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County Offices
Newland
Lincoln
LN1 1YL

10 December 2015

Council

A meeting of the Council will be held on **Friday, 18 December 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 DECEMBER 2015**

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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.

Please note: This meeting will be broadcast live on the internet and access can be sought by accessing <http://www.lincolnshire.public-i.tv>

All papers for council meetings are available on:
www.lincolnshire.gov.uk/committeerecords



**COUNCIL
18 SEPTEMBER 2015**

PRESENT: COUNCILLOR W S WEBB (CHAIRMAN)

Councillors T M Trollope-Bellew (Vice-Chairman), B Adams, 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, M J Hill OBE, 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 Keyword-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 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

22 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M G Allan, A G Hagues and C R Oxby.

23 DECLARATIONS OF COUNCILLORS' INTERESTS

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

24 MINUTES OF THE MEETING OF THE COUNCIL HELD ON 15 MAY 2015

RESOLVED

That the minutes of the meeting held on 15 May 2015 be signed by the Chairman as a correct record.

25 BY-ELECTION RESULT

A report by the Chief Executive had been circulated.

Members noted the election of Mr Mark Whittington to the Grantham Barrowby division.

26 SUBMISSION OF PETITIONS

(a) Petition in relation to the parking of motor vehicles on the grass verge alongside Furlong Road in Sutton on Sea, Lincolnshire

In accordance with the Council's Petition Scheme, Mr John Lemon spoke for not more than five minutes in explanation of the petition in relation to the parking of motor vehicles on the grass verge alongside Furlong Road in Sutton on Sea, Lincolnshire.

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

(b) Petition in relation to the parking of motor vehicles in Rectory Lane, Barrowby

In accordance with the Council's Petition Scheme, Councillor M A Whittington spoke for not more than five minutes on behalf of the residents of Barrowby in explanation of the petition in relation to the parking of motor vehicles in Rectory Lane, Barrowby.

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

27 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed councillors back following the summer recess.

The Chairman reported that civic engagements since the last Council meeting had been varied and gave him the opportunity to continue visiting places within Lincolnshire and some further afield.

The Chairman's Lady was thanked for supporting the Chairman on these engagements and also the Vice-Chairman and Lady, Councillor Martin Trollope-Bellew and District Councillor Rosemary Woolley, for providing representations at civic functions when the Chairman had been unable to attend.

It had been an honour to welcome Her Royal Highness The Princess Royal to the County in June when she officially opened the David P J Ross Magna Carta Vault which marked the completion of the Lincoln Castle Revealed project. In addition HRH attended a service in Lincoln Cathedral and visited Boston Stump.

The Chairman was also pleased to welcome a second Royal visitor to the County in July when HRH The Duke of Gloucester KG GCVO officially opened the new offices and plant at Woldgrain Storage in Hemswell before officially opening Lincolnshire's Great Exhibition at the Collection in Lincoln.

He was honoured to have attended the the presentation of Ushakov Medals by the Russian Defence and Naval Attaché to Lincolnshire Veteran who were awarded

these honours for their personal courage and bravery displayed during their service in the Arctic Convoys in WWII.

The Chairman was pleased to report that this year's Lincolnshire Show had been a huge success with the County Council stand winning the Constance Eastwood Challenge Cup for the Best Trade Stand (Non-Agricultural Category).

He was also pleased to host the Annual Lincolnshire County Council Service of Dedication held in Lincoln Cathedral. The Service was followed by a reception in the Chapter House and Cloisters which the chairman and Lady thoroughly enjoyed as it gave them the opportunity to circulate amongst the invited guests. It had been an honour to have the Lincolnshire Youth Symphony Orchestra performing at the Service and it had been a day which would be remembered with pride.

The Chairman advised that the Environment Agency had a display in connection with proposals for the management of the Black Sluice Drain and Pumping Station in the Members' Foyer and invited members to visit the display and share their views on the proposals.

The Chairman also reported that Lincolnshire's Chief Fire Officer, Dave Ramscar, had announced that he would be retiring at the end of November. The Chairman and Councillors wished him all the best for a long and happy retirement.

The Chairman advised that a complete itinerary of civic engagements, since the last meeting of this Council, was available from the Civic Officer on request.

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

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

Councillors were advised that an additional statement by Councillor P A Robinson had been circulated in relation to the refugee situation, which read as follows:

"Chairman, colleagues

I have been asked by Cllr Martin Hill to provide a statement on the Syrian refugee situation as it may affect Lincoln.

As the Chairman of the east midlands Councils Strategic Migration Board, I attended a meeting last Thursday at the Local Government Association with the Home Office to learn the Government's position on the Syrian situation as it seems likely to affect local authorities.

Cllr Marianne Overton was also present as Vice-Chairman of the LGA.

From a Lincolnshire standpoint the main points made were;

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- The UK is prepared to provide refuge for Syrians who are currently in camps in the Middle East, where the UK is the major provider of support. UK did not anticipate large numbers of refugees arriving on our borders as is currently the case in Europe.
- As far as Lincolnshire is concerned, the Home Office representative said that our county could be expected to accept around 200 refugees. To be frank, I do not recall him giving a timescale for the arrival of these refugees – but I have since been told that that this may be over a period of 5 years.
- The funding of the 200 refugees would be met by central government for the first 12 months of each individual's arrival, thereafter, costs would have to be met by local authorities. Unaccompanied children would be maintained by local authorities until 18, and under questioning it emerged that this could cost up to £50k for each child.
- Finally, I believe that the situation remains fluid – but there is no doubt that Lincolnshire will have a part to play."

29 QUESTIONS TO THE CHAIRMAN, THE LEADER, EXECUTIVE
COUNCILLORS, CHAIRMAN 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) Mrs A M Newton	M S Jones	Serco
(b) R B Parker	R G Davies	Delivery of Serco contract
(c) R A McAuley	M J Hill OBE	Funding for refugees
(d) Mrs V C Ayling	M S Jones	Arrangements for refugees coming to Lincolnshire
(e) Mrs C A Talbot	C N Worth	Success of community hubs
(f) K J Clarke	C J Davie	Provision of affordable homes
(g) C Pain	P A Robinson	Potential need to accept more refugees
(h) Mrs M J Overton MBE	M J Hill OBE	Consultation on devolution

(i) R L Foulkes	R G Davies	Parking fines
(j) R Wootten	R G Davies	Extension of 30 minutes parking in Grantham
(k) J D Hough	M J Hill OBE	Awarding of Serco contract
(l) C E H Marfleet	R G Davies	Changes to rapid response policy for highway repairs
(m) P Wood	R G Davies	Recent flooding in Long Bennington
(n) S R Dodds	Mrs P A Bradwell	Secondary provision in Mablethorpe
(o) C L Strange	R G Davies	Dualling of A46
(p) R C Kirk	M J Hill OBE	Serco
(q) A M Austin	B Young	Greater police presence
(r) P M Dilks	P A Robinson	Market Deeping Library
(s) R J Phillips	P A Robinson	Barriers for unemployed people becoming retained Firefighters
(t) C E D Mair	Mrs P A Bradwell	Financial impact of living wage on LCC
(u) R Renshaw	Mrs S Woolley	Cycle Recycle project being introduced in other areas
(v) S L W Palmer	M J Hill OBE	Proportional party representation

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30 REVIEW OF UNITARY POSSIBILITIES FOR LINCOLNSHIRE

A report by the Chief Executive had been circulated.

It was moved, seconded and

RESOLVED

1. That the Council note the potential from having unitary status.
2. That in view of central governments lack of appetite for driving the unitary option for two tier councils the Council would not pursue this option for the term of the current parliament.
3. That the Council supports a joint case being put to central government in support of the devolution of powers.

31 DEVOLUTION OF GOVERNMENT POWERS - EXPRESSION OF INTEREST

A report by the Chief executive had been circulated.

It was moved, seconded and

RESOLVED

That the Council endorse 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" as appended to agenda item 10.0.

32 CONSTITUTION AMENDMENTS

A report by the Monitoring Officer had been circulated.

It was moved, seconded and

RESOLVED

That Council approve the amendments to the Council's Constitution as detailed at Appendix A to the report.

33 BOURNE TOWN HALL TRUST MANAGEMENT COMMITTEE

A report by the County Property Officer had been circulated.

It was moved, seconded and

RESOLVED

That Council receive the report.

34 FINANCIAL UPDATE

A report by the Executive Director Finance and Public Protection had been circulated.

It was moved, and seconded

That the County Council:

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

Notice of one amendment was received.

An amendment was moved and seconded by the Labour Group as follows:

Recommendation 3

After Table A of this report add 'as amended'

After Table B of this report add 'as amended'

Paragraph 1.4

Point 1 amend £12.415m to £10.415m

Create point 3 to read 'Create an earmarked reserve of £2m to meet in-year budget pressures in relation to social welfare needs'

Amend Table A to include under Other Earmarked Reserves - Social welfare needs - £2,000,000 and a reduction to the Financial Volatility Reserve - £9,372,195

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Amend Table B to include under Earmarked Reserves - Social welfare needs - £2,000,000 and a reduction to the Financial Volatility reserve £29,632,000

And amend totals in each Table accordingly
Upon being put to the vote, the amendment was lost.

A vote was then taken on the original motion, and upon being put to the vote it was

RESOLVED

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

NOTE: The Council adjourned for lunch at 12.50pm and re-commenced at 2.00pm.

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

Motion by Councillor J D Hough

It was moved, and seconded that

"We, as people of Lincolnshire, cannot ignore the plight of refugees across Europe and the Middle East or leave the situation for others to deal with.

The generous offers of help from individuals, community organisations, churches and others in Lincolnshire show the strength of the desire in our communities to help provide accommodation, food and places of safety for refugees who have been displaced by war.

None of this ignores the fact that we still have our own challenges of homelessness, lack of affordable housing, poverty and many other issues here at home which we must continue to tackle.

However Lincolnshire with its population of 731,500 people has the capacity and strength to not only deal with its own problems but also to play its part in providing a safe haven for refugees in this emergency.

The County Council has a long experience of looking after unaccompanied children who are asylum seekers. Last week we had 60 such children and young people being looked after or otherwise supported by our Leaving Care Service.

We can build on this experience and, with the work done by the community, we are in a strong position to provide further help now that it is needed. While cost is an issue and clearly financial help will be needed, we cannot just sit and wait.

Help is needed now and the County Council must provide a welcome for refugees and leadership in coordinating such help across the county.

It is therefore proposed that:

The Council recommends that the executive on behalf of all councillors says publicly and to Government that we as a Council welcome refugees to Lincolnshire alongside the wider Lincolnshire community and will play our part in providing a safe haven for them."

Notice of two amendments to this motion had been received, and it was agreed that both amendments would be heard and then one debate would take place on the motion and both amendments before being put to the vote.

An amendment (i) by Councillor C E D Mair was moved and seconded as follows:

"We, as people of Lincolnshire, cannot ignore the plight of refugees across Europe and the Middle East or leave the situation for others to deal with.

The generous offers of help from individuals, community organisations, churches and others in Lincolnshire show the strength of the desire in our communities to help provide accommodation, food and places of safety for refugees who have been displaced by war.

None of this ignores the fact that we still have our own challenges of homelessness, lack of affordable housing, poverty and many other issues here at home which we must continue to tackle.

However Lincolnshire with its population of 731,500 people has the capacity and strength to not only deal with its own problems but also to place its part in providing a safe haven for refugees in this emergency.

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The County Council has a long experience of looking after unaccompanied children who are asylum seekers. Last week we had 60 such children and young people being looked after or otherwise supported by our Leaving Care Service.

We can build on this experience and, with the work done by the community; we are in a strong position to provide further help now that it is needed. While cost is an issue and clearly financial help will be needed, we cannot just sit and wait.

Help is needed now and the County Council must provide a welcome for refugees and leadership in co-ordinating such help across the county.

The speed of Lincolnshire County Council in showing leadership and preparedness to deal with any challenges thrown at us is to be commended.

Therefore we propose that this Council confirms its support for refugees through its already existing arrangement in Lincolnshire."

An amendment (ii) by Councillor M J Hill OBE was moved, and seconded as follows:

That the last paragraph of the motion is amended by replacing the existing text with the following:

"The council recommends that the executive notes the decision made by the government to accept 20,000 refugees from Syria into the UK, over a period of 5 years.

We as a council will work with our partners in Lincolnshire, East Midlands and government departments to play our part in this humanitarian mission, on the expectation that full funding will be forthcoming."

During debate, Councillor C E D Mair confirmed that UKIP would be withdrawing their amendment (i).

A vote was taken on the amendment (ii) and upon being put to the vote, was carried. This then became the substantive motion.

The motion, on being put to the vote was carried. Therefore, it was

RESOLVED

That the council recommend that the executive note the decision made by the government to accept 20,000 refugees from Syria into the UK, over a period of 5 years.

We as a council will work with our partners in Lincolnshire, East Midlands and government departments to play our part in this humanitarian mission, on the expectation that full funding will be forthcoming.

Motion by Councillor S R Dodds

It was moved and seconded that

"Children's Centres play a crucial role in child protection in Lincolnshire.

Over 95% of young children in the age range 0-5 are now registered at Children's Centres across the county. This is a remarkable achievement; in the early years of Sure Start centres locally it was a struggle to get over 50% of children registered.

The services offered at Children's Centres are wide ranging and provide support, education and encouragement for young children and their families. They enable early help and support to be provided for children at risk and vulnerable families. Positive links with other organisations, particularly the health service, have ensured a joined up approach to child development. In addition their work ensures all children start school with an equal chance of fulfilling their potential.

However continuing cuts in government support for local government may mean that their future is at risk.

It is proposed that:

this Council thanks all those involved in this work, the staff at Children's Centres, the health and social workers, the locality teams and everyone else involved for their dedication in ensuring every child gets an equal chance in their early years.

Furthermore, this Council believes in the importance of Children's Centres and the crucial work they do in both protecting children and enhancing their development and therefore recommends that the Executive continue to support, fund and maintain the Children's Centres across the county."

An amendment by Councillor Mrs P A Bradwell was moved and seconded as follows:

That the final paragraph of the motion be amended to replace the existing text, so that the whole of the motion reads as follows:

"This Council thanks all those involved in this work, the staff at the Children's Centres, the health and social workers, the locality teams and everyone else involved for their dedication in ensuring every child gets an equal chance in their early years.

Furthermore, this Council believes in the importance of Children's Centres and the crucial work they do in both protecting children and enhancing their development and recommends that the Executive will continue to work with all providers in a community to ensure that integrated services continue to be delivered so that early help and protection services are delivered within communities."

A vote was taken on the amendment, and upon being put to the vote was carried. This then became the substantive motion.

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The motion, being put to the vote was carried, therefore it was

RESOLVED

That this Council thank all those involved in this work, the staff at the Children's Centres, the health and social workers, the locality teams and everyone else involved for their dedication in ensuring every child gets an equal chance in their early years.

Furthermore, this Council believes in the importance of Children's Centres and the crucial work they do in both protecting children and enhancing their development and recommends that the Executive continue to work with all providers in a community to ensure that integrated services continue to be delivered so that early help and protection services are delivered within communities.

The meeting closed at 3.25 pm

Agenda Item 6

COUNTY COUNCIL MEETING – 18 DECEMBER 2015

Statement from: Councillor M J Hill OBE– Leader and Executive Councillor for Policy, Communications, Procurement and Commissioning

COMMERCIAL TEAM

Performance Reporting

A new style performance reporting using infographics has been introduced and received good feedback from scrutiny committees.

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.

Members can view performance on the web in a secure area on the Lincolnshire Research Observatory.

Devolution

The Commercial Team is project managing the Council's participation in devolution. As reported to this Council, on 4 September, ten councils and other public sector organisations in the Greater Lincolnshire area submitted an expression of interest to the Government, to start negotiations about devolved powers and funds that would help us improve quality of life and prosperity.

On 28 October, representatives from Greater Lincolnshire including the Local Enterprise Partnership (LEP), met with the Minister of State for Local Government Marcus Jones MP, to press our case. The Minister welcomed the scale of the area's ambitions, indicated the Government's intent to pursue such a deal and invited further purposeful negotiations to bring it about.

Since then work has continued looking at the specific themes in the proposal, holding discussions with civil servants from relevant Government departments and looking at arrangements that need to be in place if we are able to proceed with our ambitious plans.

We have started looking at the options of how a 'combined authority' could potentially be managed and governed. To make sure we are operationally ready to take on any new responsibilities, it is proposed to establish a joint committee of the local authorities. The remit of this joint committee will be to have oversight of the continuing discussions with Government, develop the governance arrangements and to operate as the "Greater Lincolnshire Leadership Board" - leading the accelerated growth agenda, in partnership with the LEPs.

A paper proposing that a governance review be conducted to determine the best governance arrangements to implement devolved powers from government is being taken to council meetings in each of the ten authorities by Christmas.

These governance reviews will take place no sooner than the New Year and in the meantime discussions with government on a possible devolution deal continue. (The details are contained in a paper elsewhere on the agenda for this meeting.)

Libraries

The library services procurement has now concluded and was delivered on schedule with final tenders submitted on the 19 October. The Commercial Team worked as part of a multi-disciplinary team delivering the procurement and project management functions and providing commercial advice. The team worked hard to get the best possible outcomes for the library service and taxpayers in dialogue with the bidders. Following evaluation it was established that the winning tenderer was Greenwich Leisure Limited. The bid was impressive offering improved performance, additional activities, significant savings and investment in staff training and development. Acceptance of the bid means that GLL would take on the running of the Council's 15 major libraries along with online services, specialist support and mobile libraries from the 4 April 2016. At the same time GLL would support library services delivered at around 30 community hubs. Officers recommended to the Executive, meeting on the 1 December that the best option was to accept the bid and outsource library services.

Children Services Transport Review

Work continues on the review of home to school transport for Lincolnshire special schools and other non-mainstream settings. The team is supporting Children's Services and the Passenger Transport Unit with a review into the procurement model used to contract out for the home to school transport requirements. The Commercial Team is providing both Project and Procurement support to the review. The new model is expected to aggregate hundreds of route based contracts into fewer, longer term arrangements providing financially more attractive contracts to providers, continuity of service for pupils and their families/carers, reduces waste mileage whilst providing structure to the market place. The new contracts are expected to be in place during 2016 / 17.

Serco Contract Management

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. Following recent management changes by Serco improvements are now starting to be demonstrated.

Extra Care Housing

The Commercial Team is working in a cross-functional team to develop a robust commercial approach to developing and building additional Extra Care Housing for older people.

Multi-Functional Devices (MFDs / Printers)

The team is working with IMT to refresh the fleet of MFDs and printers to ensure security standards are up to date and the commercial arrangements offer the council the best value for money. The specification is currently under development by IMT,

and both additional savings and increase in service are expected from the newly procured fleet.

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. Since September's statement, there has been an intense period of work managing the implementation of the new Community Support Homecare and Home Based Re-ablement Service contracts. In particular, officers have focused on working with providers and holding them to account to ensure that mobilisation and transition plans are adhered to.

Community Support Homecare

The twelve new contracts for the Councils home care services commenced on the 26 September involved a substantial degree of change from previous arrangements. The three month transition period as expected, was challenging with over 3500 service users transferring to new providers during this period. The Commercial Team are now focused on addressing escalating market pressures and implementing new measure to strengthen the overall capability and sustainability of our new strategic providers.

