flexibilities around the local element of business rates we wish to explore with the Government flexibilities around use of capital receipts and borrowing powers for critical infrastructure investment. We recognise that any package of freedoms and developments over the medium term will need overall fiscal neutrality for the Greater Lincolnshire partners and HM Treasury;
- Government to review the funding allocation formula for Greater Lincolnshire** to ensure it matches the actual needs profile of our population;
- power to acquire nationally held local public sector land, including non-operational MOD land, for the overall benefit of the region – thereby giving improved and effective strategic planning for enterprise, housing, growth and infrastructure. Subsequently we would also want to keep any capital receipt for the sale of any land in our control.

***We believe that, in discussion with government, we can develop these proposals to form a strong, viable and transformational plan for Greater Lincolnshire, and we ask government to engage with us to that end.***



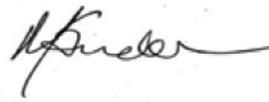
**Cllr Martin Hill OBE**  
Leader of Lincolnshire  
County Council



**Cllr Lord Gary Porter**  
South Holland  
District Council



**Cllr Craig Leyland**  
East Lindsey  
District Council



**Dr Margaret Sanderson**  
Chair of North  
Lincolnshire CCG



**Mark Webb**  
Chair of North East  
Lincolnshire CCG



**Dr Allan Kitt**  
Chief Officer South West  
Lincolnshire CCG



**Cllr Lady Liz Redfern**  
Leader of North  
Lincolnshire Council



**Cllr Ric Metcalf**  
City of Lincoln  
Council



**Cllr Peter Bedford**  
Boston Borough Council



**Dr Peter Holmes**  
Chair of Lincolnshire  
East CCG



**Dr Sunil Hindocha**  
Clinical Chief Officer  
Lincolnshire West CCG



**Dr Kevin Hill**  
Chair of South  
Lincolnshire CCG



**Cllr Ray Oxby**  
Leader of North East  
Lincolnshire Council



**Cllr Bob Adams**  
South Kesteven  
District Council



**Cllr Jeff Summers**  
West Lindsey  
District Council



**Prof. Mary Stuart**  
Vice Chancellor  
University of Lincoln



**Rev. Prof. Peter Neil**  
Vice Chancellor  
Bishop Grosseteste  
University



**Margaret Serna**  
Chair of the Board of  
Corporation  
Lincoln College Group



**Ursula Lidbetter MBE**  
Chair of Greater  
Lincolnshire LEP



**Cllr Marion Brighton  
OBE**  
North Kesteven  
District Council



**Alan Hardwick**  
The Police and Crime  
Commissioner for  
Lincolnshire



The Police and Crime Commissioner for Lincolnshire



**NHS**  
*Lincolnshire West  
Clinical Commissioning Group*

**NHS**  
*South Lincolnshire  
Clinical Commissioning Group*

**NHS**  
*South West Lincolnshire  
Clinical Commissioning Group*

**NHS**  
*Lincolnshire East  
Clinical Commissioning Group*

**NHS**  
*North East Lincolnshire  
Clinical Commissioning Group*

**NHS**  
*North Lincolnshire  
Clinical Commissioning Group*



**Open Report on behalf of Richard Wills, Monitoring Officer**

Report to:	<b>County Council</b>
Date:	<b>18 September 2015</b>
Subject:	<b>Amendments to the Council's Constitution arising from Legislative Changes</b>

**Summary:**

The purpose of this report is to ask the Council to approve the changes as detailed at Appendix A to this Report. These are necessary to ensure that the Council has workable arrangements for contract letting following a change in the law. The opportunity has been taken to tidy-up the presentation of the rules.

**Recommendation(s):**

That the Council

approves the amendments to the Council's Constitution detailed at Appendix A to this Report;

## **1. Background**

1.1 In accordance with the Council's Constitution, the Monitoring Officer is responsible for reviewing the Constitution with a view to recommending amendments necessary to ensure that the Constitution is compliant with changes to legislation.

1.2 Amendments are necessary to the Council's contract regulations contained within the Constitution to ensure compliance with the Public Contracts Regulations 2015 ("the Regulations") which introduced a number of changes to procurement law to regulate procurements below the OJEU threshold (less than £172,514 for services). These changes require the Council to consider how it meets the new requirements and this paper proposes draft amendments to the Council's contract regulations which are compliant with the law. At the same time the opportunity has been taken to review the contract regulations;

- to re-designate what constitutes low, medium, medium high and high value procurements
- in the light of recent changes including the Council's changed structure following the creation of the Commercial Team

- to strip out material which better sits in the Council's Contract and Procurement Procedure Rules (CPPRs)( an operational document which does not form part of the Council's Constitution).

1.3 The proposed changes to the Council's current Contract regulations are set out in Appendix A. The changes are tracked for ease of reference.

## **2. Below EU Threshold Procurements**

2.1 The new Regulations require the Council to advertise the procurement on the national procurement portal Contracts Finder **if** the procurement is advertised elsewhere. At the same time Councils are no longer able to run a prequalification stage to down select potential suppliers. This process has been used to reduce the evaluation burden if a significant response is expected for a procurement exercise.

2.2 Currently the Councils CPPRs require that any procurement above £25,000 must be advertised on Source Lincolnshire. This was designed to encourage local suppliers to bid for work and improve local economy engagement.

2.3 Under the new Regulations if the Council continues to advertise on Source Lincolnshire it must now also advertise on Contracts Finder which in effect neutralises the local engagement intentions and also advertises the opportunity nationally increasing the risk of a high volume of responses.

2.4 The council now has no method to manage large responses for low value procurements as it cannot short list to a predetermined number of bidders via a prequalification stage. This poses a significant risk with regards to resource, i.e. if 30 responses were received, all 30 responses must be evaluated.

2.5 At the same time EU Treaty principles of openness, transparency and equal treatment may themselves require advertisement of opportunities which are below the EU threshold.