Home Based Re-ablement Service

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. The procurement process concluded in September and the new provider, Allied Healthcare commenced service delivery on 3rd November. The provider will deliver additional hours for the same budget over the duration of the contract. In Year 1, the numbers of hours are comparable to the previous supplier. In subsequent years of the contract they will deliver 20% additional volume within the same budget. In addition, they have capacity to deliver up to 75% more hours than the previous supplier if required helping to keep people out of hospital and expediting discharges.

Dementia Family Support Service

This is a new service for Dementia patients and Carers in Lincolnshire, which will offer an intensive support service to help them navigate the complexities of the care system. The procurement process was informed by a Strategic Needs Analysis, Market Analysis and market engagement process, offering an opportunity for interested suppliers to help shape service provision. The contract was awarded to The Alzheimer's Society, who achieved the highest score at tender stage in terms of both cost and quality, and commenced on 1st October 2015.

Carers Support Service

A joint commissioning project is now underway with Public Health and Children's Services to rationalise existing arrangements for carers support into a single contract

including provision of information advice and signposting, face to face assessment, guidance and various other measures.

Adult Care Contract Management

Between April 2015 and September 2015 the Contracts Team undertook over 350 contract management meetings and visits. Over the last 12 months there has been a sustained improvement in commercial relationships with Learning Disability Providers and a high level of confidence and trust between the market and LCC has been achieved. In addition to the successful delivery of its core contract management activity, the team has also been developing and implementing procedural and process improvements, including a new risk management tool and service quality review process. Since the risk tool and Service Quality Review meetings were introduced the number of high risk contracts has reduced from 84 in March 2015 to 48 in November 2015, a reduction of 57%.

COUNTY COUNCIL MEETING – 18 DECEMBER 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

Key Stage 1 and Key Stage 2 results

(based on unvalidated data and therefore possibility of change)

KS1 Phonics: The LA continues to be above the national threshold, as it has since the start of the programme with 78% children meeting the required standard. This represents a 1% drop compared with 2014 data. National results have increased by 3%. Therefore, the difference between the LA performance and national average is now less well defined.

KS1 Attainment: There has been an improvement of 2% in attainment in reading, writing and mathematics at Level 2+ and L2B+ compared to 2014, with combined L2+ improving from 83% to 85%, and combined L2B+ from 64% to 66%. However LA performance remains 1% below the national overall. There have been improvements in L3+ outcomes for reading and mathematics improving by 1% from 2014; L3+ writing remains steady. Attainment at L3+ in reading, writing and mathematics remains just below the national.

KS2 Attainment: Level 4+ Grammar, Punctuation and Spelling has improved this year compared to last year and the rate of improvement in this area is greater for the LA than seen nationally. Performance at L4+ writing and mathematics has improved from 2014, reading has remained static. However, Level 4+ attainment data for the LA remains below national figures, with combined L4+ now at 78% compared with 80% nationally. There has been a similar rate of improvement for attainment at L4B+ from 66% to 67%.

There are improvements at L5+ compared with 2014 LA outcomes. Attainment at L5+ in Grammar, Punctuation and Spelling has continued to improve over time as has L5+ writing. Mathematics has remained the same. Although L5+ reading has fallen compared with 2014, the drop is not as great as seen nationally. L5+ attainment data for the LA remains below national for grammar, punctuation and spelling and for reading, writing and mathematics.

KS2 Progress: In writing, expected progress from Key Stage 1 to Key Stage 2 has remained the same as for 2014 at 93%, and has fallen by 1% in reading from 91% to 90% and mathematics from 88% to 87% so that Lincolnshire is now below national data in all three areas. Lincolnshire is in line with East Midlands and statistical neighbours for expected progress in reading and writing and just below in mathematics.

GCSE / A-level results

(based on unvalidated data and therefore possibility of change)

Early indications of GCSE results show Lincolnshire has maintained the attainment of previous year, at 54.8%; whilst nationally attainment has dropped. Therefore the gap between Lincolnshire's performance and national for this measure is closing.

Ten 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 a broadly similar rate of A-level passes to last year, above the national figure; and in higher level grades awarded. The pass rate for A-levels in Lincolnshire schools reached 97%. Six of our schools achieved 100% of pass grades.

Lincolnshire secures successful bid for CAMHS Funding

Children's Services, in partnership with Clinical Commissioning Groups, produced a multi-agency, five year Local Transformation Plan as part of a successful bid to secure additional NHS funding to improve mental health and emotional wellbeing services for children and young people. The successful bid has secured a minimum of £1.4million each year, for the next five years, equating to an additional £7m for services. This funding will go towards developing a community based Eating Disorder service, clinical training for practitioners and improved perinatal services. The successful submission was subject to a robust three-stage assurance process by regional and national NHS England, including a detailed evaluation by two assessors and judgement by a moderation panel. Lincolnshire was viewed as one of the three most robust plans across East and West Midlands.

In addition, Children's Services have led on the transformation of the core CAMHS service, in line with stakeholder feedback from 55 service user groups, national guidance and best practice such as the NHS report "Future In Mind." The new CAMHS service, which is anticipated to start in Spring 2016, will feature a 'tier-less' system, with emergency out-of-hours provision that operates 24/7 for those in crisis. The service will be built on transparent, clinical pathways that are explicit in the number and frequency of interventions provided and the anticipated length of time in treatment. There will be a real focus on empowering the voice of the young person and working in partnership together to identify goals and track progress, in conjunction with reduced routine and emergency waits. The new CAMHS service will also include a single point of referral, so all referrals are received into a daily triage function and prioritised accordingly. It is anticipated that the new service will improve outcomes for young people by reducing the use of high-cost, short-term out of county placements that take young people far away from their local communities and support networks, emphasise participation and engagement with young people, reduce inappropriate referrals, provide an improved and transparent offer for young people and increase the consistency of experience for service users.

Basic Need Workstream of the Capital Programme

The basic need workstream of the capital programme continues to deliver new school places across the county with over £30m worth of investment expected over the next three years to ensure that there are sufficient school places to meet the

needs of local communities. The school age population of Lincolnshire continues to rise with additional school places being planned for both the primary and secondary sector for the years ahead. Over 1000 new primary school places will be created in the county by September 2016 and there will be many more planned for and delivered in line with birth rates, migration and housing development over the coming years.

The Lincolnshire Music Service

The Lincolnshire Music Service is involved with Ten Pieces II, the secondary strand of the BBC Ten Pieces initiative which was launched in October 2015 with cinema screenings across the county to Years 7 and 8.

As part of the Secondary Ten Pieces, "The Young Producers project" in partnership with OrchestrasLIVE, Lincoln Drill Hall, City of London Sinfonia will take place this year where around 25 children and young people will be given the opportunity to devise, direct and produce a concert for KS3 pupils to be performed at the Lincoln Drill Hall in March 2016.

Strut House, Short Break Residential Home for Children and Young People with Disabilities (Regulated Services)

Following an Ofsted Inspection of Strut House on 22 and 23 September 2015, whereby the service was judged as Outstanding across all judgement areas for the sixth consecutive year, we received a personalised letter of recognition and congratulations from Christopher Russell, Regional HMI for the East Midlands.

ADULT CARE

Care Quality Commission

The Care Quality Commission is mid-way through the roll-out of its fresh start approach to inspection ratings for care providers. The standard of regulated care in Lincolnshire homes continues to be good under these new style ratings. Of the new style inspections published to date, 68% of residential care homes and 48% of nursing care homes are rated as good. There are only four providers in Lincolnshire rated as inadequate, Adult Care have improvement action plans in place and these are robustly monitored through the Council's Service Quality Review meeting.

Sensory Impairment

Adult Care, in conjunction with Children's Services and Public Health, is currently undertaking an exercise to re-procure the Sensory Impairment Service across Lincolnshire. The service, which enables people who are sensory impaired to remain independent in their own homes and remain active participants in the community, currently supports 2,365 people with sensory impairment. An invitation to tender was issued on 26 October 2015, with a bidders' event held on 6 November. The service will empower people to regain the ability to perform their usual activities such as cooking a meal, paying a bill, using public transport, navigating road crossings or accessing social activities. The new contract will begin on 1 April 2016 and run for a minimum of 3 years.

Care and Support Services

The first six months of the reporting year have seen a 10% increase of demand for care and support services compared to the previous year, which equates to just over 3,000 new requests for support per month. An improved information offer and better signposting to alternative services in the community from the Care and Wellbeing Hub (formerly the Customer Service Centre), have had a big impact on delaying or reducing the need for care and support. Reablement services, particularly for patients discharged from hospital, have proved effective in restoring people's independence, and therefore their reliance on funded care. The Wellbeing service has had a similar effect. Despite the increase in new requests, approximately 85% of people have their needs met with the above support without being passed to a Social Work Team. This has alleviated the pressure on Adult Care Teams and, as a result, the proportion of assessments completed within 28 days has increased to 94%. Furthermore, review performance is very strong and, at the current rate, by the end of the year it is expected that over 90% of people already known to Adult Care will have received their annual review of needs.

Currently, a total of 16,000 adults are provided with services, 9,000 of which are in permanent residential or nursing care or receive a personal budget in the community. The remaining 7,000 are supported with short term services, which includes in the main, equipment and telecare but also temporary residential care and ongoing professional support. At the end of Quarter 2, 27% of clients with a personal budget in the community received their support in the form of a direct payment. This is an increase of 2.5% from Quarter 1, with further increases expected as 150 adults have chosen to convert their managed package of care to a direct payment as part of the recent home support contract transition. It should also be noted that for the last four months in a row, 100% of new direct payments have been paid within 14 days, which is a drastic improvement from the previous year and helps to ensure people get the care as early as possible.

In 2016 a newly commissioned Carers Service will be in place, with a model that creates resilience in the caring role, improved quality of life for carers and to prevent crisis. Almost 7,500 carers have been supported over the last 12 months, and since April there has been a shift in the pattern of support towards early intervention and prevention with 20% of carers having their needs met with information and advice. Since its transfer to Serco, the Carers Team have assessed carers more quickly, and in September 100% of carers were assessed within 28 days. The slicker assessment process and front end support is a response to managing the increase in demand expected once the Care Act is fully embedded.

With the Better Care Fund (BCF), a series of projects are in place to reduce the pressure on the health sector, and keep people at home for longer. 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. Although there are current pressures around delayed discharges, delays attributable to Social Care are still relatively low. Other measures that pertain to the effectiveness of the BCF from a Social Care perspective include recently published survey results which indicate that 94% of Adult Care clients enjoy a better quality of

life as a result of the services they receive. Also, a low admission rate to residential care means that people can stay independent in the community for longer.

Homecare

Whilst there have been areas of difficulty and challenge we have successfully transitioned in excess of 3,400 people and this has been achieved through ongoing close joint working between departments. We continue to work closely with LinCA and the providers to ensure that performance, capacity and quality continues to improve for all local people. There are a number of positive collaborations across the county with providers working together to ensure the market is able to respond to local needs within their communities. All staff within the Council and our partners are working towards a 'home first' principle where appropriate to individual need.

Winter Pressures

Officers have been working closely with colleagues in Health to continue to build and develop a neighbourhood team offer to support with the imminent winter pressures. Adult Care has ensured that all neighbourhood teams have identified link workers who are attending multi-disciplinary teams across the county. Pathways have been developed to support avoidable admissions and assisted discharge which Adult Care has influenced and ensures individuals will be able to access the right support, at the right time in the right place. Planning with regards the long-term vision has been presented to the CCGs to ensure as a health and social care economy we can respond to the increased demand which occurs during any winter period.

COMMUNITY LEARNING

Since 1 August, 519 Adult Learning courses have commenced across the county enrolling over 2,000 learners. A wide range of courses are on offer to encourage engagement with adult learning as well as developing skills and supporting improved employability. Courses include Apprenticeships in Business Administration, GCSE maths and English, relaxation and meditation, dressmaking, nursing and social care, pilates, modern foreign languages, creative story-telling, sign language, cake decoration, introduction to mental health, digital employability skills and computing.

Courses of particular note include Retail and Customer Services provision being delivered in Gainsborough as a result of partnership working with JobCentre Plus to fill six vacancies at the new Gainsborough Co-Op Store. Other provision to highlight is 'Start Your Own Business' courses being delivered in partnership with RAF bases and the Prince's Trust, targeted at unemployed learners and those whose RAF contracts are coming to an end. One success story coming out of this provision is a female learner who had been through an abusive relationship and felt very exposed with tradesmen in her home. As a consequence she has re-trained as an electrician and, as a result of attending our 'Start Your Own Business' course, is now in the process of setting up her own business and employing other tradeswomen, to offer services to vulnerable women.

Family Learning continues to be popular in schools and children's centres alike, delivering positive outcomes for those involved. One learner who had to leave school before taking exams because of pregnancy has progressed from an

introductory Family Learning course to Functional Skills maths. As a result of attending Family Learning her confidence has grown and, as a result, is volunteering at one of Boston's Children's Centres.

PUBLIC HEALTH

Sexual Health

In September 2015 the public health team published an invitation to tender for a suite of contraception and sexual health services to be provided as one Lincolnshire Integrated Sexual Health service. The new service is to combine genito-urinary medicine, chlamydia screening, community contraception, health promotion and the HIV treatment and care service (currently commissioned by NHS England). Following a robust tender evaluation exercise involving both NHS England and Public Health England representatives, Lincolnshire Community Health Services NHS Trust was awarded the contract on 4 November for a period of five years with an option to extend for up to a further two years. The new service is to start on 1 April 2016.

Wellbeing Service Evaluation

The Wellbeing Service first year evaluation has now been completed and shared with providers and internal stakeholders. The evaluation highlights what the service has delivered during its first year, and details the issues the service faced from the Supporting People handover which included 2,684 reassessments. This evaluation will act as a basis for any potential continuation or re-design of the Wellbeing Service post 31 March 2017.

The major key points from the evaluation were:

- Successfully working with a consortium of providers to deliver the service across five areas of the county.
- Continued provision and strong links with East Lindsey and North Kesteven district councils.
- The service received 3,683 referrals with 3,548 (96%) meeting the referral criteria of three or more triggers.
- 1,638 individuals were identified as in need of and received six weeks of generic support.
- There were 3,256 reported positive outcomes which Wellbeing Service staff delivered, the most prevalent included:
 - To utilise assisted technologies to maintain independence
 - To maximise their income, including the receipt of the correct welfare benefits
 - To establish contacts and support with external agencies and groups
 - To manage their health better
 - To have more confidence and control over their engagement with services.
- The majority of referrals highlight that the service is predominantly being delivered to the over 60s at present despite the service being available to over 18s.

- There were a total of 4,182 installations of Telecare equipment and 794 people taking up the Wellbeing Response service.
- The service has made a direct impact on adult care services, with referrals back into adult care being halved.

Substance Misuse Services

Substance Misuse services across the county are currently being re-commissioned in order to provide greater emphasis on both recovery and reintegration. Due to these contracts previously being held by the Primary Care Trusts, this is the first opportunity we have had to review them and to make significant financial efficiencies against them.

The new contracts will be recovery and outcome focused with greater emphasis given to abstinence, social inclusion and aftercare to enable service users to ultimately lead meaningful and productive lives.

Following a period of engagement with commissioners from around the country, existing and potential providers, service users, carers, GPs and other stakeholders, the procurement for these new services will commence in December with contracts being awarded in March 2016. There will then be a period of transition so that the new services can commence in October 2016.

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 best practice elsewhere in the country.

Housing Related Support

Housing Related Support services are performing well since the new services commenced on 1 July 2015. We have had 1370 referrals into services, with the new electronic referral system working well. Over 565 professionals from 32 organisations have signed up to use it to make applications to our services. We are beginning to use the data collected to compile reports and identify trends and patterns. An Oversight Board has been set up and the first meeting took place on 13 November. In attendance were representatives from District Councils, providers, criminal justice organisations, mental health teams and wider stakeholders. This Board will prove a useful arena to facilitate partnership working and ensure our current services are doing as much as they can to support vulnerable adults.

Smoking Cessation

We have recently let a new look smoking cessation service to North 51. The new service will be outcome focused and payment will be driven by the successful delivery of targeted key performance indicators which will focus on smokers who will most benefit from stopping smoking, e.g. pregnant woman, smokers with medical conditions and surgical interventions, and people with long term mental health conditions. The service will start from 1 January. There will still be support available to the wider population to stop smoking.

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COUNTY COUNCIL MEETING – 18 DECEMBER 2015

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

ECONOMIC DEVELOPMENT AND TOURISM

The British Guild of Travel Writers has named Lincoln Castle its 'Top UK Tourist Attraction for 2015'. This is just reward for the leadership and hard work of councillors and staff over the 10 year journey that the Castle project has been. We hope to exceed 250,000 visitors by Christmas.

Added to this, both I and Nick Worth were delighted to hear the news that the Poppies:Wave sculpture will be displayed at Lincoln Castle. The Poppies are a poignant reminder that many service personnel from Lincolnshire have lost their lives. They will also become a magnet to attract visitors to the Castle and we will work hard to make sure that visitors have a memorable experience and that they are encouraged to visit many parts of the county when they come to see the Poppies.

In early November, the Council hosted a national Coastal Communities Alliance Conference in Skegness with more than 70 attendees from across the country. This event is a good example of the County Council working with Government agencies which I hope will reap rewards through Government prioritising Lincolnshire above other areas for grants and investment.

An example is the Chapel Point Coastal Observatory where an important milestone has been passed in this project, which will help to extend the season and create quality jobs in Chapel Point and the surrounding area. Tenders have now been returned, and we will shortly be contracting with a Lincolnshire business to start building this important and iconic structure.

The Council is in the final stages of negotiations on one significant sale of land to a business on land that we have serviced and developed. We have also sold a significant parcel of land to a major manufacturing employer. These sites are in different parts of the county, and they are a good indication that investors are bringing projects to all of Lincolnshire.

Towards the end of October I spoke at a Lincolnshire Dinner at the MIPIM UK event. This is an event which brings together the biggest investors in the world. Our Dinner was primarily sponsored by Lincolnshire businesses. We had 71 investors in attendance and I am aware of a number of follow-up discussions that have already taken place between national investors and local developers about sites across the whole of the county.

A number of developers and intermediaries have said they are keen to work alongside us on promoting Lincolnshire for investment – a 'Team Lincolnshire' is starting to be talked about. Clearly the developers will look to the Council as facilitator and supporter, but they recognise the budgetary constraints that we face. Meetings with the developers have been arranged and I shall give you further updates as our work progresses.

The Greater Lincolnshire LEP's Annual Business Live Event was held towards the end of October. Several Councillors attended and found it useful. The Council had

a stand to promote our business centres to growing businesses who are seeking larger and more business-oriented premises. Interest in our centres was high, especially for Mercury House in Gainsborough.

My colleagues Martin Hill and Marc Jones will comment on the impact of the Comprehensive Spending Review (CSR) on LCC's finances. However, CSR also set out a clear path for how the Government sees its role in increasing national productivity. This includes changes to training, business support, and innovation systems along with a greater emphasis being made on the link between economic growth and infrastructure schemes. The Chancellor announced a shift from the State paying for training, business support, etc, to the beneficiary making that payment. An emerging role for the council, therefore, is to help individuals to understand why they should invest and what they will gain from making that investment. The Chancellor also announced the continuation of the Single Local Growth Fund, and I am working with the economic development team on a set of strong bids that we will make for projects that meet the council's priorities.