2.6 To resolve the conflicts between these different developments, the Council's objectives to encourage local suppliers and to obtain value for money the following approach to the Contract Regulations is proposed

- (a) Contracts between £5000 and £15,000 would normally be tested by obtaining 3 quotations (currently there is no requirement to obtain quotations below £10,000).
- (b) Where Treaty principles permit, Contracts from £15,000 to the EU threshold for services (£172,514) will unless a Director determines otherwise be awarded without advertisement. In these circumstances formal quotations will be required from at least 4 companies, including at least 2 local companies where possible, (currently there is a requirement to tender above £75,000).
- (c) Contracts above the EU threshold will be carried out in accordance with procurement regulations and EU Treaty principles.

2.7 This approach would enable the Council to comply with its legal obligations while minimising the impact of the prohibition on using a prequalification stage to down select and continuing to support local businesses where possible.

### **3. Other Proposed Changes**

3.1 Paragraph 2.5 of the existing Contract Regulations in the case of works contracts say that where Council funding is estimated to exceed £100,000 the requirements relating to briefs and appraisals set out in Financial Regulations B9 should be followed. In fact the £100,000 is a typographical error out of step with Financial Regulations B9 and should read £500,000 and the opportunity to correct this has been taken.

3.2 The creation of the Commercial team is referenced at appropriate points throughout the amended Contract Regulations.

3.3 The material sitting in the existing contract regulations at paragraphs 3.4-3.7 deal with matters which are operational in nature. They better sit in the Council's CPPRs which sit below and which are consistent with the Contract Regulations. The CPPRs are being reviewed and developed by the Commercial Team in the light of the new regulations and best practice. This will enable changes to be made to the CPPRs as necessary without the need to change the Council's Constitution.

3.4 Sections 5.3 and 5.4 on charging and trading have been amended to remove the specific references to statutory provisions which have changed without affecting the basic power. This change will prevent the need to amend the Constitution each time the specific basis of these powers is amended.

3.5 It is not proposed that thresholds for exceptions decision-making on setting aside Contract Regulations should change and this is reflected in Appendix A.

### **4. Conclusion**

4.1 Amendments to the Council's Constitution are the responsibility of Full Council. Councillors are therefore asked to consider the recommended amendments appended to the report.

#### **3. Legal Comments:**

The changes to the Constitution are required to bring the Constitution into line with changes in the law. The issues are rehearsed within the Report.

Changes to the Council's Constitution are a matter reserved for the full Council.

#### 4. Resource Comments:

There should be no additional costs arising from the proposed changes and the new processes can be met from existing budgets.

The revised processes should ensure that the Council continues to derive value for money from its procurement activity.

#### 5. Consultation

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

n/a

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

Yes

**c) Scrutiny Comments**

n/a

**d) Policy Proofing Actions Required**

n/a

#### 6. Appendices

These are listed below and attached at the back of the report

Appendix A	Changes to Part 4 – Rules of Procedure
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#### 7. Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Public Contracts Regulations 2015	The Commercial Team

This report was written by Sophie Reeve (Chief Commercial Officer) who can be contacted on 01522 552578, [Sophie.Reeve@Lincolnshire.gov.uk](mailto:Sophie.Reeve@Lincolnshire.gov.uk) and Katrina Cope (Team Leader –Democratic and Civic Services), who can be contacted on 01522 552104, [Katrina.Cope@Lincolnshire.gov.uk](mailto:Katrina.Cope@Lincolnshire.gov.uk)

# CONTRACT REGULATIONS

## 1. BACKGROUND

### 1.1 Context and Purpose

~~Lincolnshire County Council's expenditure on goods, services and works is second only to expenditure on staffing in magnitude.~~ Each year, the Council procures goods, services and works to the value of hundreds of millions of pounds. These purchases can range from a multitude of transactions that are individually quite small (for example stationery) through to single major projects (for example infrastructure and asset acquisition). The norm is for these items to be obtained on the basis of a contract between the Council or one of its partner organisations and external suppliers.

Contract Regulations outline the general principles to be followed by Chief Officers in procuring goods, services and works from organisations external to the County Council. In association with the County Council's Financial Regulations and Scheme of Authorisation to Chief Officers they comprise a comprehensive control regime governing the financial affairs of the County Council.

### 1.2 General Requirements

Every contract entered into by the County Council ~~must~~ be within the Council's powers, in connection with the Council's functions and in line with the aims and objectives of the Council and ~~must~~ comply with:

- All relevant statutory provisions;
- The relevant European procurement rules (e.g. the EC Treaty, the general principles of EC law and the EC public procurement directives implemented by the UK Regulations);
- Best Value requirements;
- The Council's Constitution including these Contract Regulations, the Council's financial regulations and scheme of authorisation; and
- The Council's strategic objectives, Sustainable Procurement Strategy and policies ~~and the Contract and Procurement Procedure Rules.~~

The highest standards of probity are required of all officers and Councillors involved in the procurement, award and management of the Council's contracts and all officers should take into account, when procuring, the requirements of the Council's code of conduct.

### 1.3 Supporting Guidance

These Regulations are underpinned by Contract and Procurement Procedure Rules which relate to procurement activities and replaces previous individual Directorate Memoranda.

## 1.4 Authority

Any procurement carried out on behalf of the Council may only be undertaken with the appropriate authority of the Council. Chief Officers may have delegated authority under the Scheme of Responsibility for Functions set out in the Constitution. If not, then authority at Councillor level will need to be sought in accordance with the Constitution.

Where there is appropriate authority, procurement may be delegated in line with each Directorates scheme of authorisation. Authorised officers may then enter into appropriate contracts and place orders within approved budgets and in line with these Contract Regulations.

## 1.5 Scope

The following contracts are exempt from the requirements of these Contract Regulations as they are controlled via other regulations as stated:

- Employee Contracts (see Employment Manual);
- Contracts relating solely to disposal or acquisition of an interest in land (see Property Management Strategy/Financial Regulations)
- The provision of services to or by or the creation of partnerships with other public bodies (see Financial Regulations);

These Regulations apply to all service areas/directorates, units and establishments of the County Council. Where the County Council engages the services of an external private sector organisation to act as its agent in letting contracts on behalf of the Council, it is a requirement of the terms of engagement of the external organisation that they comply with these Regulations in letting contracts on behalf of the Council. Where the Council is working in partnership with another public body which procures goods, services or works as a lead authority on behalf of the Council, the Contract Regulations of the lead authority may be used. If the Council acts as the lead authority to procure goods, services or works on behalf of other bodies then these Contract Regulations must be followed.

These Regulations apply to schools except where they are incompatible with the Scheme for Financing Schools as required under the School Standards and Framework Act 1998 which shall take precedence. If clarification is required advice should be sought from the Executive Director of Finance and Public Protection.

## 2. GENERAL PRINCIPLES

### 2.1 Pre-Procurement Procedure

Before commencing a procurement, it is essential that the officer leading the procurement has identified the need and fully assessed any option for meeting those needs. Consideration shall be given to the Council's Sustainable Procurement Strategy as appropriate.

Before undertaking a procurement the officer shall:

- Consider all other means of satisfying the need (including recycling and re-use where appropriate);
- Take advice as necessary from the Council's Commercial and Legal teams

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- Consider whether there is a Partnership or Framework Agreement already in place that should be used;
- Consider external market capability;
- Establish a business case for the procurement (including costs involved in conducting the procurement);
- Be satisfied that a detailed specification and conditions forming the basis of the contract, and a detailed, full and reasonable estimate of the whole life cost of the contract, has been prepared; and
- Ensure all necessary approvals are in place.

## **2.2 Contracts Subject to the European Union Regulations**

UK Public Contract Regulations, which enact EU Directives, apply to all contracts for goods, services or works ~~as detailed in the UK Public Contract Regulations which exceed the EU financial thresholds.~~

Where an estimated value of a contract exceeds the current EU threshold then the contract shall be awarded in accordance with the above EU Regulations. Under these regulations, the contract may be awarded under the open ~~or, restricted procedure~~, ~~in exceptional particular circumstances, other the negotiated procedures are available but suitability should be assessed by the Commercial Team and legal advice obtained as appropriate~~

Where the EU Regulations apply inclusion on any list does not automatically pre-qualify any firm and absence from the list does not automatically exclude any firm.

The EU Regulations set out the requirements for the publication of contract notices for goods, service, and works contracts and rules relating to technical specifications and the publication of contract award notices.

The EU regulations also set out minimum timescales for various processes, for example, receipt of expressions of interest and tenders.

Contract and Procurement Procedure Rules provide further explanation of the requirements of European Regulations. ~~Commercial/~~Legal advice shall be sought by any officer undertaking such a procurement to ensure all legal requirements are met.

## **2.3 SERCO and VINCI MOUCHEL**

The County Council has entered into and invested capital in a wider contractual partnership with Serco which is providing services within the following areas:

- Information Technology
- People Management
- Customer Contact
- Financial Administration

It has entered into separate contractual partnership with Vinci Mouchel for Property Services including Facilities Management; Energy Management; support to Corporate Asset Management; Managed Services; Property Records; Valuations; Travellers Sites; Capital Project Services and Catering (main site and member services).

So that the Council enjoys the maximum benefit to be had from these contracts it is the responsibility of all Chief Officers in conjunction with the Chief Information and Commissioning Officer to ensure that all Officers are aware of when goods and services can and should be purchased directly from Serco and Vinci Mouchel.

Other goods, services and works may have been or may be procured as part of wider contractual relationships with partnering organisations including through frameworks, which have been set up as a result of EU compliant competition. Chief Officers shall ensure that all officers are made aware of when these organisations can and should be used together with written guidance on the process to be followed.

## 2.4 ESPO

The Council is currently a member of the Eastern Shires Purchasing Organisation (ESPO). Use of this purchasing consortium saves time and cost involved in tendering individual contracts. They can also provide support by undertaking competition on the Council's behalf. These services should be used where ever possible and Chief Officers shall ensure that officers make appropriate use of ESPO. The Commercial TeamProcurement Lincolnshire will provide advice on this area of procurement.

## 2.5 Works Contracts

In the case of works contracts where Council funding is estimated to exceed £100500,000 the requirements relating to briefs and appraisals set out in Financial Regulations B9 should be followed.

## 2.6 Joint Procurement

Any joint procurement arrangements with other Local Authorities or public bodies including membership or use of Purchasing Consortia (other than ESPO) shall be approved at Councillor level in line with the Constitution prior to the commencement of any procurement on behalf of the Council.

European Regulations may apply to joint procurements and these shall be complied with. Legal advice should be sought.

## 2.7 Employment Considerations in Procurement

Any procurement which would involve a transfer of staff shall have regard to the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) and be in line with ODPM circular 03/2003 in relation to pensions the Best Value Authorities Staff Transfers (Pensions) Direction 2007. Where there is a TUPE transfer, the Council need to provide bidders with accurate and timely information on all relevant matters. Bidders must be able to demonstrate that they understand and can manage their obligations under TUPE. These requirements apply even if the contract is being re-let and even if any transfer of staff would be between external organisations. Further guidance is given in Financial Procedure 5 and legal guidance should always be sought.

## 3. CONTRACTING PROCESSES

### 3.1 Selection of Supplier

There are a number of routes by which the Council may choose to select its supplier for example through a framework; through existing contracts with Serco and Vinci Mouchel; through quotations or tenders. It is important that adequate consideration is given to the selection of the most appropriate route. Demonstration of competition is an integral part in achieving best value.

Advice is available from the Commercial Team~~The four different routes set out below are based on the estimated contract value.~~

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### 3.2 Estimating the Contract Value

Contract values should be calculated in accordance with the EU Regulations even when the regulations do not apply (further guidance is given in Contract and Procurement Procedure Rules) to ensure consistency. The Council shall make the best use of its purchasing powers by aggregating purchases wherever possible across the Council. Particular goods, services or works shall not be split in an attempt to avoid the applicability of these Contract Regulations or the EU Regulations.

### 3.3 Procurement Processes

For quotations below £25,000 there is a requirement to use a local supplier where this gives value for money.

Low Value Procurement (Below ~~£10,000~~£5005,000)

For these purchases direct approach to a single supplier is acceptable, competitive quotations are not required. The purchasing officer should be satisfied that the costs are reasonable. It is expected that ESPO will be considered for the majority of this type of purchase.

A local supplier should be used where appropriate. Where a local supplier is not used the reason must be recorded in writing.