Memorandum of Understanding

A Memorandum of Understanding between the Environment and Economy Directorate and Lincolnshire Police Economic Crime Unit is now in place. The Proceeds of Crime Act 2002 (POCA) seeks to remove all financial benefit from those who have committed criminal offences and who see crime as an economic alternative to compliance with the law. Recent case law has confirmed that the Proceeds of Crime Act applies equally to all criminal offences including those committed under the Town and Country Planning Act 1990. The MoU sets out the understanding of how any seizure investigation under POCA is to be managed and monies distributed. It is expected that the seizure of any gain made by those convicted of criminal planning offences will serve as a strong deterrent to those considering not complying with planning and other relevant legislation.

PLANNING

Minerals and Waste

Following public consultation on the Minerals and Waste Local Plan: Core Strategy and Development Management Policies, a public hearing has now taken place in front of a Planning Inspector. 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 held an Examination in Public during October. The Inspector was largely supportive of the policies put forward by the Council with the main issues being challenged during the hearing relating to the amount of the sand and gravel that should be provided during the plan period (to 2031) and the need for further inert landfill sites. The next step is that the changes to the Plan that were agreed with the Inspector during the hearing are out to public consultation until 8 January 2016. Following this consultation the Inspector will produce a report with his recommendations. If acceptable, the Inspector's report will be reported to full Council in spring 2016 and subject to Council approval the Plan will be adopted.

Running slightly behind the Core Strategy is the site location document which sets out the Council's preferred waste and minerals site to meet the projected need for minerals and waste site during the plan period. The site location document went out to consultation in November and will run until February 2016. Following this process, the consultation responses will be reviewed and a pre-submission document will be prepared. This will be subject to an Examination in Public in Autumn 2016 in front of a Planning Inspector and follow a similar process to the Core Strategy Document.

Central Lincolnshire

Consultation has taken 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 Central Lincolnshire Joint Strategic Planning Committee will consider the outcome of this consultation during December/January.

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. LCC have raised concerns over the long term supply of employment land to ensure the economic aspirations for the area can be realised in accordance with the Strategic Economic Plan of the GLLEP.

Triton Knoll

The Examination in Public began on 1 September 2015 and will close on 3 March 2016. Lincolnshire County Council has instructed a Barrister to represent its interests during the examination and has made robust representations to the Examining Authority in the form of a Local Impact Report and Written Representations. Officers are working closely with the Applicant (RWE/Statkraft) in trying to agree a Statement of Common Ground which covers all relevant issues. Of particular concern to LCC are:

- The impact of the landfill and cable route at Anderby Creek and on the grazing marshes;
- The negative impact on the Coastal Country Park and tourism in the area;
- The effect on soil conditions and drainage of the chosen route;
- The cumulative impact of the proposed Viking Link Interconnector;

- Compulsory purchase of LCC land; and
- Impact on holiday traffic during the construction phase (if approved)

All of the above matters have been addressed by the LCC legal team and officers attending open floor sessions and issue specific hearings. I will keep you updated on the progress of the examination and any matters arising.

Early discussions are taking place with National Grid Viking Link about another project that will raise similar issues and concerns.

ENVIRONMENT

Flood Risk Management

On 5 November officers from the County Council hosted a visit by Sarah Hendry, DEFRA's Director for Flood Risk Management and her Deputy Director, Neil Hornby. With colleagues from the Environment Agency, Boston Borough Council, Black Sluice Internal Drainage Board (IDB) and Witham 4th IDB we showed our visitors key sites in Boston Barrier, the Black Sluice Pumping Station, the visitor hub at the site of the Boston Barrier, and toured them around the principal sites in the town centre that had experienced flooding during the recent coastal surge of December 2013. After a visit to the sea defences at Wrangle, where a project is being trialled for an IDB to lead on improving the defences in an area where only limited national funding is available, we concluded at the site of the Horncastle flood alleviation structure.

Our visitors were grateful for the opportunity to see for themselves the scale and nature of the challenges that we face and were very interested in the possibility of exploring ideas set out in Greater Lincolnshire's Devolution Offer as a means of piloting new approaches here in Lincolnshire. My officers are actively pursuing this, and further discussions with senior Defra officials are taking place this month.

I reported last time on the establishment of a Water Management Plan by the GLLEP, with the aim of making a closer link between water management and enabling economic growth. I am pleased to report that this exercise will be largely complete by the end of November, and bids prepared for at least three significant flood risk management schemes on Lincolnshire's coast. This will be the first time we have been able to seek European funds to support our approach to flood risk management, and it is seen as a first step in opening up access to more funding sources than were available to us in the past. With ever increasing pressure on national funding for this essential work, it is essential that we are able to diversify the range of funding sources available to us, and we see these bids as an important step in this direction.

Natural Environment

LCC supported the Greater Lincolnshire Nature Partnership's (GLNP) successful conference earlier in November, the third 'themed' conference since the partnership was established in 2012. This year the focus of the event was on the value of nature tourism – the contribution that tourism connected with enjoying the natural environment makes to the Lincolnshire economy as a whole. This reflects the Nature Partnership's overall strategy of aligning its ambitions with those of the GLLEP and maximising its impact by making a demonstrable difference to the prosperity and well-being of the county.

Alongside a range of speakers, including the Resort Director of Butlins, we heard the headline results of a recent study commissioned by the GLNP to understand and drive upwards the economic impact of nature tourism. In Lincolnshire, this activity already contributes £58m to the economy annually, supporting over 850 jobs. The opportunities to expand on this are considerable, and the partnership is focusing its attention on these in order to help the GLLEP fulfil its growth ambitions for Greater Lincolnshire.

England Coastal Path

Work continues on the first two stretches of the proposed route and officers have undertaken site visits with Natural England colleagues to begin to formulate where the National Trail might go and in particular in relation to some of the stretches which need special consideration such as at Gibraltar Point.

There has been a slight change to the distance of the second stretch where the initial study will now be between Skegness Pier and Mablethorpe and not as far as Donna Nook as originally proposed. This was to ensure that the final stretch to be dealt with after the first two sections will encompass the boundaries of the Humber Shoreline Management Plan. The target date for the first two stretches to be open to the public remains at 2018, with the final stretch to the Humber Bridge available 12-18 months later.

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COUNTY COUNCIL MEETING - 18 DECEMBER 2015

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

HIGHWAYS AND TRANSPORT

Lincoln Eastern By Pass

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 it is hoped to be early in the new year at the latest. However, the Secretary of State has been made fully aware of the need for an early decision on the Orders.

Invitations have been sought from the market for applications to be included on the tender list for the scheme. A tender list will be drawn up by Christmas 2015 but tenders will not be issued until the Orders have been confirmed.

The scheme is being progressed as a single carriageway under the current funding arrangements. Central Government has indicated that their contribution (circa £50M) remains allocated for the scheme.

Lincoln East West Link

Works have started on the replacement Heritage Building on the corner of the High Street and Tentercroft Street with the completion of the piled foundations and a start on the ground beams, after delays incurred by the archaeological finds.

The period prior to the Christmas market has been used effectively to carry out works in the High Street including work to BT cables which has raised the visibility to the general public. The scheme is having minimal impact on traffic movement in the city. Relations with the public are excellent.

High Street Footbridge

Work is continuing on site with piled foundations installed and installation of the first elements of structural steel work imminent. The planning consents for the bridge and the remainder of 179 High Street have now been 'decoupled' meaning that work can continue on the bridge whilst alternative options are being considered for the replacement of the former sleep shop building. Completion of the footbridge is, as previously anticipated, scheduled for May 2016.

Brayford Wharf East

Network Rail has continued to seek an alternative solution at this location that will match the funding envelope available. A revised, value engineered, scheme is due to be presented to their Funding Board in December for consideration. Should approval be granted, the revised proposal will be presented at a stake holder workshop to be arranged for the new year prior to resubmitting a revised planning application.

Skegness Countryside Business Park

Our private sector partner (provider of the land and bulk of project costs) has expressed some cash flow concerns over the last month (derived from their anticipated date for first onward sale) and have asked that LCC examine ways in which the project could be sub-phased in order to reduce initial costs. This has created additional work and some delay to the timescale for moving the project forward. Despite this it has been possible to resolve a number of technical issues (e.g. drainage strategy) and to identify a process by which consents can be amended to reflect the scheme to be built (non-material amendment application to ELDC).

The Greater Lincolnshire Local Enterprise Partnership (GLLEP) Investment Board are to re-examine the project at the end of November in light of the sub-phasing and it is expected that a grant funding contract will be signed in early December. Contractor procurement remains planned for Q1 of 2016 with an anticipated start later that year.

Holbeach, Peppermint Junction

The public consultation was held in September with a large turn-out at the exhibition and strong support expressed for the Peppermint Junction scheme. A planning application has now been submitted for the Peppermint Junction roundabout and the second roundabout on the A151. Proposals for the neighbouring housing development are expected to be submitted for planning consent in the near future. Proposals for the Food Enterprise Zone to the west of the A151 continue to be developed between NYCC and the land owner.

At the consultation the dual carriageway proposal for the A17 received a more mixed response. Due to the high cost of this proposal the options for improvement are being re-visited with a view to identifying the most economically advantageous method of creating overtaking opportunities for A17 traffic.

Grantham – King31 Including A1 Connection (Spilltegate Level west to A1)

Phase 1 of the King31 commenced on site on 21 September 2015 and progress has been very good. The opportunity has been taken to use the fill material on site to reduce the imported fill for the roundabout on the B1174 which will also reduce the costs of cutting for Phase 2 the connection onto the A1.

The planning permission inherited from the developer for the grade separated interchange onto the A1 is too restrictive to provide an economic solution without significant departures. South Kesteven District Council and Lincolnshire County Council planning have been consulted to explore a suitable solution that can be delivered. The final solution may impact upon the Orders to be published for the Grantham southern relief road.

Grantham – Southern Quadrant Link Road (SQLR)

The S73 change to the planning application was considered at the South Kesteven District Council Planning Committee on 10 November 2015 and approved and the non-material amendments have been approved.

Larkfleet's submission to the Appeal Court was rejected as was their request to be allowed to appeal to the Supreme Court. They have now applied direct to the Supreme Court and the Courts decision is awaited. Lincolnshire County Council as an interested party have submitted their response to their latest claim.

Work is progressing to prepare for the compulsory purchase orders and the side road orders ready for publication in spring 2016 for the Grantham southern relief road.

Spalding Western Relief Road

The developer is understood to be making progress with their proposals and seeking to submit a reserved matter application for the road in the near future.

The design for the northern phase has been frozen ahead of the South East Lincolnshire Local Plan consultation, now programmed to take place in January/February 2016.

Winter Maintenance

The County Council has entered the winter of 2015/16 with a plentiful supply of salt. 26,000 tonnes is now within our eight highway depots and a further 9,000 tonnes on Immingham docks. The Immingham strategic stock will have a further 25,000 tonnes added to it early in December. This follows an advantageous financial proposal benefiting Lincolnshire from our salt supplier so bringing the total available to 60,000 tonnes. A new salt barn was opened during October at Willingham Hall capable of storing 3,000 tonnes under cover.

Lincolnshire Road Safety Partnership (LRSP)

Provisional figures up until the end of September 2015 show there to have been 253 killed or serious injury (KSI) casualties compared to 297 for the corresponding period last year.

The number of fatal casualties now stands at 35. This is two lower than for the corresponding period last year which is an improvement on the figures I gave you in my previous report. At that time the number of fatal casualties was three higher than for the previous year.

The average speed camera system on the A15 at Metheringham became operative on the 21 September 2015. Approval in principle has been received from the LRSP Board to install an average camera on the A16 Crowland and discussions are now taking place to establish the most cost effective way to procure the cameras. I will keep you informed of progress on this matter.

LRSP are now delivering speed awareness workshops from Market Deeping in addition to Lincoln and North Kyme. This venue is proving to be very popular and provides residents in the South of the county with an alternative venue to Peterborough.

The number of communities participating in in Community Speed Watch continues to increase. Currently one hundred and twenty communities have signed up or are in the process of signing up to the scheme.

Lincolnshire's Total Connect Project

Total transport service integration is the aim of Lincolnshire's 'TotalConnect' project currently being run by the Passenger Transport Unit (PTU). This involves working together with other local authorities, bus operators, community transport operators, Clinical Commissioning Groups (CCGs), neighbouring areas and other public bodies to share and joint-commission services and resources to deliver cost effective passenger transport.

Lincolnshire County Council is one of 37 local authorities to have bid successfully for Central Government funding through the Total Transport programme. The Council has been awarded a £400K grant to research, design and implement a pilot Total Transport scheme, to be completed by March 2017.

The TotalConnect project will build on previous pioneering work by the PTU and focus on delivering transport services that are integrated to the maximum extent possible across:

- Non-Emergency Patient Transport (NEPT)
- local bus services
- demand responsive services local bus services
- social care,
- home-to-school
- community and voluntary transport

TotalConnect will focus on partnership working and delivery of transport services through a one-stop-shop approach. A project board has been established and TotalConnect is initially targeting the integration of community transport and CallConnect Demand Responsive bus services with NHS NEPT services and Adult Social Care provision. Early indications are that there is significant synergy across these transport services and the PTU is currently negotiating the sharing of journey information (which is particularly sensitive given the client groups involved).

There are a number of associated strands of work also being undertaken by the PTU including consideration of the IT and Telematics requirements for the project. For example, an outline specification of an integrated I.T package able to manage multiple client groups, diverse passenger needs and disparate journey patterns with appropriate financial and performance management functions is currently being established. Lincolnshire is working in partnership with other local authorities on this aspect but has been asked by the DfT programme co-ordinator to take a lead role both regionally and nationally in developing an appropriate IT solution for Total Transport.

Alternative procurement methods form another strand of investigation. A new Dynamic Purchasing System for Transport Contracts is currently being developed with a likely implementation date in early 2016. Plus, following a detailed review of Special Educational Needs and Disability (SEND) Transport provision and various market engagement sessions, new 'One Operator One Establishment' and/or 'One Operator to a Cluster of Establishments' are to be advertised with staged implementation dates from January 2017. This would drastically reduce the number of contracts directly managed by the PTU as well as provide financial savings.

INFORMATION MANAGEMENT AND TECHNOLOGY

IMT Services being delivered by Serco are continuing to improve, and this is backed-up by the trending of key performance indicators (KPIs) for this first six months of service. There remain some areas where the breadth of services delivered by Serco, and level of service are falling short of expectations.

Due to the continued delays in implementing key IT transformation projects, some enabling projects to allow a more mobile and flexible workforce, improve information security and implement key foundation technology upgrades cannot be developed and placed into the roadmap for delivery. This will continue to have an impact on the implementation of improved working styles and staff efficiencies for a time.

User Experience

The end users of the IT Service remain satisfied with the level of service achieved day to day with an average of 87% of staff rating the service as 'good' or 'excellent'.

Whilst there are issues with the wider IT service, most end users are still receiving a good level of service which enables the 'as is' functioning of the Council to continue.

Requests for 'business as usual' non-project work are taking longer than would be expected and key supporting systems require remedial work to ensure the services to be delivered and associated timescales match contracted expectation.

Project Delivery

Project delivery remains the most challenging part of the Serco service, with small 'business as usual' projects taking longer to commission than expected. The Information Management Team (IMT) and Serco colleagues have introduced Operational Level Agreements to re-set expectations and work through the backlog of project work. This is having a positive effect and backlogs are due to be cleared during December. It is the aim that all small projects are delivered within six weeks from commission.

The IMT team has continued to take a firm stance in ensuring that precedents are set that will ensure future savings, rather than compromise to meet a short term need. This does continue to have a negative impact on some service areas within the Council and has caused operational difficulties in isolated incidents.

Transformation Technology

Remedial activities for Transformation Projects were not completed by the revised deadline of September 30 with priority being given to fixing Agresso. Serco and the IMT team are working to ensure interdependencies of the remaining transformation projects are clear and to implement an improved approach to the programme management of these key activities. The focus is on ensuring that the key deliverables which have the most impact on the Council in terms of enabling of service improvements are prioritised.

Priority will continue to be on fixing Agresso to support improvements in critical business functions, and delivery of the other key transformational activity will only progress where it has no impact on priority projects.

OnLincolnshire Broadband

Phase 1

The current broadband programme remains on track in terms of both delivery and financial performance. The original intervention area of the project consisted of 156,667 premises and to date, we have fibre enabled 139,872 premises, which equates to 638 roadside cabinets having been upgraded. In addition, we have positioned a further 87 cabinets in readiness for completion.

We are still on target to deliver 90% superfast coverage across the county and we are confident that all delivery targets will be met before the contract end date of 31st March 2016.

The take up of better broadband services is exceeding expectations at this point in time. We have now hit the 20% take up mark and we are now seeing revenue returned to the programme under the contractual claw-back agreement. Take up

levels has prompted BT to make an advance payment against this agreement of £4.6M and this will be re-invested to further enhance broadband coverage.

The project continues to perform well against budget and BT has agreed to commit £2M of underspend ahead of project completion to allow for further enhancement of county-wide broadband.

Broadband Delivery UK have released the process documentation for the satellite solution for those premises that will remain sub – 2Mb/s post-implementation and this has been published to residents and businesses via the 'onlincolnshire' website.

Phase 2

A contract is in place with BT for Phase 2 and the introduction of additional funding has resulted in BT to re-modelling their original offering. It is hoped that the re-modelling will be complete before year end to allow us to publish on the website.

Despite the re-modelling exercise, BT has already started planning some of the structures that are applicable to Phase 2 and we are optimistic that the build of Phase 2 can start very early in the new year. We have expressed a desire that they look to utilise some of the emerging technologies now available as it is considered that this will further benefit the county of Lincolnshire.

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COUNTY COUNCIL MEETING – 18 DECEMBER 2015

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

FINANCE MATTERS

Financial Challenge Budget Review & Future Revenue Budgets / Capital Programmes

Members will be aware that the Council continues to face significant budget pressures going forward coupled with a sustained reduction in general funding from Government. The Spending Review announcement on 25 November indicates that Government funding to local government via the revenue support grant will reduce by a further 56% in real terms over the next 4 years. The precise impact on our Government funding will be known when the provisional local government grant settlement is announced which, at the time of writing, is expected sometime in the two weeks prior to Christmas. Many members attended a briefing session on 22 October which gave detailed information on both the overall financial position but also on the service by service issues, pressures and initial savings options. Many members who are on our Scrutiny Committees will have attended service area specific detailed workshops over the past few weeks to look at service pressures and potential savings initiatives.

The Spending Review provided no direct additional funding for cost increases on Council services as a direct result of the introduction of the national living wage. This is estimated to cost the Council up to £30m annually by the end of 2019/20. The ability to increase council tax by an additional 2% pa for the next 4 years was included within the Spending Review. The additional funding has to be used for adult care pressures and would amount to £4.5m pa (or £18m after 4years) if the Council approved such an increase. Additional funding for adult care through the Better Care Fund is also promised from 2017 onwards provided certain conditions relating to the progress with the health integration agenda is made. Reference was also made to reprofiling the allocations of New Homes Bonus going forward to release up to £800m by 2020 for adult care services. Details on this are awaited but there will be an element of protection for those authorities, presumably Districts, who will experience reduced funding. Some flexibility has been announced in terms of using capital receipts for revenue purposes where the expenditure relates to transformational work. Further detail is expected as part of the forthcoming grant settlement. Public Health grant will be reduced annually going forward of around 4% pa in real terms with the grant remaining ring-fenced for the next two years. Thereafter it is suggested funding will be from local business rate income.