Medium Value Procurement (~~£10,000~~£5005,000 to ~~£25,000~~£10,00015,000)

For contracts or orders of medium value at least three written quotations should be sought based on a Request For Quotations document with appropriate terms and conditions. Where applicable, quotations should be sought from contractors on the Council's Approved List of Contractors. If an approved list is not available appropriate suppliers should be selected in line with the guidance provided by the Commercial team. Where it is not possible to obtain three competitive quotes the officer must keep a record of the reasons for this.

At least one of the quotations must be from a local supplier and a local supplier should be used where they provide the most economically advantageous offer. Where a local supplier is not used the reason must be recorded in writing.

High Medium Value Procurement (~~£2510,001~~15,001 to ~~£75,000~~the EU threshold for Services)

Where EU Treaty principles require advertisement (in accordance with the "EU Commission Interpretative Communication on the Community law applicable to contract awards not or not fully subject to the provisions of the Public Procurement Directives") the contract must be advertised in Source Lincolnshire and Contracts Finder.

Otherwise unless a Chief Officer or his or her representative determines that such advertisement is appropriate to achieve value for money, high medium value contracts will be awarded without advertisement.

~~For contracts or orders of a high medium value~~Instead, at least ~~three~~four written quotations should be sought based on a Request For Quotations document with ~~simplified~~appropriate terms and conditions.

At least two of the quotations must be from local suppliers.

Where applicable, quotations should be sought from contractors on the Council's Approved List of Contractors. Where it is not possible to obtain ~~three~~four competitive quotes the officer must keep a record of the reasons for this.

High Value Procurement (~~£25k below~~Above the OJEU Threshold for Services) ~~but not subject to the EU Regulations~~

Contracts for services and supplies of a high value must be procured in accordance with EU procurement law as such contracts will be covered by the procurement regime.

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For works contracts of a high value but below the EU threshold for works at least ~~five~~six tenders should be invited. Invitation ~~can~~may be ~~by~~by direct invitation from a select list if the EU Treaty principles do not require advertisement.

If EU Treaty principles require advertisement tenders shall be sought by

- open competitive tendering via public advertisement (Contracts Finder and Source Lincolnshire) ~~and supplemented by advertisement in appropriate newspapers and journals if appropriate;~~ or
- a Framework let in accordance with EU legal requirements. ~~Alternatively competitive tendering following targeted invitations to at least six contractors can be used.~~

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Where it is not possible to obtain ~~five~~six competitive tenders the officer must keep a record of the reasons for this.

High Value Procurement subject to European Regulations

The EU Regulations shall be followed for all procurements subject to them. This may include the use of a Framework let in accordance with EU legal requirements. Contract and Procurement Procedure Rules provide further guidance.

### **3.4 Common Principles**

The following principles should be borne in mind for all four procurement routes:

The Council shall only invite tenders from contractors if it is satisfied as to the contractors:

- Eligibility
- Financial standing
- Technical Capacity

#### **Financial Standing**

Where it is envisaged that the value of any contract shall exceed £150,000 in total or where a contractor is seeking access to a Standing List, or in other circumstances where a Chief Officer believes it necessary, the Executive Director of Finance and Public Protection shall be requested to vet the financial standing of the organisations being considered prior to the invitation to tender being issued.

#### **Technical Capacity**

This includes, but not exclusively, the Contractor's capability, quality management systems including human resources, health and safety, equality, sustainability issues and risk management where relevant to the performance of the contract.

Any procurement subject to EU Regulations shall comply with the appropriate pre-qualification criteria contained in these Regulations.

4/81 *approved version 15.05.2015*

### **3.5 Framework Agreements**

Framework agreements are used where the Council wishes to aggregate demand for the supply of goods, services or works over a period of time without conducting a new procurement exercise for each individual contract.

Where the Council has entered into a Framework Agreement through procurement or is able to call off from existing Framework Agreements procured by other local authorities, groups of local authorities, appointed agents of local authorities, central government agencies or the Council's own procurement consortium ESPO, then the Council may benefit from using those contracts without entering into a separate procurement, provided that in procuring the Framework Agreements the appropriate EU Regulations were followed. Legal advice should be sought as appropriate.

### **3.6 Use of standing lists**

This is the standard approach for Building, Civil Engineering and Related Services Contracts. The approach is also used for Social Services Care Contracts. Standing

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~~Lists of contractors should be established and tenderers invited from within those lists. The number to be invited will be dependent upon the likely value of the contract, as shown in the procurement values above.~~

### ~~3.7 — Post Quotation or Post Tender Negotiation~~

~~In any of the above routes the Chief Officer in consultation with the Executive Director of Finance and Public Protection, may negotiate with tenderers if the tender procedure has allowed for it and if this is considered appropriate in the interests of securing best value.~~

~~Where procurement is conducted pursuant to the EU regulations through either the open or restricted procedures, no post tender negotiations are permitted. The Council may seek clarification from suppliers where appropriate in conjunction with the Commercial Team.~~

~~At all times during the procurement the Council shall consider and implement the principles of non-discrimination, equal treatment and transparency.~~

#### **3.8.3.4 Award of Contracts**

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Tenders subject to the EU Regulations shall be evaluated in accordance with the relevant regulations and the award criteria. All tenders not subject to the EU Regulations shall be evaluated in accordance with the award criteria which must be ~~was~~ notified to potential tenderers.

Unless the award of the contract falls within the delegated authority of the Chief Officer, Councillor approval should be sought in line with the Council's Constitution.

The decision to accept a quote or tender in excess of the available budget will be subject to the rules relating to budget changes contained in the Financial Regulations.

#### **3.9.3.5 Exceptions to Normal Routes**

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In exceptional cases where a Chief Officer believes an alternative route to the four normal routes is required, (subject to the miscellaneous provisions in this document), the Chief Officer should comply with the requirements of this clause. For contracts with an estimated value of £250,000 and above, the proposal should be taken to the Executive for approval prior to the contract being entered into. For contracts with a value of between £75,001 and £250,000 the proposal should be taken to the relevant Executive Councillor for formal approval prior to the contract being entered into. For contracts with a value between £10,001 and £75,000 approval in writing can be given by the Chief Officer. The Chief Officer shall keep a register of contracts that they have approved as exceptions and the reasons why.