The latest edition of County News and an online survey are seeking feedback from the wider public on their views regarding possible service rationalisations in light of reduced funding. Early indications are that we are receiving a lot of helpful feedback. Further public engagement sessions are planned for January.

The initial budget proposals will be informed by all these announcements together with engagement feedback from Scrutiny workshops and the public survey and will be considered by the Executive on 5 January 2016. They will then be the subject of a further one month engagement exercise which will include consideration by each Scrutiny Committee, a meeting with all external stakeholders, and views from the public via the web and the aforementioned public engagement sessions.

A New Funding Basis for Local Government

The Chancellor announced at Conservative Party Conference in October that by the end of the current Parliament in 2020 local authorities will be able to retain 100% of locally generated business rates and Revenue Support Grant (RSG) would be phased out. This intention was reaffirmed in the Spending Review announcement. Business rate income at £26bn nationally is around twice the value of RSG. The Government have indicated that additional powers will be delegated to local government to absorb the balance of funding. A mechanism will need to be developed to deal with areas where total retention of business rate income does not cover the present level of RSG – the combined County/District deficit in Lincolnshire is around £38m. There will be scope to reduce the business rate multiplier locally but very little scope to increase it. A lot of work is required over the next few years to ensure an equitable and sustainable regime for funding local government emerges from this initiative.

Business Rate Pooling 2016/17

The present financial regime for local government allows groups of local authorities, generally a County Council and some (or all) its Districts, to pool business rate income in their area as a means of collectively avoiding paying a levy to Government on excess rates collected above Government predictions. The mechanics of the arrangement are quite complicated but in 2013/14 the County Council entered a pooling arrangement with South Holland and North Kesteven. In 2014/15 a pool was established with North Kesteven, South Kesteven, East Lindsey, City of Lincoln and Boston Borough. In the current year the pool comprises all Districts apart from South Holland. The pools have been successful in retaining some business rates locally that otherwise would have gone to Central Government – around £700k is the predicted County Council share this year. However, the parameters and rules for next year have not yet been announced and clarity in this regard is expected as part of the forthcoming grant settlement. The default position is that the current pool continues unless it is wound up by the participants within 28 days for the provisional grant settlement. The position of the pool going forward is presently under review.

CORPORATE PROPERTY

This year there has been significant rationalisation of the office estate. 850 employees have been moved into more efficient and cheaper office accommodation. Vacating City Hall alone will save £500,000 per annum. Corporate Property has identified further savings from leasehold accommodation and another two-year programme of rationalisation has begun. To enable this, Lancaster House (former DWP building on Orchard Street) has been purchased and this will allow expensive leased property to be released

Capital receipts continue to be generated through the sale of surplus assets and this includes the recent successful sale of Castle Moat House in Lincoln

The Property Services contract with VINCImouchel has been in place for seven months and is performing well. A key part of the contract is a continuous improvement programme and this covers all areas of the contract including processes and communications.

Lincolnshire County Council has been successful in its bid to Government for funding for entry into the National One Public Estate Programme. The bid was made on behalf of the Greater Lincolnshire Partnership and will provide funding to enable local and national public bodies, including the MoD and NHS, to work together to utilise property assets more effectively in support of economic growth in the County.

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COUNTY COUNCIL MEETING – 18 DECEMBER 2015

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

FIRE AND RESCUE

New Chief Fire Officer/Deputy Chief

At the end of November, the Chief Fire Officer, Dave Ramscar, retired after serving nearly 32 years with Lincolnshire Fire and Rescue. Dave joined the service as a probationary Fire Fighter in April 1984, when George Moore was Chief Fire Officer for Lincolnshire. Following a series of promotions and varying roles within the service he was appointed as Chief Fire Officer in April 2011.

He has been based in Gainsborough, Boston and Lincoln during those years and was awarded his Good Conduct Medal in 2005. Dave has also been active at both national and international levels, most recently leading the UK Urban Search and Rescue team in Nepal during the earthquake disaster. At the recent Excellence in Fire and Emergency Awards 2015, his efforts were recognised with a Lifetime Achievement Award.

Dave has provided dedication, professionalism and good leadership to the Fire and Rescue Service, to the County Council and to the people of Lincolnshire over those years and on behalf of us all I would like to record formally our thanks to Dave and wish him well in his retirement.

Nick Borrill is now acting Chief Fire Officer and Mick Green acting Deputy Chief Fire Officer until a review of the senior management of the service has been undertaken and completed over the next few months. I welcome the experience they both already bring to Lincolnshire Fire and Rescue and wish them well in the new duties and responsibilities they will be undertaking.

Fire Ambulance Project

I mentioned in my last statement that our Fire Service and East Midlands Ambulance Service had been nominated for a prestigious Health Service Journal 'Value in Healthcare Award' for their work on the Joint Ambulance Conveyance Project (JACP). I am pleased to report that they were declared winners at the recent awards ceremony with the judges commenting that '*the project was very innovative and nationally significant*' and that '*it addresses a public sector efficiency challenge and acute service*'. In addition to this award, the JACP also won in the 'Innovation of the Year' category at the Excellence in Fire and Emergency Awards 2015.

The total number of conveyances to hospital by the three pilot fire stations now stands at over 300, with the fire ambulances continuing to make an effective contribution to reducing risk in our communities. Work is ongoing to assess the outcomes from the pilot, and will identify potential options for how the project could be taken forward.

Caythorpe Recycling Centre Exercise

An exercise was held at the Caythorpe Recycling Centre on 19 November 2015 to test the multi-agency response to a potential large fire. Key aims of the exercise included reviewing the effectiveness of joint working, assessing and mitigating the impact on the local community and testing communications. The exercise was well attended by both agency partners and local councils. The initial feedback indicated that the majority of objectives had been met. The exercise was conducted in response to the recycling fire at Barkston Heath in July and provided the opportunity for all partners to discuss and build on the lessons learned during that incident.

Long Service Awards

On 12 November 2015, the service held its annual Long Service Awards Ceremony at the Lincolnshire Showground. In addition to the seven recipients who received their Long Service and Good Conduct medals, recognising their 20 years of meritorious service and good conduct, three members of the service received their County Council long service 20 years' certificate, eight members their 30 years' certificate and Brian Walsingham, one of our retained firefighters from Corby Glen, his 50 years' service certificate.

EMERGENCY PLANNING

The exercise season continues with Exercise Barnes Wallis (a community exercise demonstrating a local response working alongside emergency responders and colleagues from the voluntary sector) and Exercise John Knight, (a test with neighbouring counties of our traffic management strategy for an east coast flood event). The team is grateful to those members who have shown an interest in observing these exercises.

The complete loss of Council premises in Oxfordshire due to an arson attack earlier this year has focussed attention on business continuity arrangements. Work is being undertaken to ensure we can quickly restore those services most critical to public safety and wellbeing, relocate staff or find alternative ways of working. All eight authorities in the County have undertaken a 'BC challenge' event run by the Head of Emergency Planning and Business Continuity identifying a number of areas where mutual aid and shared solutions can be strengthened.

The devastating floods of 2013 showed that coastal flooding still represents a serious risk to the east coast of Lincolnshire. Following this, the emergency services agreed that evacuation routes would help lead people to safety and allow them to focus on those in danger. Thirteen routes were identified to provide residents with a quick and safe route to higher-ground. The signs have an 'ER' logo in a red box and in the event of a serious flood local residents and tourists are advised to follow them.

TRADING STANDARDS

Since my last statement there have been further developments regarding the sale and supply of e-cigarettes. The Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015 came into force on 1 October 2015. These prohibit the sale of nicotine inhaling products to persons aged under 18. Trading Standards carried out a test purchasing operation to assess awareness of and compliance with the regulations.

Twenty test purchase attempts were made by our under 18 year old volunteer for e-liquids containing nicotine that resulted in eleven sales. The operation was based in Lincoln. All sellers were issued with a warning notice that will be followed by a warning letter containing guidance on the new legislation and a retest of all those that failed.

- Number of supermarkets visited – 3; all passed
- Number of dedicated Vape shops visited – 3; all failed.
- Number of petrol stations visited. – 3; two failed.
- Number of newsagents/Independent shops visited – 11; 6 Failed

As with underage sales of tobacco, a retailer found guilty of selling e-cigarettes to under 18s could be fined up to £2,500.

We will raise awareness in the retail sector that this is now a criminal offence and Trading Standards will be responding to any complaints that such products are being sold to children.

Additionally regarding e-cigarettes, a consumer was badly burnt when an e-cigarette battery he had in his pocket short circuited and overheated. The distributor of the batteries has been contacted and the design of battery has been taken off sale pending Trading Standards testing and further safety enquiries.

There have been a number of high value doorstep crime frauds, relating to building repairs, inflicted on vulnerable elderly residents in recent weeks. Trading Standards are working with the police to bring the offenders to justice and to safeguard the residents involved. It is disappointing that there has been an upsurge in such activity only weeks after the Trading Standards Crown Court case where Anthony and Jack Newbury pleaded guilty to a series of fraud offences relating to misdescriptions of, over pricing of and poor workmanship on driveways sold to elderly residents of Lincolnshire and Nottinghamshire.

The matter has been adjourned to 1 December 2015 to allow pre-sentence reports to be prepared.

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COUNTY COUNCIL MEETING – 18 DECEMBER 2015

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

PRESENT SITUATION

Budget

Council is currently preparing to meet the Government imposed spending targets and whilst we don't yet know the exact severity of these, we are expecting extreme cuts at best and these cuts will be determined shortly.

The provision of waste and recycling services are mandatory therefore collection and disposal of all the presented waste in the county is difficult to rationalise any further. There is however, a small amount of our budget where supplementary services have been established outside of our policies to enable greater resident waste provision and convenience. Unfortunately, as I intimated in my last report, these services must be under consideration of reducing, amending or stopping but at this stage no formal decision has yet been made. A complex review of the business case for changing services is drawing towards its conclusion, which will then inform the extent of waste and recycling services.

District Heating

The investigation into the viability of using the heat from the Energy from Waste facility is progressing well with phase 1 completed. This involved the identification of:

- energy users
- heat sources
- stakeholder consultation
- create heat maps and high energy density zones
- creating a database of energy use buildings

The next phase is to shortlist the viability of scheme options by undertaking an economic and prioritisation assessment, which is expected to be completed by March 2016.

Materials Reclamation Facility (MRF)

As part of the present waste review, the Council has a duty to consider any and all possibilities to save money in waste and recycling whilst seeking to increase the quality and value of the presented countywide waste. One option might be to develop the capacity to deal with our own recycling by building and managing our own facility, perhaps in partnership with other authorities both inside and outside Lincolnshire. Presently we are looking at the business case for such a project, in careful consideration of future unstable commodity markets.

Lincolnshire Waste Partnership

The Lincolnshire Waste Partnership (LWP) recently formed a task and finish group to consider recommendations to the partnership regarding what goes into the prospective Lincolnshire 'bin' for optimum recycling across the whole of the county – this would in turn enable us to publicise this through County News and other media outlets. Without a consensus, any article would generate confusion and possibly increase contamination rates rather than reduce them.

The sub-group quickly came to the conclusion that there was much more agreement in what Lincolnshire waste authorities actually do, than was first imagined. The few differences will be discussed further and the anomalies debated for a more consistent countywide service at the next partnership meeting.

It was also recommended by the group and agreed that fly tipping, enforcement and duty of care issues could be highlighted in County News as these were all common issues to all areas.

The bottom line is that there are enormous opportunities for saving money and creating a more comprehensive and joined up service for the council tax payers of Lincolnshire and we owe it to them to seek the best solutions available to us.

CHALLENGES

The greatest challenge remains making the books balance, the announcement by the Chancellor will have an impact upon all council's across the country.

SUCCESSSES

Work to build a Lincolnshire County Council owned household waste recycling centre in Bourne began in October, with an expected opening date of late March 2016.

FUTURE AMBITIONS/CONSIDERATIONS

As previously mentioned, the prospect of a County Council led MRF now has a positive business case and market projections are now being considered together with operations options, should we wish to consider moving forward on this project. When all information is received a paper will be presented to the Executive and if it is felt that this project could be advantageous to the Council it will go before Environmental Scrutiny Committee for their feedback.

The lead officers working group together with the Leaders group are considering a number of ways to make more efficient the working of the Councils within our area and the question of devolution is ever present. This is helping to create a more options environment where Council leaders are considering ways of working which are more comprehensive and therefore looking at what we do in waste is often a topic of debate. Hopefully, this will lead to greater cooperation and cross boarder working on top of what we have already managed to wrestle from the mix.

Partnership possibilities with other authorities sharing waste services are continuing and we are presently in negotiation with District Councils in Lincolnshire and in a wider context, those of Nottinghamshire and Leicester.

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COUNTY COUNCIL MEETING – 18 DECEMBER 2015

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

LINCOLNSHIRE HEALTH AND WELLBEING BOARD

Joint Health and Wellbeing Strategy

The Annual Assurance Report, providing details on the progress being made to deliver the priorities in the Joint Health and Wellbeing Strategy (JHWS) was presented to the Board at its meeting in September 2015. Dashboard reports provided a position statement on each of the JHWS Themes which included information on key partnership activities and the progress being made against an agreed set of outcome measures.

Overall the Board were comfortable with the progress being made to deliver the JHWS. However further budget pressures and reductions in national funding are an increasing challenge for the whole health and social care community. It's even more important then, that commissioners and partners use the strategy to target work on what will make a real difference to people's quality of life and which reduces the gap between the most and least healthy people in Lincolnshire.

In addition to Theme Dashboards, the Assurance Report also provided information on the Board's Self-Assessment exercise. Using an assessment framework developed by the Local Government Association, the Board benchmarked its governance, processes and procedures against the key components for an effective health and wellbeing board. As a result of the exercise, the Board agreed a number of improvements.

Review of the Joint Strategic Needs Assessment for Lincolnshire

Work to review the Joint Strategic Needs Assessment (JSNA) for Lincolnshire is ongoing on behalf of the Board. Engagement is taking place with stakeholders who influence and use the JSNA up to the end of December. As of the end of November, presentations have been made to 50 strategic meetings and boards, and to date this has been extremely positive with stakeholders keen to know more and to feed in their views on how our current evidence base, and the processes around it, could be improved. Recommendations for a refreshed JSNA, based on the feedback received, our experiences to date and best practice from other areas of the country, will be presented to the Board at the March meeting.

Engagement plans for the review were shared with Health Scrutiny Committee at their September meeting and actions resulting from that meeting have been addressed. This included the provision of a workshop session for committee members in November, to present further detail of the JSNA review and to provide an opportunity for the committee to draft its own response. Again, this was very well received and the committee's draft response will be shared at the full Health Scrutiny Committee in December.

It is important that we retain an appropriate JSNA throughout the review and implementation period. Evidence will continue to be updated within the JSNA and, as

an interim measure, all topic commentaries will be updated before the end of March 2016 to ensure that content continues to be up to date and relevant.

Better Care Fund (BCF)

I would remind councillors that the Better Care Fund (BCF) in Lincolnshire represents the single largest pooled budget we have ever had at £197m. The primary reasons for the BCF remain as important today as they did when the BCF was introduced which is to 'protect adult care' – notably financial protection, secure further integration between health and social care in Lincolnshire and, improve performance with respect to non-elective admissions to acute care.

We also now know that the Government intends that the BCF will continue into the next financial year (2016/17) and that negotiations locally between senior officers of the Council and the 4 CCGs in Lincolnshire have begun. This serves to remind us that all our efforts last year which, for example, secured £20m to 'protect social care' were for 1 year only and will be required again. The 4 CCGs have indicated they do not feel able to provide the same level of protection in 2016/17 given their own financial pressures.

Notwithstanding the challenges of securing future 'protection' for social care via the BCF, it is clear that the Government intends that integration between health and care will be required within the life-time of this Parliament and, that local plans must be in place by 2017. In Lincolnshire we have already made good progress through LHAC and the level of pooled budget and joint working evidenced in the Lincolnshire BCF. It was for these reasons that both Cllr Mrs Bradwell and I together with our Director of Adult Social Services were invited to 10 Downing Street to meet the Prime Minister's Policy Unit on 3 November – our second visit in a year with 6 other councils. We were able to offer our thoughts and suggestions as to how the BCF might work better – a little less bureaucracy please! We were also clear that sufficient funds must be provided to support integration and ensure social care had more funding.

In part we are reassured that our views were considered. In the Chancellor's Statement on 26 November he announced 'an extra £1.5bn in the Better Care Fund by 2019/20 through local authorities' (though the phasing in of this increase will not commence until 2017/18) and a more than doubling of Disabled Facilities Grant funding.

What is clear is that the BCF is being used by the Government to require further integration and, subject to more detail being known, that some of the necessary funding for social care will be channelled through this route.

COMMUNITY ENGAGEMENT

Community Grants 2015/16

The programme for 2015/16 is now well under way. At the first funding round we were able to award capital funding to nine organisations amounting to nearly £117,500 against an annual budget of £263k.

A second funding round closed on 10 December and applications are currently being reviewed.

In addition to these capital awards, we have been able to support Lincolnshire Sports, LEAP (Lincolnshire Elite Athletes Programme), The Cycle Grand Prix and the Lincolnshire Rural Touring Programme with revenue funding. Support continues to be offered to all unsuccessful applicants, including advice regarding any re-application and alternative funding sources.

Funding Events

Funding and Information events for the voluntary sector began in the county in November. These have been planned across each District Council area and continue to March 2016. Those that have already taken place have been well supported by funders and attended by local community groups.

Big Society Fund 2015/16

Allocations of grants from The Big Society Fund are continuing to be awarded to local community groups, with approximately 155 awards having been made so far. Awards have supported a diverse range of activities from providing a Christmas lunch for senior citizens in Ruskington, monies for room hire for 'fun and learning' activities for families, for the Lincolnshire Polish Society and for speed awareness activation signs in several areas.

I strongly urge my colleagues to check their remaining balance of funds and consider allocating funds prior to the year-end.

Lincolnshire Sport

Over the last 12 months Lincolnshire Sport has been going through a business review, the aim being to build a new structure that will make them more sustainable and less dependent on grants from funders particularly Sport England. With the changing and challenging environment in the public sector it was felt that this was the opportune time to review what is done and make the changes. The new business model will start on 1 April 2016.

Recent Events:

- The Giant Tea Party, 16th September Spalding - 350 participants
- The Stakeholders Day and AGM, 24th September - 65 participants
- Activities 4 All, 4th October at Lincoln College - 100+ participants
- The Ambitions Personnel Market Rasen 10K, 11th October - 298 participants
- Workplace Challenge Wheelchair Basketball, 21st October - 80 participants
- Lincolnshire Sports Awards, 5th November - 400 guests
- Macmillan Knowledge Exchange Workshop (National event): The Showroom 19th November
- A New Age Curling Tournament, Lincoln College, 22nd November - 56 participants
- A Workplace Challenge Badminton Tournament, 25th November in partnership with Badminton England and Macmillan

Funding

- Lincolnshire County Council Community Facilities Grant application has been written for Lincoln Indoor Bowls Club and North Hykeham Town Council.
- English Federation for Disability Sport 'Get Out Get Active' Spirit of Rio bid to support and develop inclusive activities in East Lindsey – up to £120,000 per year for 3 years if successful.
- Other groups supported on an advisory level include Long Sutton Community Sports association, Priory LSST and Priory City Academies in Sport England Improvement Fund, Pinchbeck Community Sports Club and Claypole Parish Council.

Macmillan Project

This project currently has circa 115 service users. Macmillan has chosen Lincolnshire's project to evaluate as part of a National Survey. Lincolnshire Sport has also been asked by Macmillan and Make Sport Fun to pilot sending out a letter to patients from the Clinical Nurse Specialist at the colorectal unit in Lincoln Hospital telling them about our project and to contact us for an appointment.

Supporting Sports

- Bowls - 176 new members over 55+ have taken up bowls. Two clubs, Lincoln and Louth, have set up disability sections.
- Athletics - Couch 2 5K currently has 293 new participants, while Park Run for Lincoln stands at 250, with Gainsborough at 50.
- Workplace Challenge starts again in January

Sainsbury's School Games

Grantham Mere's Leisure Centre was successful in the tender to host the winter (Wednesday 9th March 2016) and summer (Thursday 7th July 2016) events for this year. An additional £18,750 has been secured through Sport England to support the summer event. This year over 2,000 young people took part in these two high profile events where six of the activities were aimed at disabled participants. There has been a 50% increase in the number of disabled young people taking part over the last 12 months.

Safeguarding

Lincolnshire Sport has been working with young people across the county to produce a safeguarding poster that is now being used in community clubs. Work is ongoing with facility management companies across the county to introduce some minimum standards in safeguarding across the network – the first training session will be focusing on safer recruitment.

Work is also ongoing with the Child Protection in Sport Unit (Part of the NSPCC) on a national pilot to develop minimum operating standards across Martial Arts clubs based in and around Lincoln. The challenge with these clubs is the multitude of different versions of the sport with different training and expectations, many of these clubs are also run as small businesses.

COUNTY COUNCIL MEETING – 18 DECEMBER 2015

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

LIBRARY SERVICES

The procurement exercise for the libraries, which was required of us at the point we accepted a localism challenge from Greenwich Leisure Limited (GLL), has now concluded. It should be clear that Greenwich Leisure's initial expression of interest was for the old service not the new library model as adopted by the Council.

On 1 December, the Executive enthusiastically endorsed the recommendations of officers and have seen a contract offer made to GLL. GLL is an excellent partner in the future of libraries in Lincolnshire and I am sure you will all look forward to seeing these services come into their own again over the next few years.

An excellent library service, making a further significant contribution to our financial challenge, is a great outcome for everyone.

The Community Hub roll-out is well progressed. Seventeen Tier 3 libraries have become Community Hubs (Sutton on Sea, Caistor, Burgh le Marsh, Scotter, Birchwood, Boutham, Cherry Willingham, Ermine, Bracebridge Heath, Branston, Metheringham, North Hykeham, Ruskington, Wragby, Kirton, Crowland and Holbeach) and a further ten will transfer in the coming months. In addition, the Community Hubs in Waddington and Saxilby which were developed as pilots to these new Hubs continue to operate.

Washingborough, Skellingthorpe and Coningsby/Tattershall decided not to pursue the Community Hub route and these libraries closed at the end of September. Since then, these communities have received a mobile service.

Successful Community Hub applications were received from five communities currently without a County Council static library (Heckington, Ingoldmells, Navenby, Sutton Bridge and Swineshead) and library colleagues are working with communities to bring these to fruition.

Overall, this change will see more libraries open for more hours than before and for a significant saving to local tax payers over and above the initial savings requirements.

As I said at the September Council meeting, this has been a period of fundamental change for the library service with greatly valued colleagues leaving the service after many years of dedicated service. I would like 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

Eight months after its spectacular opening, Lincoln Castle continues to go from strength to strength. So far over two hundred thousand visitors have taken in the stunning views from the Medieval Wall Walk, experienced the restored Victorian prison, learnt about Magna Carta in its 800th anniversary year and enjoyed the immersive large scale events programme.

We are also delighted by the announcement at the end of November that “The Wave” a sweeping arch of bright red poppies suspended on towering stalks, one of two sculptures seen at the Tower of London, will be coming to The Castle from 28 May – 4 September next year, tying in with the 100th Anniversary of The Battle of the Somme, a fitting tribute to the seven Lincolnshire Battalions that fought there.

The Collection

It has been a triple celebration for The Collection, having hosted its most successful exhibition to date with Lincolnshire's Great Exhibition, the museum celebrated its tenth anniversary at the beginning of October, and the award winning attraction welcomed its millionth visitor during November.

RAF Battle of Britain Memorial Flight

The Battle of Britain Memorial Flight (BBMF) has enjoyed another full year of programmes which, despite a setback for the Lancaster Bomber following an engine fire, saw flights to commemorate the 70th Anniversary of Operation Manna, VE Day, VJ Day, the anniversary of the start of the Battle of Britain and Battle of Britain day itself in September.

The BBMF also took centre stage at this summer's Royal International Air Tattoo, displaying the Spitfire/Typhoon Synchronisation Team and leading a formation of eighteen historic aircraft commemorating the Battle of Britain. The Spitfire/Typhoon Team went on to win the Steadman Sword for best UK display at the Tattoo, whilst the BBMF won the King Hussein Sword for best overall display.

Museum of Lincolnshire Life

October has seen another successful Bake Off event at the Museum of Lincolnshire Life. There were some fabulous and delicious entries to the Baking competition in both the adult and junior categories. Local inventors and members of *Project Dalek* brought along their life size Dalek to join the fun and help us present the competition prizes. Younger visitors got creative in our craft room, decorating cupcakes and sculpting marzipan Barons with volunteer Katrina, and making spooky Halloween bags.

REGISTRATION AND CORONERS SERVICES

The Registration Service is delighted to announce that it has once again fulfilled the criteria for the Government's standards for customer service and has been awarded the Customer Service Excellence Award. This undoubtedly reflects the hard work of all registration staff and as the assessor noted in his report:

'As has been noted in previous years the organisation has staff that are committed to their work, wishing to make a difference at important moments in people's lives, sometimes at a difficult time. They provide different services to different people in different circumstances and have to adapt to situations while still offering a professional service.'

The annual customer satisfaction survey held during the month of August confirmed the continuing high levels of customer satisfaction with 99.6 % respondents rating the service as Excellent/Very Good/ Satisfactory.

Lincolnshire County Council, in liaison with HM Senior Coroners for Central and South Lincolnshire, awarded the contract for Mortuary and Post Mortem services, in line with Coroners and Justice Act 2009 (c. 25), to 'empath' (East Midlands Pathology Services) in September 2015. Whilst there was no change to the provider for Central Lincolnshire there was a smooth transfer of service provision in the south of the county. Work is now ongoing to complete a tender exercise for Toxicology.

The Coroners Service has further rolled the e-referral form to GP surgeries and Registrars. This is now the key mechanism for referrals to the Coroner. This is improving quality and timescales.

The County Council responded to the Law Commission Review on Deprivation of Liberty Safeguarding, highlighting the impact this is making to both Registrars and Coroners. A consultation response on the impact of the Coroners and Justice Act 2009 is also being prepared.

We continue to work with a wide variety of partners such as United Lincolnshire Hospital Trust, Funeral Directors, the General Register Office and health care professionals to provide a sensitive and timely service.

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COUNTY COUNCIL MEETING – 18 DECEMBER 2015

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

CRIME REDUCTION

Safer Communities

Safer Communities are leading a project board and delivery group in relation to the procurement of a new case management system for anti-social behaviour. This is as a result of the limited lifespan remaining in the current system. The project board will consider wider opportunities that will include the management of domestic abuse and offender management and how these will interface with Mosaic, Niche, Flare, Modus and other systems across the county.

The commissioned Blue Light outreach project, delivered by the National Association for the Care and Resettlement of Offenders NACRO, has commenced. The aim of the project is to develop an action plan to help society's most treatment resistant drinkers and offenders. Blue Light Engagement Groups (BLEGs) are being set up in towns across the county. The groups act in the format of a case conference, allowing agencies to work in an integrated and coordinated way to address the needs, risks and behaviour of identified individuals. One of the most challenging elements of the project is partners agreeing to share information to enable services to work with people at risk.

In September a Domestic Abuse Learning event took place which saw the launch of the protocol. Over 150 delegates attended the event. Issues discussed on the day included female genital mutilation, forced marriage and honour based violence, learning the lessons from serious case reviews and domestic homicide reviews and understanding and working with perpetrators.

Lincolnshire Partnership Foundation Trust (LPFT) have started to receive referrals from Children's Services as part of the domestic abuse perpetrator programme. A group based course is being drafted and will centre around four modules. The courses will run for 17 weeks with eight participants on each cohort. A manual is being developed to support ongoing delivery and training will be provided to professionals both to inform their ongoing work with the individuals and facilitate future course delivery.

The serious and organised crime (SOC) priority has made good progress since being established. A local SOC profile has been developed with good partner input. Home Office feedback in relation to this document has been very positive. The local profile has generated the production of an action plan.

The redevelopment of the Integrated Offender Management (IOM) programme continues. The focus is a shift from catch and convict to a more holistic approach that will consider the cause for criminal behaviour and ensure the building blocks to rehabilitation are in place. Much of the new model is taken from good practice developed in both the Youth Offending Service and Families Working Together. All the strategic partners have committed to this new approach which could see a significant shift in offending and reoffending. Analysis has been provided to the IOM

project team. The reports recommended a shift from the original focus on serious and acquisitive crime and towards a model which focuses on prolific offenders regardless of the type of offences which they committed.

The Stay Safe project is delivering preventative messages into schools. Topics include, for example, domestic abuse, drugs, alcohol, fire safety and mental health. The creation of a 'one stop shop' delivers efficiency savings and a cohesive approach which has been welcomed by education.

A strategic review is due to be carried out. This will test our direction of travel against our priorities to ensure we are succeeding and employing the right activity to lead to positive outcomes. The process will also enable us to review any emerging issues.

Youth Offending

The Youth Offender Service underwent Her Majesty's Inspectorate of Probation (HMIP) inspection during the last week of November. Five inspectors spent three days in the county reviewing cases from the April to July 2015 period. To put this in context, this is the period when YOS were going through their restructure, losing 23% of its workforce. This made for an interesting and challenging inspection.

On the 5 November 2015 Lincolnshire YOS were advised by the Youth Justice Board that following consultation a further 10.6% reduction in grant funding would be removed 'in year' from the 2015/16 budget. For Lincolnshire this equates to approximately another £90,000 and represents an overall budget reduction of £390,000 for this financial year through the services three main funding sources.

The service was inspected by HMIP between the 30 November and the 2 December 2015. The inspection was focussed on operational practice and casework, and the findings will be reported by early January 2016.

Negotiations are on-going to determine future staffing levels for National Probation staff seconded to Youth Offending Services through national agreement. The consultation regarding the future of youth justice services which was commissioned by Michael Gove continues to gather evidence from all relevant stakeholders within youth justice and will reports its findings by summer 2016.

Domestic Abuse

25 November was the International Day for the Elimination of Violence Against Women and a very important day in the Domestic Abuse calendar. It is also the National White Ribbon Campaign and 16 days of action to bring about an end to abuse of women. This year the County Domestic Abuse team put out key messages via social media during the 16 days of action. Lincolnshire Police is also leading a campaign to raise awareness of domestic abuse including a focus on a different aspect of domestic abuse each day for the 16 days including male victims, forced marriage, honour based violence, revenge porn and perpetrators.

The Multi Agency Domestic Abuse Protocol has now been officially agreed by the Domestic Abuse Board and Lincolnshire Safeguarding Boards. In Lincolnshire we have some very robust partnership arrangements and this protocol is another example of our highly effective collaborative approach. It provides front line practitioners with important information and guidance to assist them in tackling the dynamics and effects of domestic abuse and demonstrates the importance of a multi- agency response. The document brings together everything a practitioner and manager would need.

Survivor feedback has resulted in change; the feedback form on the domestic abuse website for survivors of domestic abuse has been completed by 98 people. The results of the feedback were used to produce a detailed report for consideration by the Domestic Abuse Partnership. As a result of this feedback changes have been made including; an improved domestic abuse website, more posters and leaflets on display, the joint domestic abuse protocol and improved training.

PEOPLE MANAGEMENT

Employee Survey 2015

The Employee Survey undertaken in October/November closed on 13 November. We achieved our best response rate to date with 51.5% of employees taking part. The output is currently being analysed and validated. The initial findings demonstrate a high level of employee commitment and engagement with the organisation despite current uncertainties and pressures in the public sector.

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 and process 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 December and a programme is in place to monitor this work to ensure an effective working system by then. Further improvements are to be implemented between December 2015 and March 2016.

Despite system and process 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 2015) are being managed within the planned programme for Targeted areas in Children's Services, Environment & Economy and Business Support.

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.

Discussion has started to analyse the implications for Lincolnshire County Council following the official announcement in the Chancellor's Autumn Statement of the 0.5% apprenticeship levy on payroll. The levy be collected via the PAYE system and will come into effect from April 2017. We are awaiting all final details.

LEGAL SERVICES

Legal Services Lincolnshire continues to provide support to the County Council, District Council Partners and other public bodies.

On the current projections the service expects to achieve its surplus target of £476,471, which represents its contributions to the Council's savings requirements. In particular external income from non County Council sources is projected to be £850,000.

The Service is increasingly called upon to give Public Law advice in support of decision making in challenging times and has given advice across the partnership in support of the devolution governance arrangements.

Legal Services Lincolnshire has successfully passed its annual inspection and has retained its accreditation to Lexcel, The Law Society's Practice Management Standard for Legal Practices and in house Legal departments.

Open report on behalf of Tony McArdle, Chief Executive

Report to:	County Council
Date:	18 December 2015
Subject:	Greater Lincolnshire Devolution – Interim Governance Proposal

Summary:

This report

- updates council on the progress made in the development of the Devolution proposal by the ten local authorities in the Greater Lincolnshire area;
- presents to council the latest elements of the devolution proposal;
- details the indicative process for the next stages in the devolution programme; and
- seeks support for the carrying out of a governance review as the next formal stage of the process and the establishment of a formal joint committee to oversee the development of the governance review.

Recommendation(s):

That the Council

- 1 supports continued formal engagement by the Leader of the Council and the Chief Executive with Government with a view to the Greater Lincolnshire Devolution expression of interest, submitted to the government on 4 September, being developed into a fit for purpose devolution document.
- 2 subject to confirmation from Government that the Greater Lincolnshire submission is to be negotiated to detailed Deal stage supports in principle the carrying out of a governance review, as described in the Report, to commence no sooner than January 2016 such review to be conducted, to the fullest extent envisaged by the Act, as a formal governance review under section 108 of the Local Democracy, Economic Development and Construction Act 2009.
- 3 subject to the outcome of any governance review, supports in principle the establishment of a combined authority for the Greater Lincolnshire geography if that is the most effective and efficient means of securing

strategic economic (and related) growth.

- 4 endorses the principles set out in Appendix C as those that should underpin and inform the establishment of any formal governance arrangements between the ten Councils.
- 5 supports in principle the appointment in any event of a joint committee under section 102(1(b)) of the Local Government Act 1972, to exercise the functions and responsibilities referred to in this report and operating as the Greater Lincolnshire Leadership Board.
- 6 to the extent that such decisions would otherwise require the approval of full Council delegates to the Chief Executive in consultation with the Leader of the Council authority to approve the final scope and form and commencement of the governance review referred to in recommendation 2 and the appointment and detailed arrangements (including membership, terms of office and area of authority) of the joint committee referred to in recommendation 5.
- 7 resolves that further reports are presented to council and Executive as appropriate as the Devolution process develops.

1. Background

- 1.1. The Council received the Greater Lincolnshire Devolution Expression of Interest document at its meeting on 18 September. It endorsed the proposal and noted the future work required.
- 1.2. Since that meeting there has been extensive work undertaken to develop the expression of interest into a Deal document. Attached to this report is a summary of the progress to date and proposals on how to take forward the work required if the devolution bid is successful.
- 1.3. This is a position statement of where the process has reached. There are continuing discussions at Leader and Chief Executive level for all ten Greater Lincolnshire councils. Each council is to receive the attachment for consideration by its Full Council before the end of December 2015.
- 1.4. The legal context in which this work must progress is complex and this has influenced the form of the two main recommendations in this Report.

Commencement of a Formal Governance Review

- 1.5. This is the first stage in the establishment of a Combined Authority as described in Appendix 1. If any two authorities that have undertaken a governance review conclude that the establishment of a combined authority would be likely to improve the exercise of statutory functions relating to, or the efficiency and effectiveness of transport or the economic development and regeneration of the area they may prepare and publish a scheme for the establishment of a combined authority. If having considered that scheme, the Secretary of State in turn considers that a combined authority is likely to

improve those matters, he may make an order establishing a combined authority

- 1.6. As can be seen, the present remit of a statutory governance review and resulting scheme and order is limited by section 108 of the Local Democracy, Economic Development and Construction Act 2009 to the efficiency and effectiveness of transport and the efficiency and effectiveness of arrangements to promote economic development.
- 1.7. The Cities and Local Government Devolution Bill currently going through Parliament will amend the relevant sections of the 2009 Act and widen the scope for such a review, scheme and order to the exercise of any statutory functions in relation to the area. Given the scope of the Greater Lincolnshire devolution deal it would be prudent to make the scope of the governance review as wide as necessary to encompass the functions covered by the deal document.
- 1.8. This can be done legally as the limited scope of section 108 does not prevent local authorities coming together to review their other functions. The aim would be that, as and when the Cities and Local Government Devolution Bill becomes law, the governance review will fall within the new wider section 108 and permit the making of a scheme and order that reflects the full extent of Greater Lincolnshire's ambitions.
- 1.9. The law is also in a state of change in relation to the authority to approve involvement in a combined authority. Under the Local Authorities (Functions and Responsibilities) Regulations 2000, approval of a governance review lies with the Executive and they will be invited to approve the formal commencement of such a review at their meeting on 5 January 2016. This Report seeks the full Council's support for such a review.
- 1.10. Under draft Regulations currently being considered by the government the Regulations would be amended to make it clear that the Executive would have authority to prepare a scheme as referred to above but the approval of a scheme's publication and a decision to be part of a combined authority would be a decision for full Council.

Appointment of a Joint Committee

- 1.11. There are specific rules governing who has the authority to appoint a joint committee depending on what type of functions (executive or non-executive or both) are being exercised by the proposed joint committee. In short the position is:-
 - If the joint committee is exercising purely non-executive functions, then only the Council can appoint it
 - If the joint committee is exercising purely executive functions, then the Leader is authorised by Regulations to appoint it
 - If one or more but not all of functions of the joint committee are executive functions, then the Council must appoint it but only with the agreement of the Executive.