If public procurement (EU thresholds) rules apply this ~~shall~~may limit the ability to let contracts other than through competition. In this case ~~legal~~ advice should be sought from the Commercial team or Legal Services. Regardless of whether EU Regulations permit the use of direct negotiation, exception must be sought to the normal rules set out in these Contract Regulations in accordance with this section.

### **3.10 3.6 Electronic Tendering**

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Requests for quotations ~~above £10,000~~ and invitations to tender ~~must~~may (other than in exceptional circumstances) be transmitted by electronic means using Delta. Quotations and tenders ~~may be~~ submitted by electronic means must ensure that provided that:

- Evidence that the transmission to the supplier was successful and is recorded;
- Each quote or tender submitted to the Council electronically is in the manner prescribed in the advertisement or the invitation to tender documents; and
- Electronic tenders are kept in a separate secure structure which cannot be opened until the deadline has passed for receipt of tenders. Electronic quotations are to be kept in a separate secure folder by the officer conducting the procurement.

#### **4. CONTRACT MANAGEMENT (All Contracts - Revenue and Capital)**

All contracts should be in writing and in place prior to receiving goods or commencement of the works or service. Contracts shall be entered into based on the

Council's relevant terms and conditions, which shall be included with each purchase order, invitation to tender or negotiation. In the case of medium and high value procurement where alternative terms and conditions are proposed, legal advice shall be sought.

All medium high value and high value contracts must be recorded on the Council's contract register and a copy stored electronically in the Council's contract database.

Contracts should be drawn up using the relevant professional advice and support. Contracts should be signed in accordance with the Directorates scheme of delegation. Where the value of the contract exceeds £75,000 legal advice should be obtained as to whether the contract is executed as a deed.

All variations to contracts shall be in writing.

When the total expenditure under any contract (as opposed to scheme) exceeds or is likely to exceed the original contract sum (adjusted for subsequent approved price increases) by 5% or more (except overspendings of less than £10,000) and the reasons for the excess have not been the subject of an earlier report, the responsible Chief Officer shall submit a written report to the relevant Executive Councillor. A report of all overspends will be submitted annually to the Value for Money Scrutiny Committee.

#### **4.1 Contract Extension**

Any contract may be extended in accordance with its terms. Approval for such extensions shall be sought at the relevant level in line with the Council's Constitution.

Where the terms do not expressly provide for extension, contracts subject to EU Regulations may be extended by negotiation in accordance with the rules set out in the EU Regulations. Such extensions and extensions of all other contracts should be treated the same as procuring with a single supplier and the requirements set out in the Exceptions to Normal Routes in these Contract Regulations should be applied.

#### **4.2 Records of contracts, quotes and tenders**

The officer with delegated authority in respect of a particular procurement shall maintain a list of all quotations and tenders received. In addition the officer shall follow the relevant opening procedures contained in Financial Procedure 5.

Each Corporate Director shall ensure that the Council's contract register is maintained at all times and reflects the his/her own register of all medium ~~and~~ high value and high value contracts entered into by his/her department.

~~For every individual contract a Contracts file shall be maintained.~~

#### **4.3 Termination of Contract**

For all medium and high value contracts, termination shall be approved in line with the delegations contained in the Council's Constitution. Legal advice should be sought as appropriate.

### **5. MISCELLANEOUS PROVISIONS**

#### **5.1 Pension Fund Managers & Associated Professional/Technical Service Providers**

Responsibility for these contract arrangements rest with the Pensions Committee and is covered under Article 7 of the Constitution.

#### **5.2 Local Authority Companies**

Where consideration is being given to the establishment of a local authority company or involvement in other companies, even where they are not regulated under the Local Government and Housing Act 1989 the relevant Chief Officer must consult the Executive Director of Finance and Public Protection and the Chief Legal Officer on all aspects of the proposal (i.e. financial, legal and personnel related) prior to seeking approval from the Executive.

#### **5.3 Charging for discretionary services**

~~The Local Government Act 2003 allows best value authorities~~ Council has power to charge for discretionary services

A discretionary service is one that the authority is authorised, but not required, to provide. The income generated from such charges should not exceed the cost of service provision.

The rates set for such services, and the manner in which the income is collected, will be in line with the Financial Procedure for Income.

Where consideration is being given to the introduction of charges for discretionary services the relevant Chief Officer must consult the Executive Director of Finance and Public Protection and the - Chief Legal Officer on all aspects of the proposal (i.e. financial, legal and personnel related) prior to seeking approval from the Executive.

#### **5.4 Powers to Trade**

~~The Local Government Act 2003 provides powers for the Secretary of State to make an order enabling best value authorities to trade in any of their ordinary functions.~~

~~The Local Government (Best Value Authorities) (Power to Trade) (England) Order 2004 permits best value authorities to trade in function related activities through a company.~~

The authority ~~can~~ has power to perform, for commercial purposes, anything it is normally authorised to do for the purpose of carrying out its normal functions but only if it does so through a company.

The authority cannot perform, for commercial reasons, its ordinary functions that it is already required to carry out.

Where consideration is being given to ~~utilise the trading power~~ performing functions for a commercial purpose the relevant Chief Officer must consult the Executive Director of Finance and Public Protection and the Chief Legal Officer on all aspects of the proposal (i.e. financial, legal and personnel related) prior to seeking approval from the Executive.

#### **5.5 Review Arrangements**

The Executive Director of Finance and Public Protection shall review these Regulations annually.

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**Open Report on behalf of Kevin Kendall, County Property Officer, Corporate Property**

Report to:	<b>County Council</b>
Date:	<b>18 September 2015</b>
Subject:	<b>Bourne Town Hall Trust Management Committee</b>

**Summary:**

This report updates Council on the work of the Bourne Town Hall Trust Management Committee since its inception earlier this year.

Members are reminded that in considering this item they are acting in the Council's capacity as sole corporate trustee of Bourne Town Hall Charitable Trust and they are subject to the general duty on all trustees to act at all times in the best interests of the charity.

**Recommendation(s):**

That Council notes the report

## **1. Background**

As trustee of Bourne Town Hall, the Council must take an active role in governing the Hall as an independent charity.