- 1.12 The joint committee proposed in the document at Appendix 1 is considered to be exercising executive functions and therefore the appointment falls to the Leader of the Council. However, should it become clear at any time in the course of fulfilling the role set out in Appendix 1, that the joint committee needs to exercise Council functions the delegation at recommendation 6 would enable the Chief Executive to exercise the authority to appoint the Joint Committee on behalf of the Council.

2. Conclusion

- 2.1. The council is involved in developing the devolution deal. The deal document continues to change as detailed discussions continue with civil servants about the asks in the document.
- 2.2. The council will need to assess whether the opportunities and freedoms that devolution can bring will be delivered by the final negotiated deal.
- 2.3. Withdrawal at this stage will lose the Council the opportunity to explore the benefits of the devolution process and may risk access to future government resources and the local determination of policy and spending priorities.
- 2.4. If momentum is to be maintained and early advantage taken of any opportunities it is considered that the local authorities need to commit to the carrying out of a governance review to meet current statutory requirements for the first stage of moving to a combined authority. Without progressing to that stage of consideration devolution cannot be achieved. The governance review in itself however does not commit any of the Councils.
- 2.5. It is further considered that a formalising of the governance arrangements through a joint committee will strengthen the governance of the review phase whilst helping to build further on the relationships formed from the work undertaken so far.

3. Legal Comments:

The legal issues arising out of the Report are dealt with in detail in the Report. The recommendations are within the remit of the Council.

4. Resource Comments:

There are no material direct financial consequences arising from the acceptance of the recommendations in this report. Clearly the establishment of a combined authority will have some financial implications for the County Council, the nature and timing of which are not presently clear. These will be dealt with as appropriate through the relevant budget cycle.

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. Appendices

These are listed below and attached at the back of the report	
Appendix 1	Greater Lincolnshire Devolution – Interim Governance Arrangements

7. 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.



Greater Lincolnshire
A Place to Grow

Greater Lincolnshire Devolution

Interim Governance Proposal

Version 1.0

As at 6th November 2015

Progress on achieving a Greater Lincolnshire Devolution Deal

A report by the Chief Executives of the ten Local Authorities of
Greater Lincolnshire

1.0 Introduction

In the Spring of this year a ground-breaking deal was struck between the Government and the ten Local Authorities that make up the Greater Manchester Metropolitan Area. It was agreed that a significant range of powers, with associated funding, would transfer from Westminster to the Greater Manchester Combined Authority; this to be headed by a newly created and directly-elected Mayor. The declared purpose of the deal was to drive economic growth, with the Government expressing confidence that this should be better enabled throughout the country via the localisation of key decision making.

Shortly afterwards, the Government announced a major deal for Cornwall, with extensive transfer of powers and funds to that area.

The two areas are very different, as is the way in which they are currently governed, and will be governed in the future. The deals are different as a consequence – there is to be no Mayor for Cornwall, for example. What is similar is the scale of transfer of powers from Central Government to Local Government brought about through striking a negotiated 'deal' between the two.

From these forerunners, the Chancellor of the Exchequer announced on 21 July 2015 that he wished to negotiate further devolution deals with other parts of England that had an appetite for them. He set a deadline of 4 September for areas interested in moving quickly to submit their proposals.

A total of 38 responses, covering 80% of the country, were submitted. Some have since been concluded, one of these being for the North East of England. This is striking in particular for the geographic scale of the area involved, encompassing as it does five Metropolitan Authorities and two County Councils, with a total population of 2m people. Other areas include the Tees Valley and the Sheffield City Region.

Greater Lincolnshire submitted an expression of interest on 4 September. It was signed by the Leaders of the ten Local Authorities in the area and the Chair of the GLLEP, and was supported by a range of other local public sector bodies. The submission expressed strong ambitions for the area, and invited the Government to enter into negotiations over a package of devolved powers and funds that could be used to deliver that ambition.

2.0 Summary of our submission

A summary of our submission, drawing out what we are seeking from the Government and giving an indication what we would offer in return is attached in Appendix A.

The salient points around governance and leadership are as follows:-

We believe that bringing the risks of commissioning and delivery to the local place enables them to be best managed.

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 require governance arrangements that would be no less than a Combined Authority. We wish to enter into discussions with the Government over the precise governance arrangements to fully secure the scale of devolution that we seek.

Our approach to governance will be to enable people do things for themselves, encourage private, public and third sector organisations to align their activities with our ambitions.

We recognise that for many activities political boundaries are crossed and we will continue to interact with our neighbours and work collaboratively with those organisations that share many similar characteristics and operate beyond our area.

3.0 Subsequent events

Discussions have begun between Civil Servants from relevant Government Departments and the ten Council Chief Executives, each reporting to a Council Leader nominated to lead on a distinct theme within the submission (Appendix B). It is clear from these early contacts that there is potential for common ground to be found in respect of many of the things that we are seeking. Some of these are similar to proposals made in other areas, some are unique. Detailed work is underway to cost the proposals and to clarify the opportunities.

On 28 October, the Parliamentary Undersecretary of State (Minister for Local Government), Marcus Jones MP invited a representative group of five of our Leaders, together with the Chair of the LEP to a meeting in London in order to explore the case for Greater Lincolnshire.

The Minister welcomed the scale of the area's ambitions, indicated the Government's intent to pursue such a deal and invited further purposeful negotiations to bring it about. He also made it clear that a fundamental component of the deal would be the creation of a governance arrangement that could receive the powers and funding from the Government and which could arrange for these to be exercised.

In this respect a Combined Authority would be the minimum requirement set by the Government. This had been expected by the signatories to the submission document, and the anticipation of such a governance requirement was accepted in that document.

There is a defined process for potentially bringing about the creation of a Combined Authority. The process of reviewing governance options – a 'Governance Review' - takes some time, not least as it requires parliamentary approval before it can be implemented. It will be necessary to get the process under way as soon as possible.

The process itself is explained in detail in the following section.

In order to give the Government confidence that the intent to create new governance arrangements is sufficiently strong as to warrant undertaking all of the work necessary to prepare for the devolution of powers and responsibilities, it is proposed that a formal

arrangement is entered into by all of the Authorities for the purposes of conducting the negotiations and that this be put in place as soon as possible.

It is suggested that this can be most readily effected through the setting up of a Joint Committee, which could operate until such time as the Governance Review is completed and the Combined Authority or any other arrangement that may emerge can be formed.

Any recommendations for putting in place future governance arrangements, as well as the contents of any proposed deal will of course have to be debated and accepted by all of the constituent Authorities through the appropriate decision-making processes before they can be implemented.

4.0 Governance review and joint committee / shadow arrangements

It is clear from the engagement to date with Government that in order to receive and discharge a meaningful degree of devolved responsibilities there is a minimum expectation that local authorities will seek to form a combined authority.

It should be noted positively that owing to the depth, quality and breadth of the "Asks" developed thus far, Government's expectations and lines of enquiry regarding governance are at the forefront of discussions.

It is essential, in any event, to put in place arrangements that will ensure a strategically coherent approach to the leadership of the sub-regional economic growth and related agenda, bearing in mind the particular need to effectively manage the interdependencies between two Unitary authorities, seven District councils and a County Council. The current loose and informal arrangements are not fit for purpose in that regard.

Section 108 of the Local Government, Economic Development and Construction Act 2009 provides that, as a prelude to forming a combined authority (which does not replace the local authorities) a statutory governance review must be undertaken.

The purpose of a governance review is:

- to determine whether the area covered by the local authorities concerned, in this instance the Greater Lincolnshire geography, constitutes a functional economic area ; and
- to determine if any existing arrangements for economic development, regeneration and transport are efficient and effective or would benefit from changes, specifically, whether the establishment of a Combined Authority is likely to improve the following (the "four statutory tests")
 1. the exercise of statutory functions relating to transport in the area
 2. the effectiveness and efficiency of transport in the area,
 3. the exercise of statutory functions relating to economic development and regeneration in the area, and
 4. economic conditions in the area

The Governance Review will examine the various options available, and consider the feedback from public consultation.

Subject to the approval of each of the 10 local authorities, it is proposed to launch the Governance Review including a formal consultation process over a two month period from January 2016. In the meantime and in order to ensure effective strategic oversight of the process, it is proposed to establish a joint committee of the local authorities to operate as a de facto shadow combined authority. It is proposed that the joint committee is established using existing powers set out in the Local Government Acts 1972 and Regulations made under the Local Government Act 2000. The remit of the joint committee will be four-fold:

- to enhance and further develop, within a formal setting, the working relationship between the local authorities
- to have oversight of the continuing devolution engagement with Government
- to lead and maintain oversight of the governance review process, its outcome and to formulate recommendations in due course
- to operate as the "Greater Lincolnshire Leadership Board" , focused on leading the accelerated growth agenda , in partnership with the Greater Lincolnshire LEP and such other bodies deemed appropriate from time to time.

Appendix A.

Summary of our submission

A summary of our submission, drawing out what we are seeking from the Government and giving an indication what we would offer in return is as follows:-

Ambition -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 grow the value of the Greater Lincolnshire economy by £8bn; create 29,000 new jobs; deliver 100,000 new homes and redesign local services for the administration of justice, health and social care, flood and water management and public safety.

Accelerated Growth – *We have the largest and busiest port in the UK (by tonnage), the largest Ro-Ro facility on the East Coast and the biggest undeveloped deep-water estuary in Europe. Southern Lincolnshire is growing fast; with the most affordable housing area within an hour's commute of London acting 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, manufacturing and engineering** and the **visitor economy**;
- become the renewable **energy and offshore wind** capital of Europe;
- implement the GLLEP Care Sector plan for **health and care**
- **drive 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 join in the Midlands Connect programme in order to encourage cohesion across the Midlands region;
- grow the economy more quickly
- deliver the Government's Rural Productivity Plan.

In order to do this we seek...

- **a pilot scheme for statutory agencies**
- **alignment with the local Growth Plan of business support budgets**
- **appropriate share of Single Local Growth Fund monies,**
- **devolution of the management of our EU**
- approval for **enterprise zones**
- **development of a strategic land use plan**

Transport – *Business leaders have consistently identified connectivity, including high speed telecommunications, as a significant enabler for prosperity. Accessibility through transport is usually cited as the highest priority. Many of our growth sectors rely on good transport.*

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, and other strategic routes.
- invest in transport and housing through a local infrastructure delivery plan,

In order to do this we seek...

- **amendment to the Highways England programme;**
- commitment from the Department for Transport to allocate funding within its second Roads Investment Strategy for 2020;
- **recognition that the road corridors within Greater Lincolnshire fulfil a national role**
- rationalisation of the appraisal process for transport projects;
- 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 GLLEP's rail strategy, which supports the Midlands Engine
- support for the development of a new investment model with ABP to facilitate pump – priming investment in underutilised port land or other assets of economic potential
- a long term commitment to Government subsidies for the offshore wind sector beyond 2020 to create developer certainty and accelerate private investment

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. This proposal promotes a pioneering approach to integrated skills development across the shared economic geography. We want to develop a workforce who will drive the local economy and share in its prosperity.*

We offer...

- faster business growth, and lower unemployment with lower youth unemployment and fewer NEET (not in employment, education or training)
- greater value for money – reducing wasteful duplication;
- strong support for an 'area review' of the post-16 education and skills system;
- to re-shape the Further Education (FE) provision with governance to ensure that it delivers people with the right skills and create a seamless transfer from learning to work;

- to create a local workforce that can fill the job vacancies predicted over the next ten years;
- 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 apprenticeship;
- eradicating the very low HE participation rate locally;
- new models of delivery for technical and professional skills to meet the specific needs of the related industries with support to schools, UTC and college leaders so that they can develop curricula which meet the priorities aligned to the council's strategy framework for education;
- changing the landscape of education and skills development across the health and care sector and support to establish a Career College and a Post-Graduate Medical School followed by a Graduate Medical School and enable flexible routes to medical, nursing and care professions;
- educating and retaining high quality skilled graduates, and utilising the skills of the RAF personnel leaving the forces and settling in the area to contribute to local economic growth.

In order to do this we seek...

The powers to give strategic direction to education and skills funding streams which maximise the potential of the GLLEP Skills Strategy and achieve skills development through devolving:

- **power to reshape and re-structure Further Education (FE) provision ;**
- **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 and the transfer of the duty on schools around career information, advice and guidance (CIAG), to the GLLEP;
- responsibility for commissioning part of the Adult Skills & the Skills Infrastructure budgets 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 GLLEP's new joint skills board, and an SFA procurement regime that mirrors the LEP's strategies;

- 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. We wish to minimise the time taken from allocation to build.*

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

Water - *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 GLLEP's Water Resources study recently to devise means of applying spatial planning priorities and infrastructure funding and provide water resources for an expanding manufacturing sector and a growing population and 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) to the local level;
- **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 meeting 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 which reflect the NHS 5-year view in seeking an integrated strategic approach to health and social care reform which incorporates the priorities of the full range of NHS and social care stakeholders, including acute trusts.*

We offer to deliver...

- a substantially more integrated approach to health and care service planning and delivery in Greater Lincolnshire; including further development of neighbourhood based services including a significant increase in care delivered closer to home and improved outcomes;
- greater support to people with physical and mental health issues to be active in the workplace;
- 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** including 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 proposals, which 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 and savings with the integration of courts with the local public estate;
- reduced 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 the area's local authorities.

Our leadership - We believe that bringing the risks of commissioning and delivery to the local place enables them to be best managed. 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 require governance arrangements that would be no less than a Combined Authority. We wish to enter into discussions with the Government over the precise governance arrangements to fully secure the scale of devolution that we seek.

Our approach to governance will be to enable people do things for themselves, empower community partners at a local level, encourage private, public and third sector organisations to align their activities with our ambitions and for the devolution partners to identify gaps, prioritise and utilise the devolved powers and resources in the delivery of our ambitions. Whilst this prospectus requests devolved powers we in turn will distribute powers differently.

We recognise that for many activities political boundaries are crossed and we will continue to interact with our neighbours and work collaboratively with those organisations that share many similar characteristics and operate beyond our area.

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.

We offer...

- a governance arrangement providing transparent democratic accountability and an effective interface for ministers whilst ensuring 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...

- potential flexibilities around the local element of business rates. We wish to explore 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 – thereby giving improved and effective strategic planning for enterprise, housing, growth and infrastructure. We would want to keep any capital receipt for the sale of any land in our control.

Definitions

Midlands Engine - The Midlands is increasingly being recognised and positioned as the engine for growth for the Country. The Midlands Engine is a government led initiative to stimulate growth across the East and West Midlands. It is likely that announcements of government finance for growth and productivity will be focused around initiatives such as innovation, skills, transport (Midlands Connect), and promotion. It is important that Greater Lincolnshire plays a full role in the initiative. Partners across the Midlands are working on a prospectus which will be launched in early December with the BIS Secretary of State.

Northern Powerhouse - The Northern Powerhouse is an initiative to boost economic growth in the North of England led by HMG. The proposal is based on urban agglomeration and aims to rebalance the UK economy away from London and the South East. The ambition is to redress the North-South economic imbalance, and to attract investment into northern cities and towns. While the capital is perceived to be driven by financial services, northern economies boast strong manufacturing, science, technology and service sectors.

Midlands Connect - Midlands Connect is a collaboration of Midlands-wide local enterprise partnerships, Network Rail, the Highways Agency, local authorities and the business community which has been formed to champion strategic transport investment across the East and West Midlands.

Appendix B

Lead Councillors and Chief Executive Sponsors for the devolution themes

The lead and sponsor roles does not preclude chief executives of council leaders from offering contributions.

Theme	Sub theme	Lead Officer (CX) <i>Technical spokesperson</i>	Lead Councillor <i>Political spokesperson</i>
Accelerated Growth	agri-food	A Graves	Cllr Ray Oxby <i>Cllr Dave Watson</i>
	Manufacturing	R Walsh	
	Visitor Economy	S Davy	Cllr Bob Adams
Transport		S Driver	Cllr Martin Hill
Skills		B Agass	Cllr Marion Brighton
Housing		M Gill	Cllr Ric Metcalfe <i>Cllr Rob Waltham</i>
Water		P Drury	Cllr Jeff Summers
Health		I Fytche	Cllr Craig Leyland
Public Protection		T McArdle	Cllr Peter Bedford
Finance		A Andrews	Baroness Redfern
Governance		R Walsh	Baroness Redfern

Appendix C

Governance Principles

- (i) all agreements will be created within the framework of the emerging legislation (Cities and Local Government Devolution Bill)
- (ii) all partners recognise that major devolution asks will come with Government expectations regarding models of governance
- (iii) the partner Councils commit to the principle of establishing a combined authority as an appropriate form of governance.
- (iv) equality and inclusion must pervade any model, “One Authority one vote”.
- (v) conditional voting systems will be fair and balanced.
- (vi) subject to any conditional voting system, any decisions will be resolved with the majority vote of ten partners.
- (vii) no powers will be delegated upwards unless agreed by the relevant constituent authority(ies); there will be no loss of sovereign local area "representative mandate”
- (viii) the overlap of each housing authority, transport authority and planning authority will be understood and factored into the strategic decision making framework.
- (ix) full board consideration will be given to any potential widening of membership.
- (x) associate membership, including the role of LEPs will be included across the agreed geographic footprint.
- (xi) the final model will reflect the scale of ambition for accelerated economic growth across the agreed geographic footprint demonstrating key linkages to (and support for) the Northern Powerhouse and the Midlands Engine.
- (xii) the principles of transparency, equality and local democratic legitimacy will underpin all and any formal arrangements established
- (xiii) A shadow arrangement (ie. a joint committee) of the preferred model will be established In any event to formalise and develop the working arrangements and partnership between the partner Councils
- (xiv) All partner Councils and any associate members will follow the Seven Principles of Public Life.

Open Report on behalf of Tony McArdle, Chief Executive

Report to:	County Council
Date:	18 December 2015
Subject:	Review of Scrutiny

Summary:

This report gives councillors an opportunity to consider the recommendations contained in an independent report following a review of the County Council's scrutiny arrangements.

Recommendation(s):

- 1) That the Council welcomes the independent report following a review of scrutiny arrangements at Lincolnshire County Council (attached as Appendix A).
- 2) That the Council endorses the recommendations contained within the report and invites the Overview and Scrutiny Management Committee to oversee the implementation of Recommendations 1-15 with immediate effect.
- 3) In relation to Recommendation 15 in the independent report, the Council transfers responsibility for the scrutiny of the Council's budget and performance from the Value for Money Scrutiny Committee to the Overview and Scrutiny Management Committee and amends the Council's Constitution accordingly.
- 4) That the Council supports a revision of the governance structure for scrutiny, and invites the Overview and Scrutiny Management Committee to review structural options, including those put forward by Dr Young, and to make a recommendation to this Council.

1. Background

1.1 At its meeting on 20 February 2015 the County Council resolved to ask the Chief Executive to secure external advice and support in conducting a review of the Council's scrutiny arrangements and to present recommendations for making those arrangements more effective.

1.2 Subsequently, the Chief Executive invited East Midlands Councils to undertake a review into the County Council's approach to overview and scrutiny. To assist the review a cross-party group of councillors was established to act as a sounding board during the work.

1.3 The review carried out by Dr Stuart Young, Executive Director of East Midlands Councils, included informal discussions with councillors and officers, first hand observations at scrutiny meetings and research into good practice elsewhere.

1.4 The product of the review was a 44-page document with 17 recommendations; suggesting ways to improve scrutiny at the County Council (see Appendix A).

1.5 Fifteen of the recommendations relate to 'cultural' issues, including:

- Improving communication and engagement between the Executive and scrutiny committees
- Developing and supporting scrutineers
- Firm leadership of scrutiny and agenda management

1.6 Key to the success of any cultural change is the role and standing of the Overview and Scrutiny Management Committee. This is recognised by Dr Young in paragraph 15.15 of his report. While it is accepted that changes to the governance structure could quite reasonably be delayed until the start of the new Council term in 2017, including the disestablishment of the Value for Money Scrutiny Committee, it is recommended that the Overview and scrutiny Management Committee should take a lead on scrutinising the Council's budget and performance with immediate effect.

2. Conclusion

2.1 Having commissioned an external and independent review of its scrutiny arrangements, the Council has before it a number of recommendations that seek to make those arrangements more effective.

3. Legal Comments:

The Council is required by section 9F of the Local Government Act 2000 to appoint one or more committees to undertake overview and scrutiny of the executive. The Report makes recommendations as to the way in which the Council should go about fulfilling its overview and scrutiny function.

The recommendations are within the remit of the Council.

4. Resources Comments:

There are no material financial implications arising from acceptance of the recommendations in this report. Some modest savings in members' allowances may arise as a consequence of the proposed net reduction in the number of scrutiny bodies.

5. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

n/a

c) Scrutiny Comments

The Review of Scrutiny at Lincolnshire County Council Final Report was considered by the Review of Scrutiny Task and Finish Group on 17 November 2015 and the Group supported the recommendations contained therein.

Group Leaders considered the Final Report on 1 December 2015. They supported the implementation of the suggested structural changes in 2017, while advocating earlier introduction of the recommended cultural changes.

d) Policy Proofing Actions Required

n/a

6. Appendices

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

Appendix A	A Review of Scrutiny at Lincolnshire County Council - Final Report, 26 November 2015
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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
Council Meeting Minutes - 20 February 2015	Democratic Services

This report was written by Nigel West, Head of Democratic Services and Statutory Scrutiny Officer who can be contacted on 01522 552840 or nigel.west@lincolnshire.gov.uk.

A Review of Scrutiny at Lincolnshire County Council

Final Report

26th November 2015

A Review of Scrutiny

Lincolnshire County Council

Final Report

1. Introduction

- 1.1 East Midlands Councils was invited by Lincolnshire County Council in April 2015 to undertake a review into its approach to overview and scrutiny.
- 1.2 The following report highlights the contribution that overview and scrutiny can make to the council in undertaking its community leadership role. It is informed by consultation with both councillors and officers, and makes a number of conclusions and recommendations that are intended to support the council in securing improvements where necessary, and consolidating good practice already evident.

2. Executive Summary and Recommendations

- 2.1 This review of scrutiny undertaken at Lincolnshire County Council illustrates that even in effectively led and managed councils, scrutiny can be improved. The corporate commitment to self-improvement and a willingness to critically examine its own approach and effectiveness through external and independent challenge should be applauded.
- 2.2 The intention of this review is to support and inform members and officers of Lincolnshire County Council to reflect upon the approach and effectiveness of its scrutiny processes, and to develop and agree a way forward.
- 2.3 There is evidence that scrutiny at Lincolnshire County Council is undertaken in a spirit of trust and mutual respect. Despite this, both members and officers have identified the need and opportunity to improve upon current arrangements. This culture of self-challenge will be important in driving improvement in the future.

- 2.4 Scrutiny has the responsibility for ensuring robust, evidence-based challenges contribute to better outcomes and this review identifies some clear objectives:
- Scrutiny members and the officer support team both need to adapt to the challenges identified.
 - A shared understanding of scrutiny and the policy area is needed amongst committee members.
 - Scrutiny needs to be involved at an earlier stage of policy development.
 - Improve the co-ordination and focus of the scrutiny work programme.
 - The initial focus should be on process, approach, skills, culture and behaviour. Structure is important but is a means of support, not the end itself.

2.5 The following provides a summary of the conclusions and recommendations:

a) Does Scrutiny Influence and what is the Impact?

- 2.6 Scrutiny does not have decision or policy making responsibilities. Its role is to advise and recommend (that may include alternative options) – its principle power is that of influence; and effective scrutiny that is seen as credible and authoritative is able to influence.
- 2.7 It is important to understand and demonstrate the impact of scrutiny. Capturing the impact, monitoring the implementation of recommendations is an important part of the process.
- 2.8 Timing is key. For pre-decision scrutiny to work effectively, it needs to be programmed into the early stage of policy development to enable not only the full consideration of relevant issues, but importantly to explore and offer alternative options before decisions are made.

Recommendations

- R1 The Executive and Executive Members should provide formal and constructive feedback on why the views and/or recommendations of a scrutiny committee are not accepted.
- R2 The implementation of recommendations need to be formally and more consistently tracked and reported back to the Overview and Scrutiny Management Committee at regular intervals.
- R3 Scrutiny needs to get out of County Hall more and to look at new ways to engage the public in its work.

R4 Scrutiny should call upon the support of corporate communications to demonstrate impacts and benefits of its work to both the council and wider community.

b) Capacity and Capability

2.9 To undertake effective scrutiny, it is important that the committee members have sufficient skills and competencies to undertake their scrutiny role, and understanding of the policy area under review. While there is certainly good evidence of this, it is not consistent across committees and needs to be improved.

2.10 This is about building capacity and capability, scrutiny members do not need to become professional scrutineers but they do need support to effectively undertake their role.

Recommendation

R5 There needs to be a refresh of member training with unambiguous commitment to on-going training and development. This should include support for the development of 'softer skills'; the style and types of questions asked, the confidence and skill of members, the ability to probe and enquire in a challenging but non-abrasive way, are important factors in holding the Executive to account.

c) Agenda Setting and Work Programme

2.11 Scrutiny needs to better demonstrate how it reflects the council's priorities and take full ownership and responsibility for setting its own approach to delivering its work programme.

2.12 It is not clear how the key corporate priorities are reflected in the scrutiny work programme; how duplication is avoided [or not, as the case may be] or how resources are targeted on those issues of greater importance.

2.13 Task and Finish Groups are almost universally accepted as a good feature of scrutiny; they are able to fully consider specific issues, are welcomed by members and can offer robust and constructive recommendations. However, they are also resource-heavy and time consuming.

Recommendations

R6 Scrutiny committees must be selective about what they do look at, and what they do not look at. This requires firm leadership by the Chair and Vice-Chair, unambiguous and bold advice from officers, and acceptance by committee members that a fuller consideration of issues will require prioritisation of agenda items.

R7 The management of 'in-depth' reviews needs to become more streamlined and less-resource intensive, therefore becoming a more effective tool for enhancing the effectiveness and responsiveness of scrutiny.

d) The Scrutiny Team

2.14 Effective scrutiny is time consuming and challenging. Members need support to do it well. The most obvious source of this support is the team that service the council's scrutiny function; working closely with members and colleague officers and making the best use of their time and resource is essential.

2.15 Significant effort and resource goes into supporting a scrutiny process that would benefit from better direction and focus, thereby ensuring adequate support is available to deliver scrutiny well; while a cliché it nevertheless remains true, focus on quality over the quantity of material.

2.16 There is concern over the length of scrutiny reports and the ability to capture and reflect the nature of scrutiny discussion, the debate and subsequent agreement of recommendations to the Executive.

Recommendations

R8 The discussion and decisions at committees should be better reflected at Executive. The reports need to better reflect the range of perspectives, and indeed alternative options considered by the committee.

R9 Scrutiny officers should assume a greater advisory role, both on the process and content of the activity, including providing support in the framing of probing and productive lines of enquiry.

e) Who is Scrutinised?

- 2.17 In an ideal world, it is clear that it is the members who should scrutinise, and it is Executive members who are scrutinised. Officers are also there to provide advice and support, particularly on issues of a detailed/and or technical for these decisions - and officers implement it and should be accountable for operational nature.
- 2.18 But we do not live in an ideal world. The knowledge and expertise of officers is central to an effective scrutiny approach, and their work in support of the Executive is absolutely an issue that scrutiny should consider. The attendance of Executive members, let alone the actual contribution and support, is patchy at best and very often it is the officers that are the focus for scrutiny.

Recommendation

- R10 Lincolnshire County Council should consider whether the balance between scrutiny of the Executive (through its members), and scrutiny of officers, is the right one. The Executive should more fully engage in scrutiny, and it needs to be more fully accepted as a core responsibility.

f) Leadership

- 2.19 The commitment of senior leadership for supporting the scrutiny process, providing opportunities for council debates on scrutiny reports, reinforcing its role and contribution to the effective governance of the council is key for ensuring scrutiny is not pushed to periphery of council business.
- 2.20 However, scrutiny itself has to 'gear-up', particularly in terms of confidence and clarity of leadership. Scrutiny cannot make significant improvements without more effective and consistent leadership by chairs and vice chairs.
- 2.21 Style is everything, and committee members have an obligation to contribute but must also be supported in doing so by the Chair and Vice-Chair; being brought in to lead on certain items by the Chair who will also ensure the committee benefits from clarity of discussion and enquiry – with clarity of outcomes and recommendations as a result. There is a risk that committees suffer from polite but undirected effort, or become dominated by one or two individuals that prevents collective ownership and effort.

Recommendation

R11 There is a need for more effective leadership on scrutiny matters – and this leadership needs to be provided by the council itself by more ‘unity of purpose’ between the Executive, chairs and vice-chairs of scrutiny committees and senior managers.

g) Oversight and Accountability

2.22 The Overview and Scrutiny Management Committee has a central role in holding other scrutiny committees and their leadership to account. In addition, through its seniority of membership and taking firm responsibility for the leadership of scrutiny, it provides an ideal forum for engaging with the Executive that could include early involvement in the annual budget process, and the attendance and participation of the Chair of OMSC at Executive meetings.

Recommendations

R12 The chair and vice-chairs of scrutiny committee members should be held accountable for their performance of their respective scrutiny committees, and jointly for the operation of the scrutiny process as a whole.

R13 Each committee should account annually for the impact of its work including tracking the implementation of recommendations; and developing and directing the delivery of a co-ordinated work programme.

h) The Relationship between Executive and Scrutiny

2.23 The responsibility for ensuring effective scrutiny rest with scrutiny councillors, officers *and* the Executive. A good scrutiny/Executive relationship is a first principle component of success, and without this, scrutiny will not improve.

2.24 Executive Members have a role in keeping scrutiny committees informed not solely on matters relating to policy delivery and proposals, but also about the implementation of recommendations and their impact.

Recommendations

R14 Scrutiny chairs should routinely attend the Executive meetings to present the conclusions and recommendations of their reviews. It would help develop relationship between the Executive and scrutiny leadership, and be a positive step in better articulating the breadth and intent of reviews.

i) Culture and Behaviours

2.25 Scrutiny should not act in a party political manner. Members, regardless of political affiliation, should rely on evidence rather than opinion and work together to ensure that proposals and/or decisions are properly tested by bringing their political skills and understanding of local priorities to 'the table'.

2.26 There does need to be a change in culture and behaviours; and this is a challenge posed to both politicians and officers. Many of the potential improvements to scrutiny cannot be unlocked unless there is a change in culture, and a change in culture won't happen on the basis of people thinking it will just happen, it requires action.

Recommendation

R15 The Overview and Scrutiny Management Committee, as the overarching scrutiny committee, should take a clearer and firmer role in driving forward and managing the scrutiny process and relevant committees, and provide the bridge between scrutiny and the Executive.

j) Sound and Effective Governance

2.27 Structures and governance, whether new or old, will not in themselves deliver a better functioning scrutiny model. Others factors will have a greater influence, e.g. culture, engagement and agenda planning.

2.28 There is, however, a persuasive case for change, and the current structure would fail to deliver the revised approach to scrutiny as envisaged by this review. In summary:

- The council has changed considerably since scrutiny governance was last reviewed; not least in response to financial austerity, public sector reform and LCC's commissioning approach to service delivery.
- Scrutiny needs to better reflect the councils' priorities. It is not clear how key corporate priorities are reflected in the scrutiny work programme; how duplication is avoided and how resources are targeted on those issues of greater importance.
- There is administrative overload and the limited resource of the scrutiny team (members and officers) is not best directed.
- Lincolnshire County Council, when compared to other council councils, is at the upper-end of the scale in terms of numbers of committees. Many have substantially fewer.
- Provides and demonstrates a refresh of scrutiny arrangements.
- Reflects the changing context for local government, particularly combined authorities and devolution.

Recommendation

R16 To secure a more effective system of scrutiny at the county council, there is a need to put in place a revised governance structure for scrutiny based on the following principles:

- The Overview and Management Scrutiny Committee should take a leading role in delivering the revised approach to scrutiny, specifically agenda and work programming, relationships and culture, focus and prioritisation, in consultation with scrutiny chairs and vice-chairs, and the Executive.
- The numbers of scrutiny committees are reduced.
- The membership of scrutiny committees is reviewed to support greater consistency in the number of members that sit on each committee.
- Scrutiny panels are established in support of scrutiny committees, with chairs and vice-chairs appointed on an annual basis.

2.29 Both options presented in Section 3 of this report ('5 Plus One' and '4 Plus One') offer the benefits of reflecting the commissioning strategies of the council, supporting a more cross-cutting consideration of the scrutiny agenda, and will enable the scrutiny team to better focus its resource support.

2.30 The '5 Plus One' model offers these benefits but avoids an overly radical reduction in the number of scrutiny committees and concerns of a disproportionately high workload for the Adults and Communities Scrutiny Committee in particular, while also bringing together Economy, Environment and Transport, and Community Protection and Wellbeing, into two separate scrutiny committees (services that fit naturally alongside one another).

Recommendation

R17 In considering the case for change and the relative merits of both options presented in Section 3 of this report, Lincolnshire County Council is recommended to implement a revised governance structure for scrutiny based on the '5 Plus One' model with the following scrutiny committees:
Overview and Scrutiny Management Committee.

Plus

1. Adults Scrutiny Committee.
2. Children and Young People Scrutiny Committee.
3. Health Scrutiny Committee.
4. Economy, Environment and Transport Scrutiny Committee.
5. Community Protection and Wellbeing Scrutiny Committee.

3. Background and Context to this Review of Scrutiny

- 3.1 The legal basis of scrutiny can be found in the Local Government Act 2000 that introduced new political governance arrangements with the abolition of the old committee system and the introduction of the new executive model of leadership – with scrutiny to provide the check and balance to council cabinets.
- 3.2 Since then, subsequent Acts of Parliament have bolstered scrutiny by extending its remit and statutory responsibilities, more recently through the Localism Act 2011. Lincolnshire County Council, like many others, has a number of scrutiny committees; an overarching Overview and Scrutiny Management Committee and 9 scrutiny committees; adults, children and young people, community and public safety, economic, environmental, flood and drainage, highways and transport, health and value for money.
- 3.3 The commissioning of this review into scrutiny was the result of a Council decision at its meeting in February 2015 that considered the findings of an internal audit report 'Organisational Learning – Libraries Project' that was critical of the way scrutiny had, or had not been, carried out. The audit report emphasised the need to improve how

Lincolnshire County Council undertakes scrutiny, and the Council agreed a motion that the Chief Executive is asked to 'secure external advice and support in conducting a review of the Council's scrutiny arrangements and to present recommendations for making those arrangements more effective'.

- 3.4 This subsequent review of scrutiny illustrates that even in effectively led and managed councils, scrutiny can be improved. The corporate commitment to self-improvement and a willingness to critically examine its own approach and effectiveness through external and independent challenge should be applauded.
- 3.5 In the process of undertaking this review, the commitment and enthusiasm of both members and officers to critically consider an area of activity they are so closely involved in should also be commended. However, while there is evidence of scrutiny in Lincolnshire being undertaken in a spirit of trust and mutual respect, as evidenced from discussions with Members and observing committee meetings; few members and officers content with current arrangements, and this culture of self-challenge will be important in driving improvement in the future.

4. Why is Scrutiny in Lincolnshire County Council so Important?

- 4.1 Lincolnshire County Council benefits from confident and clear leadership at both the political and managerial level. In these circumstances, scrutiny's role in providing constructive challenge is perhaps even more important.
- 4.2 The challenges facing the council are well-understood; and the pressures are likely to increase further. Therefore, the responsibility becomes even greater for the council to effectively deliver its services and to provide leadership on behalf of the community. This is not solely the job for council leaders and their cabinets; but a responsibility for the council *itself*. At a time of austerity, scrutiny should play a supportive role in the council by identifying savings and reviewing services.
- 4.3 Scrutiny is a political interface – but should not be overtly partisan. It should deliver accountability and provide independent challenge to executive decision-making. At best, scrutiny is a vital component of good governance and improves council's decision making, service delivery and cost-effectiveness. When councils get it wrong, councils risk corporate and/or service failure and only a cursory glance of recent local government history provides a stark reminder.
- 4.4 The Jay Report (August 2014) into child sexual exploitation in Rotherham revealed systemic failures in local council scrutiny, governance, and leadership - a salutary warning of where the failure of scrutiny leads to wider council failure. The report

reminded us that Rotherham had “no shortage of policies, procedures or plans....the weakness [being] that nobody checked whether they were being implemented, or indeed whether they were any good.”

- 4.5 The Casey Report (February 2015) put a marker down that scrutiny needs to demonstrate effectiveness in holding cabinet Members and senior officers to account for individual performance and decision-making....with evidence of how scrutiny has changed practice or policy making.
- 4.6 And while a review of the failings of health scrutiny in Stafford, the finding of the Francis Report (February 2013) are equally applicable elsewhere. ... “Councillors are not and cannot be expected to be experts....they can, however, be expected to make themselves aware of, and pursue, the concerns of the public who have elected them. This is surely the purpose of giving a local scrutiny role to councillors.”
- 4.7 Despite its fundamental role, scrutiny is often seen as being less important; the resources of the council are rightly focused on delivering the decisions of the Executive; and councillor ambition (if part of the ruling group) can often understandably be focused on becoming part of the decision-making Executive, where scrutiny can be seen as offering a chance to ‘make your mark’ before moving on to better things. However, if the council is not making best use of scrutiny, and there is evidence that this may indeed be the case, then the council is failing to make best use of one of the most valuable resources it has – the time, energy, knowledge, expertise and commitment of its elected members.

5. Scrutiny Arrangements in County Councils

5.1 Of the 37 County Councils (including 10 unitary councils):

a) Decision Making Structures:

- Leader and Cabinet system – 34.
- Committee system with some scrutiny – 2 (Norfolk and Nottinghamshire)
- Committee only – 1 (Cambridgeshire)

b) Number of Scrutiny-Related Committees

- Numbers of scrutiny-related committees ranges from 2 to 10. The average number of committees is 5.
- Lincolnshire County Council is at the upper-end of the scale with 10 committees; adults, children and young people, community and public safety economic, environmental, flood and drainage, highways and transport, overview and scrutiny management, health and value for money.