This will include deciding, in the best interests of the charity, as to the future use of the Hall from the various options available.

At its meeting on 20 February 2015 the Council established the Bourne Town Hall Trust Management Committee, with a membership of Councillors B Adams, D Brailsford, G J Ellis, R L Foulkes and S M Tweedale. Councillor Brailsford was subsequently elected by the Committee as its chairman and Councillor Tweedale as its vice-chairman.

When establishing the Committee, the Council delegated to it the following tasks:

- Undertake an appraisal of the Options
- Undertake public consultation with the residents of Bourne town in respect of the Options and future use of the Hall

- Deliver a comprehensive report to the Council, setting out the Committee's recommendations as to the future use of the Hall, such recommendations to have regard to the outcome of the Committee's public consultation with the residents of Bourne.

The Terms of Reference governing the Committee require the Committee to update the Council as to the progress it is making in respect of the tasks referred to above. This Report is thereby provided by way of such update. The carrying out of the tasks is delegated to the Committee. When the Committee has concluded its report, decisions on the course of action to be taken in relation to the Hall will be taken by the full Council.

The Committee has met on a monthly basis and reviewed the options, requesting further specialist legal advice and guidance when necessary.

At its meeting on 26 August the Committee considered a draft consultation document to be used to gather the views of the Bourne community on the future use of the Hall.

It is anticipated that the consultation document will be signed off by the Committee at its meeting on 23 September 2015 and public consultation will follow in the autumn.

## **2. Conclusion**

The Bourne Town Hall Trust Management Committee has met on a number of occasions to carry out the duties delegated to it by Council as trustee of the charity. The Committee is expected to be in a position to consult with the Bourne community on the future use of the Hall in the autumn. A report to the Council with recommendations as to the future use of the Hall and including the outcome of that consultation will be reported back to Council in due course.

### **3. Legal Comments:**

The Report contains an update on the activities of the Bourne Town Hall Trust Management Committee in preparing a Report to the Council as to the future use of the Hall.

Final decisions are reserved to the full Council acting in the capacity of sole corporate trustee of the Bourne Town Hall Charitable Trust

### **4. Resource Comments:**

There are no material financial implications arising from acceptance of the recommendation in this report.

## 5. Consultation

### a) Has Local Member Been Consulted?

Local members have been informed of progress.

### b) Has Executive Councillor Been Consulted?

Yes

### c) Scrutiny Comments

N/A

### d) Policy Proofing Actions Required

n/a

## 6. Background Papers

Document title	Where the document can be viewed
Report to Council on 20 February 2015	Lincolnshire County Council website and Democratic Services

This report was written by Nigel West, who can be contacted on 01522 552840 or [nigel.west@lincolnshire.gov.uk](mailto:nigel.west@lincolnshire.gov.uk).

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**Open Report on behalf of Pete Moore, Executive Director Finance and Public Protection**

Report to:	<b>County Council</b>
Date:	<b>18 September 2015</b>
Subject:	<b>Financial Update</b>

**Summary:**

This report:

- Describes the Executive's recommendations on budget carry forwards of over and under spending from 2014/15 into the current financial year and seeks approval for those proposals not set out under Financial Regulations; and
- Sets out performance against the Prudential Indicators for 2014/15.

**Recommendation(s):**

The County Council is recommended to:

1. Note the carry forwards set out in paragraph 1.2 and 1.3 of the report, which are made in line with the Council's Financial Regulations, and approve the Adult Care underspend up to 1% which is not to be carried forward as part of the Adult Care budget but is added to the underspends above 1% for the purposes of recommendation 2 below;
- 2 Approve the proposed carry forwards of over and under spending in excess of 1% as set out in paragraph 1.4 of the report;
- 3 Note the transfers to and from reserves summarised in Table A of this report and the position of earmarked reserves as at 31 March 2015 summarised in Table B of this report;
- 4 Note the position in relation to general reserves set out in paragraph 1.8 and Table C of this report; and
5. Note performance against the Prudential Indicators for 2014/15 as set out in paragraphs 1.9 to 1.10 and Table D of this report.

## 1. Background

### Carry forward of over and under spendings

1.1 The Council's policy on carrying forward over and under spendings as set out in its Financial Strategy is that:

- All under and overspendings on service revenue budgets of up to 1% will be carried forward without exception.
- The use of all underspendings on service budgets in excess of 1% will be considered by the Executive and decided by the full Council.
- The means of funding all overspendings on service budgets in excess of 1% will be considered by the Executive and decided by the full Council.
- All under and overspendings on capital budgets and on the dedicated schools budget and shared services will be carried forward.
- All under and overspendings on revenue budgets where the spend is of an uneven nature will be transferred to reserves.

1.2 Under paragraph B18 of the Council's Financial Regulations, forming part of the Constitution, all under and overspendings on service revenue budgets of up to 1% will be carried forward without exception. Adult Care does not require their 0.8% underspend to be carried forward into 2015/16. This is an exception to the Financial Regulations, and as such, Council are asked approve this exception, in addition to noting the up to 1% carryforwards for other service areas. The effect of the up to 1% carry forward on service budgets, excluding Adult Care, is £2.168m.

1.3 Under paragraph B19 of the Council's Financial Regulations the following budgets will also be carried forward. The effect of this for 2014/15, which full Council is asked to note, is as follows:

- The full carry forward of underspends relating to Schools is £17.672m. Any underspends in relation to schools must be spent on schools and so is carried forward in its entirety;
- The full carry forward of underspends relating to Shared Services is £1.249m; and
- Transfers to earmarked reserves linked to revenue budgets where the spend is of an uneven nature is £1.125m. Made up of: a transfer of the deficit on the Schools Sickness Insurance Fund (this provides reimbursement to schools, who are members of the scheme, when staff are absence from work) (£0.015m), the underspend on the Insurance Fund (£1.134m), and a transfer for the underspend on the Museums Exhibits (£0.006m).

1.4 Again, under paragraph B18 of the Financial Regulations the use of all underpendings and the funding of all overspendings on service budgets in excess of 1% will be considered by the Executive and decided by full Council. Having considered the matter, the Executive recommends that the Council approve the following allocations in respect of underspends in excess of the 1%:

- A transfer of £12.415m into the financial volatility reserves. £21.871m is required for the planned contribution to Council's revenue budgets in 2015/16. The balance of £31.634m will be available to fund future uncertainties in local government funding in 2016/17 and beyond; and
- A transfer of £0.212m to add additional amounts to existing reserves for:
  - £0.0.17m for Health and Wellbeing; and
  - £0.195m for Local Welfare Provision.

### **Transfers to and from reserves**

1.5 The Council has a number of reserves earmarked for specific purposes. Transfers are made to or from these earmarked reserves at each year end dependent on actual expenditure and income during the year. These transfers include:

- transfers to reflect the carry forward of over and underspendings; and
- a variety of transfers to or from other earmarked reserves reflecting actual expenditure and income in 2014/15.

1.6 In 2014/15 the Council's total income was £8.416m in excess of expenditure. The transfers to and from reserves resulting from the proposals described above and from in year transfers reflecting actual expenditure and income are shown in **TABLE A**.

**TABLE A – Transfers to and from reserves**

	£	£
<b>Schools Carry Forward</b>		<b>-2,240,912</b>
<b>Other Service Carry Forwards</b>		
Use of 2014/15 Service Carry Forward		<b>-3,998,956</b>
Children's Services	546,844	
Adult Care	0	
Public Health	110,164	
Communities	775,786	
Resources and Community Safety	515,637	
Performance and Governance	218,920	<b>2,167,351</b>
<b>Other Earmarked Reserves</b>		
Insurances	1,133,618	
Schools Sickness Insurance Scheme	-15,184	
Museum Exhibits	5,761	
Development	-133,903	
Health and Wellbeing	-755,308	
Development - Lincs Coastal Country Park	-13,325	
Legal	397,813	
Procurement	44,835	
Salix Carbon Management	65,476	
Community Safety Development Fund	-472,639	
Financial Volatility Reserve - Budget Shortfall	15,090,575	
Financial Volatility Reserve	-11,372,195	
Youth Service Positive Activities Development Fund	-193,596	
Support Service Contract Reserve (FDSS)	-1,368,446	
Roads Maintenance Reserve	-3,640,000	
Waste Management Reserve	-727,000	
Planning Appeals Reserve	-20,000	
Community Advisors Reserve	-130,739	
Local Welfare Provision Reserve	195,167	
Energy from Waste Lifecycles	1,286,035	
Flood and Water Risk Management	-189,242	
Families Working Together	-127,162	
Asbestos Pressure	-87,932	
Adult Care Operations - Lincoln Prison	-20,000	<b>-1,047,392</b>
<b>Revenue Grants Reserve</b>		<b>14,035,981</b>
<b>General Fund</b>		<b>-499,996</b>
		<b>8,416,076</b>

1.7 This sets earmarked reserves at the amounts shown in **TABLE B** below:

**TABLE B – Earmarked Reserves at 31 March 2015**

	<b>BALANCE AT 31 MARCH 2015 £'000</b>
<b>Schools Carry Forward</b>	<b>32,141</b>
<b><u>Earmarked Reserves</u></b>	
Other Services	2,168
Adverse Weather	1,000
Insurances	6,221
Schools Sickness Insurance Scheme	788
Museum Exhibits	144
Development Reserve	442
Health and Wellbeing	2,177
Development - Lincs Coastal Country Park	373
Legal	1,967
Procurement	825
Salix Carbon Management	166
Safer Communities Development Fund	833
Community Safety Development Fund	472
Co-Responders Services	150
Financial Volatility Reserve - Budget Shortfall	21,871
Financial Volatility Reserve	31,632
Teal Park	50
Youth Service Positive Activities Development Fund	107
Corby Glen/South Lincolnshire Sports Fund	171
Youth Offending Service	363
Domestic Homicide Reviews	100
Civil Parking Enforcement	313
Support Service Contract Reserve (FDSS)	2,632
Roads Maintenance Reserve	2,203
New Salt Dome Willingham	200
Planning Appeals Reserve	80
Adoption Reform Reserve	600
Community Advisors Reserve	156
Local Welfare Provision Reserve	416
Property Management	250
Energy from Waste Lifecycles	1,286
Broadband	135
Broadband Clawback	157
Flood and Water Risk Management	432
Young People in Lincolnshire	334
Members Big Society	8
Lincoln Eastern Bypass (LEB)	500
Unsuitable Transport Routes	100
Families Working Together	611
Enterprise Schemes	191
Asbestos Pressure	49
DAAT Pooled Budget	265
	<b>82,938</b>
<b>Revenue Grants and Contributions</b>	<b>55,317</b>
<b>Total Reserves</b>	<b>170,396</b>

## General Reserves

1.8 The Council's policy on general reserves is that they will be maintained within a range of 2.5% to 3.5% of its annual budget requirement. The impact of actual expenditure and income in 2014/15 and the proposals on the carry forward of over and under spendings is that the general reserves at 31 March 2015 is £15.900m or 3.5% as shown in **TABLE C** below.

**TABLE C – General Reserves at 31 March 2015**

	£'000
Balance at 1 April 2014	16,400
Planned contribution to/use (-) in year	-1,125
Proposed contribution to/use of (-) reserves	625
Balance at 31 March 2015	15,900
<b>Balance as a % of total budget</b>	<b>3.50%</b>

## Prudential Indicators 2014/15

1.9 The Local Government Act 2003 gave authorities freedoms to borrow what they need to fund their capital programmes. The Act requires Local Authorities to comply with CIPFA's Prudential Code for Capital Finance in Local Authorities. The Code provides a framework to ensure that Local Authorities' capital programmes are affordable, prudent and sustainable and that treasury management decisions are taken to support this.

1.10 In complying with the Code the indicators for 2014/15 were approved by County Council on 21 February 2014 along with the budget and council tax for that year. In accordance with the Code, the Executive Director has been monitoring the actual performance against the targets set and would have reported any issues of concern to members had there been a need to. The County Council should also be informed of the actual position compared with that estimated for any given year after the year end. **TABLE D** below provides details of this comparison for 2013/14. It shows that Prudential Indicators have not been exceeded during the year and there have been no breach of limits set by the Authority.

**TABLE D – Prudential Indicators actual compared to estimated 2014/15**

PRUDENTIAL INDICATORS ACTUAL COMPARED TO ESTIMATED 2014/2015			
Original Estimate	2014/15 £000	Actuals	2014/15 £000
Capital Expenditure Net	87,315	Actual Capital Expenditure (Excl Sch RCCO & Leasing)	53,009
Capital Financing Requirement 31/3/2015	632,560	Actual Capital Financing Requirement 31/3/2015	561,085
Capital Financing Requirement Estimate at 31/3/2017	660,283	Capital Financing Requirement Estimate 31/3/2017	588,809
Gross External Borrowing	521,225	Actual Gross External Borrowing	463,409
Borrowing in Advance of Need Limit	6,931	Actual Borrowing in Advance of Need Taken	0
Incremental Impact of Borrowing Plans on Council Tax -Band D	£3.53	Actual Incremental Impact of Borrowing Plans on Council Tax -Band D	-£8.63
MRP & Interest Repayments not to exceed 10% of Net Revenue Stream Estimate	6.24%	MRP & Interest Repayments not to exceed 10% of Net Revenue Stream Actual	5.77%
Ratio of Financing Costs To Net Revenue Stream	6.21%	Actual Ratio of Financing Costs To Net Revenue Stream	5.73%
<b>External Debt:</b>			
<u>Authorised limit for external debt -</u>		<b>Actual external debt at 31/3/15</b>	
borrowing	594,125	Borrowing	463,409
other long term liabilities	16,231	Other long term liabilities(Credit Arrangements)	12,938
TOTAL	610,356	TOTAL	476,347
<u>Operational boundary -</u>			
borrowing	570,125		
other long term liabilities	14,231		
TOTAL	584,356		
<b>Treasury Management:</b>			
<u>Upper limit for fixed interest rate exposure</u>		<b>Actual exposure fixed interest</b>	
Net principal re fixed rate borrowing less investments	660,283	Net Principal	368,719
<u>Upper limit for variable rate exposure</u>		<b>Actual exposure variable interest</b>	
Net principal re variable rate borrowing less investments	198,085	Net Principal	-56,669
<u>Upper limit for total principal sums invested for over 364 days</u> (per maturity date)	40,000	<b>Actual sums invested &gt; 364 Day</b>	214
<u>Maturity structure of fixed rate borrowing during 2014/15</u>	upper limit	<b>Actual maturity structure as at 31 March 2015</b>	
under 12 months	25%	under 12 months	5.00%
12 months and within 24 months	25%	12 months and within 24 months	3.60%
24 months and within 5 years	50%	24 months and within 5 years	15.20%
5 years and within 10 years	75%	5 years and within 10 years	12.20%
10 years and above	100%	10 years and above	64.10%

## Equality Act 2010

1.11 The Council must be mindful of its obligations under the Equality Act 2010 and the special duties the Council owes to persons who have a protected characteristic as the duty cannot be delegated and must be discharged by the decision maker. The duty is for the Council, in the exercise of its functions, to have due (that is proportionate) regard to the need to:

1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it: Equality Act 2010 s 149(1).

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation: s 149(7).

1.12 Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- a. Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b. 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; and
- c. 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.

1.13 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.

1.14 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.

1.15 Compliance with the duties in this section may involve treating some persons more favourably than others.

1.16 A reference to conduct that is prohibited by or under this Act includes a reference to:

- i. A breach of an equality clause or rule
- ii. A breach of a non-discrimination rule.

1.17 The Council must also have regard to the Child Poverty Strategy, the Joint Strategic Needs Assessment and the Joint Health and Wellbeing Strategy in reaching a decision.

1.18 These matters have been considered and there is not considered to be any direct impact of the decisions called for by this Report on the Equality Act duty or any of these strategies. The Council set its budget for 2015/16 in February 2015 having had regard to these matters. The treatment of underspends and overspends in this Report do not impact on that budget or any individual decisions in relation to services. Those decisions will continue to have regard to equality act obligations and the various strategies as they are taken. This includes decisions on the use of carried forward underspends.

## **2. Conclusion**

2.1 The carry forwards of under and overspendings from 2014/15 in excess of 1% are proposed to County Council by the Executive for approval.

2.2 The Prudential indicators comply with CIPFA's Prudential Code of Capital Finance in Local Authorities and provide County Council with actual performance against the targets approved by County Council on 21 February 2014.

### **3. Legal Comments:**

With regards to recommendation 1 the Council's Financial Regulations state that underspends up to 1% will be carried forward without exception. Full Council approval is therefore required to allow an exception to take place in relation to Adult Care.

With regards to recommendation 2 the Council's Financial Regulations provide that the use of all under-spending on service budgets in excess of 1% will be considered by the Executive and decided by the full Council.

With regard to recommendation 5 under Section 3 of the Local Government Act 2003 the authority must determine and keep under review how much money it can afford to borrow. Reporting on the Prudential Indicators assists the Council in discharging this function.

Otherwise the information contained in the Report informs the Council concerning performance against the budget and Financial Strategy it has set.

### **4. Resource Comments:**

The Council has a sound financial base from which to manage the challenges of a difficult medium to long term outlook for public sector finances.

## 5. Consultation

### a) Has Local Member Been Consulted?

n/a

### b) Has Executive Councillor Been Consulted?

n/a

### c) Scrutiny Comments

The Value for Money Scrutiny Committee met on 23 June 2015 and considered the report concerning the Review of Financial Performance 2014/15. The Committee supported the recommendations contained within the report.

In addition, the Committee made the following comment:

- The Executive is asked to give serious consideration to allocating some of the underspend to the known pressures within the Council.

### d) Policy Proofing Actions Required

n/a

## 6. Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Financial Strategy	Executive Director Finance and Public Protection
Executive Report - Review of Financial Performance 2014/2015 Report	Executive Director Finance and Public Protection

This report was written by Claire Machej, who can be contacted on 01522 553663 or [claire.machej@lincolnshire.gov.uk](mailto:claire.machej@lincolnshire.gov.uk).