- Scrutiny-related committees go under a number of guises that include; scrutiny committees, select committees, overview and scrutiny committees, scrutiny commissions, scrutiny panels, scrutiny advisory boards, overview committees, and improvement and scrutiny committees.

c) Chairman and Vice-Chairmen

- Appointments of chairmen are split between either the ruling group only (18), or a mix of the ruling group and opposition (14), often on the basis of political balance.
- Only 4 councils have all their chairmen from the opposition.
- For councils with vice-chairmen, again it is split between either the ruling group (14), or a mix of the ruling group and opposition (16).

d) Other Models

- Cambridgeshire. A committee structure is in place. Statutory scrutiny functions in relation to health and flood & water management are undertaken by the relevant committees.
- Cornwall. There are 2 overarching scrutiny committees; scrutiny management committee and the health & social care scrutiny committee. In addition, there are 10 policy advisory committees that are linked to executive portfolios.
- Devon. There are 2 scrutiny committees; corporate services, places, people, health & wellbeing. These meet about 5 times a year. In addition, there were 10 task and finish groups in the last year.
- Dorset. There are overview and scrutiny committees. The overview committees undertake the policy development role, and scrutiny committees undertake the scrutiny role. It also has an audit and scrutiny committee.
- Hertfordshire. More of a hybrid structure where cabinet panels undertake policy development and make recommendations to the executive. Each panel is chaired by the relevant executive councillor with the remainder panel membership being non-executive councillors. Each panel is aligned to executive portfolios.
- Nottinghamshire. Recently established a committee governance structure, with 2 health scrutiny committees (one for Nottinghamshire, 1 joint committee with Nottingham City). The service committees undertake scrutiny in relation to policy development.
- Oxfordshire. A system of cabinet advisory groups consider topics selected by the cabinet. These advisory groups are attended by the relevant executive councillor and enable backbencher involvement on issues of greatest importance to the council. They are not formal meetings.

- Wiltshire. Operates 4 committees comprising a management committee and three service focused select committees; health (including public health and adult social care), environment (including highways, waste and transport) and children’s services. The council established 21 task and finish groups over the last year, originating from respective select committees and endorsed by the management committee.

6. Does Scrutiny Influence and what is the Impact?

- 6.1 While scrutiny committees can and do make recommendations, they cannot compel the Executive to follow to implement a particular action/policy. Scrutiny’s principal role is to hold the Executive to account on behalf of the public – making sure their decisions are in the public interest. Scrutiny should act as a ‘critical friend’, challenging decisions in a supportive way, ensuring they are properly thought through and that the full range of considerations have been taken into account.
- 6.2 For example, the primary focus of the Health Scrutiny Committee for Lincolnshire has been to monitor the quality of health service provision across the County. It was remarked that this committee has shown firmness and confidence in the management of its work programme and achieved success in protecting services for the community by challenging the decision by NHS England to close the Burton Road GP Surgery in Lincoln that led to the announcement in March 2015 of the surgery remaining open for a minimum of five years.
- 6.3 But scrutiny does not have decision or policy making responsibilities. Its role is to advise and recommend (that may include alternative options) – its principle power is that of influence; and effective scrutiny that is seen a credible and authoritative is able to influence. This is dependent upon a good relationship between scrutiny and the Executive; and in the absence of this; a negative view of scrutiny and a defensive approach from the Executive will exist.
- 6.4 It is important to understand and demonstrate the impact of scrutiny. Capturing the impact, monitoring the implementation of recommendations is an important part of the process. There appears to be a lack of consistent approach to this, a lack of corporate communication support – and the ideal opportunity to demonstrate the value of scrutiny offered by the ‘Annual Report’ is not taken – replaced in part by a compendium of activity.
- 6.5 A more general concern relates to pre-decision scrutiny, particularly its timing. Pre-decision scrutiny has the potential to be an asset in the development and delivery of

policy and increasing the corporate knowledge of the council and the engagement of its councillors. Timing, however, is key.

- 6.6 For it to work effectively, it needs to be programmed in to the early stage of policy development to enable not only the full consideration of relevant issues, but also to explore and offer alternative options before decisions are made. Without sufficient time and the focus of pre-decision scrutiny at the time immediately before it will be considered and agreed by the Executive, pre-decision scrutiny has less ability to effectively consider and influence leading to criticism of too much 'affirmative' scrutiny against single options; in effect, the rubberstamping of decisions already made. This, coupled with the concern that the scrutiny process is designed to minimise the risk of 'call-in', in part evidenced by how are meetings scheduled [and indeed rescheduled] to fit within the cycle of Executive meetings, does question the veracity of process.
- 6.7 The output of scrutiny is likely to be a report with recommendations but for these to have an impact, they must be able to influence the issue being considered, i.e. final decisions have not been made [with sufficient time to reflect, weighing up the evidence and assessing options; a useful intersection of pre-decision with policy development], or a review of policy is underway, which mean that a recommendation could realistically lead to change.
- 6.8 Scrutiny reviews/reports should be relatively short and include a limited number of concrete recommendations. These recommendations should, wherever possible, be SMART (Specific, Measurable, Achievable, Relevant and Timed). A limited number of focused recommendations is more likely to support subsequent implementation.
- 6.9 The implementation of recommendations need to be formally and more consistently tracked and reported back to the Overview and Scrutiny Management Committee at regular intervals. It does not need to be resource intensive; the response of the Executive to recommendations should be clear, and if not accepted then detail be provided as to why, and subsequent progress and the outcomes that result in implementing proposed actions be reported.
- 6.10 This will allow members, partners and the public to demonstrate and acknowledge the impact of scrutiny reviews and should be a key feature of the annual report. It also provides a useful means of communicating the impact of scrutiny, including council newsletters, and to full council meetings.
- 6.11 Efforts have been made to engage the public, and examples include the recent Adults Scrutiny Committee in its consideration of 'non-residential care contributions

policy'. However, scrutiny members should consider further opportunities for 'getting out' of County Hall more and to look at new ways to engage the public in their work, whether they be residents or particular service users. This will add an additional dimension and credibility to the scrutiny role. Even if not physically meeting outside of Newland offices, scrutiny does need to further engage with the public – including participatory attendance! Similar to scrutiny reviews undertaken elsewhere, consultation with members and officers failed to emphasise the importance of an externally-focused perspective; how is the public involved, and how are they assured that delivery is effective? This does then lead to comment on communication.

- 6.12 Inevitably, much of the focus of corporate communications will be on the Executive but this can be at the expense of the wider council. There is potential for a greater role to be played by corporate communications in pre-publicity particularly for outward facing reviews, e.g. economy and health, to raise awareness of proposed work and the opportunities for outside partners/local people to inform the review, but more generally as an area of council activity that does have benefit and an impact on services that make a difference to local people. The matters considered from health to housing, jobs and investment, trading standards to roads provide a rich seam of material.
- 6.13 It is appreciated that the use of corporate communication is a knotty issue. It tends to be an Executive resource, as in many other councils, and a reluctance to publicise internal challenge and criticism – no matter how constructive – would be an entirely reasonable concern. Nevertheless, access to, and the support of, corporate communication support would be beneficial.
- 6.14 But alongside this, scrutiny members must be clear about the objectives. It should not be profile for profile's sake but for demonstrating impact and importantly, for linking to the public more effectively in meeting an objective of scrutiny, that of enabling the public's voice to be heard.

Recommendations

- R1 *The Executive and Executive Members should provide formal and constructive feedback on why the views and/or recommendations of a scrutiny committee are not accepted.*
- R2 *The implementation of recommendations need to be formally and more consistently tracked and reported back to the Overview and Scrutiny Management Committee at regular intervals.*

R3 *Scrutiny needs to get out of County Hall more and to look at new ways to engage the public in its work.*

R4 *Scrutiny should call upon the support of corporate communications to demonstrate impacts and benefits of its work to both the council and wider community.*

7. Capacity and Capability

7.1 An obvious point – but one that should be emphasised; to undertake effective scrutiny, it is important that the committee members have sufficient understanding and competencies to undertake both their scrutiny role. While there is certainly good evidence of this, it is not consistent across committees and needs to be improved.

7.2 Effective scrutiny needs to be owned and led by the scrutiny members themselves. This means taking responsibility for providing leadership before and after meetings, and getting the most from scrutiny members and witnesses. This is about building capacity and capability, scrutiny members do not need to become professional scrutineers but they do need support to effectively undertake their role.

7.3 Firstly is the understanding the scrutiny process itself and its objectives. It is one thing being on the committee, quite another is fully understanding your role and being equipped to undertake that role. Secondly, scrutiny members need support in understanding – and engaging with – the specific policy area of their committee(s).

7.4 Scrutiny members have the electoral mandate to consider and challenge delivery from a broad perspective. They are not there to promote a specialist or narrow interest, but to reflect the interests of the wider community. Parochial/local ward views frequently ‘play-out’ in scrutiny meetings and this detracts from the strategic and collective focus. It’s understandable that members will have interest in how service delivery impacts upon their specific ward; but these issues or promoting ward interests need to be addressed through their ward councillor role, not through their membership of a scrutiny committee. Members also need to appreciate the ‘interface’ with officers – keeping the focus on those issues relevant for the review, and not to stray into assuming a level of technical knowledge and discussion unlikely to be productive to the review itself.

7.5 So within this context, how are councillors equipped to become an effective councillor and how are they supported to develop their scrutiny skills. Training and

on-going development is the obvious answer – and a commitment to on-going training and development should be seen as a pre-requisite of membership.

- 7.6 It is the process itself that offers the benefit; development sessions as a committee supports them develop as a group, where members can discuss policy priorities, scrutiny objectives and their role in an informal setting. Part may be structured, with training and policy support from officers; but part should be the Chair and Vice-Chair working with their colleagues on the committee to develop an ethos and jointly owned approach going forward in delivering the annual work programme.
- 7.7 It is the development of ‘softer skills’ that is important here. Scrutiny is an ‘art’; the style and types of questions asked, the confidence and skill of members, the ability to probe and enquire in a challenging but non-abrasive way, are important factors in holding the Executive to account.

Recommendation

- R5 *There needs to be a refresh of member training with unambiguous commitment to on-going training and development. This should include support for the development of ‘softer skills’; the style and types of questions asked, the confidence and skill of members, the ability to probe and enquire in a challenging but non-abrasive way, are important factors in holding the Executive to account.*

8. Agenda Setting and Work Programme

- 8.1 There is little compelling evidence that scrutiny wholly reflects the council’s priorities and takes full ownership and responsibility for setting its own approach to delivering its work programme, in conjunction with the executive, but not subjugated to the demands or timescales of the executive or other.
- 8.2 Lincolnshire County Council has taken a firm commissioning approach to its delivery of public services, and has clear challenges to address – not least resources. It is not clear how the key corporate priorities are reflected in the scrutiny work programme; how duplication is avoided [or not, as the case may be] or how resources are targeted on those issues of greater importance. There is a clear role for the scrutiny chairs to consider issues collectively through the Overview and Scrutiny Management Committee.
- 8.3 Scrutiny committees consider a large number of issues over a year with full agendas and papers – and they seem to be getting even longer, perhaps in part caused by

recent legal challenges that could encourage risk adversity amongst officers with a tendency to include everything as a result.

- 8.4 There seems almost to be a competition, vying for the longest agenda and the most trees felled in the production of papers. So stop – understand what is wanted and direct the officers to deliver. Scrutiny committees must be selective about what they do look at, and what they do not look at. Attempting to scrutinise everything on route to the Executive will tie the process up in knots, lead to an unmanageable workload and will reduce the Committee’s ability to focus appropriately on priority issues or responding to emerging issues.
- 8.5 Deciding what goes on the agenda is difficult though, it requires firm leadership by the Chair and Vice-Chair, unambiguous and bold advice from officers, and acceptance by committee members that a fuller consideration of issues will require prioritisation of agenda items. A simple test could be; why is the item being suggested for inclusion; what will be the outcome of its consideration, including potential nature of the recommendation[s]; is there an governing timetable or deadline; and what would be the impact if the committee chose not to consider the item?
- 8.6 Remember the purpose of scrutiny! It is not councillor development by other means. In reality, a relatively few number of councillors are directly involved in the decisions that are ‘place-shaping’, this being the reserve of the leader and executive councillors, and so scrutiny does help in engaging councillors in the business of the council. However, Member information sessions may be a more appropriate channel for items that do not necessarily require specific action by the Committee.
- 8.7 Task and Finish Groups are almost universally accepted as a good feature of scrutiny; they are able to fully consider specific issues, are well-received across the Council membership and can offer robust and constructive recommendations. Commonly highlighted examples were the reviews of ‘Frontline Social Workers and Safeguarding’, ‘Speed Management in Lincolnshire’ and the ‘Impact of Transportation on Maximising Economic Growth’.
- 8.8 The latter review brought together representatives to reflect the broad but linked economic, environment, tourism and transport policy areas. In highlighting the impact that transport infrastructure, in particular rail and the road network, has on businesses and tourism; it identified specific transport improvements to support the development of a long term strategy to improve transport infrastructure in Lincolnshire.

- 8.9 However, task and finish groups are resource-heavy and time consuming, and the whole process from establishing the groups to delivering the final report needs to be much shorter. However, for the more significant, cross-cutting policy areas, in-depth reviews offer the best opportunity to engage members and inform policy development and delivery, without the need for formal committee meetings. As such, they are a potent means for the Overview and Scrutiny Management Committee for driving a more effective and focused approach.
- 8.10 Call-in is a tool to be used cautiously but can offer scrutiny the opportunity to look at decisions if there is concern that they have been taken wrongly. The lack of call-in can be viewed as a success, but it may also be viewed as a reflection of the churn of pre-decision scrutiny and a lack of confidence of the scrutiny process itself to challenge the Executive on matters it thinks right to do so.

Recommendations

- R6 *Scrutiny committees must be selective about what they do look at, and what they do not look at. This requires firm leadership by the Chair and Vice-Chair, unambiguous and bold advice from officers, and acceptance by committee members that a fuller consideration of issues will require prioritisation of agenda items.*
- R7 *The management of 'in-depth' reviews needs to become more streamlined and less-resource intensive, therefore becoming a more effective tool for enhancing the effectiveness and responsiveness of scrutiny.*

9. The Scrutiny Team

- 9.1 Scrutiny is under-resourced. In this, it keeps good company within the local government sector - it is not alone and there should be no special case, but the problems of under-resourcing would be less acute if resources are better directed.
- 9.2 Effective scrutiny is time consuming and challenging. Members need support to do it well. The most obvious source of this support is the team that service the council's scrutiny function; working closely with members and colleague officers and making the best use of their time and resource is essential.
- 9.3 First things first, the Scrutiny Officer Team are hard-working, dedicated and an important third pillar of the scrutiny. In the consultation that informed this review, their support and professionalism was frequently highlighted, as indeed were the Democratic Services Team.

- 9.4 There is, however, a scrutiny industry where significant effort and resource goes into supporting a process that is vulnerable to diminishing returns along the way. In terms of activity, a simple multiplication of the numbers of committees, against the numbers of times they meet, then with the addition of ad-hoc task-and-finish groups, and with the logistics and papers underpinning this – you have a busy industry where the level of activity does not directly translate into value-added, or the end-product of the process.
- 9.5 It is the tightness of resources that inevitably pose the question of whether the scrutiny resource is best directed and focused, and reinforces advice on adjusting the work programme to ensure adequate support is available to deliver scrutiny well; while a cliché it nevertheless remains true, focus on quality over the quantity of material.
- 9.6 While member expectations must be adjusted, so too should the allocation of officer resources. If there are both scrutiny and democratic services teams in attendance at meetings, then there needs to be a clear demarcation of duties. Scrutiny officers should *advise* on both the process and content of the activity, with discretion to ask questions at the meetings themselves, with democratic services providing the administrative support. Simplistic perhaps, but it does avoid the blurred distinction between roles that does exist in parts.
- 9.7 This will require scrutiny officers to take a more active advisory role, including providing support in the framing of probing and productive lines of enquiry. While this responsibility does pose the risk of friction (likened to ‘friendly fire’) with fellow officers, all staff should be aware of roles and responsibilities and accept that this is the business of the council - it is part of their advisory role to members – whether as a scrutineer or as a scrutinised.
- 9.8 The discussion and decisions at committees must also be better reflected at Executive. Papers could better demonstrate that genuine accountability is taking place; they could do more to capture the nuance of discussions; and in order to inform consideration by the Executive, the reports need to better reflect the range of perspectives, and indeed alternative options considered by the committee, rather than a more narrow focus on the actual outcomes/decisions from the debate.

Recommendations

- R8 *The discussion and decisions at committees should be better reflected at Executive. The reports need to better reflect the range of perspectives, and indeed alternative options considered by the committee.*

R9 *Scrutiny officers should assume a greater advisory role, both on the process and content of the activity, including providing support in the framing of probing and productive lines of enquiry.*

10. Who is Scrutinised?

10.1 In an ideal world, it is clear that it is the members who should scrutinise, and it is Executive members who are scrutinised. Executive members set policy direction, and are accountable for these decisions - and officers implement it and should be accountable for operational performance. Officers are also there to provide advice and support, particularly on issues of a detailed/and or technical nature.

10.2 But we do not live in an ideal world. The knowledge and expertise of officers is central to an effective scrutiny approach, and their work in support of the Executive is absolutely an issue that scrutiny should consider. But it is a balance – and Lincolnshire County Council has not got the balance right. The attendance of Executive members, let alone the actual contribution and support, is patchy at best and very often it is the officers that are the focus for scrutiny. Part of this can be explained by Executive workloads – but only part. The Executive should more fully engage in scrutiny, it needs to be more fully accepted as a core responsibility, and the council leader could seize the initiative in ‘setting out the stall’ in this regard.

Recommendation

R10 *Lincolnshire County Council should consider whether the balance between scrutiny of the Executive (through its members), and scrutiny of officers, is the right one. The Executive should more fully engage in scrutiny, and it needs to be more fully accepted as a core responsibility.*

11. Leadership

11.1 The ability of scrutiny to influence decisions can be affected by the approach of the most senior people in council leadership, both political and managerial. Without the commitment of senior leadership for supporting the scrutiny process, providing opportunities for council debates on scrutiny reports, reinforcing its role and contribution to the effective governance of the council at both member and staff induction, then scrutiny risks being pushed to the periphery.

- 11.2 However, scrutiny itself has to gear-up, particularly in terms of confidence and clarity of leadership. Scrutiny cannot make significant improvements without more effective and consistent leadership by chairs and vice chairs. This is not to infer there are not some good examples of leadership – there certainly are – but it is inconsistent across committees.
- 11.3 The Chair and Vice-Chairs set the context for scrutiny; working with members and officers in advance on the potential lines of enquiry and objectives of process, with a focus on a limited number of issues and clarity of expectations from Executive representative and/or lead officer to the committee. The management of the committee, often in advance, is as important as the meeting itself.
- 11.4 Style is everything, and committee members have an obligation to contribute but must also be supported in doing so by the Chair and Vice-Chair; being brought in to lead on certain items by the Chair who will also ensure the committee benefits from clarity of discussion and enquiry – with clarity of outcomes and recommendations as a result. There is a risk that committees suffer from polite but undirected effort, or become dominated by one or two individuals that prevents collective ownership and effort.

Recommendation

- R11 There is a need for more effective leadership on scrutiny matters – and this leadership needs to be provided by the council itself by better unity of purpose between the Executive, chairs and vice-chairs of committees and senior managers.*

12. Oversight and Accountability

- 12.1 The Overview and Scrutiny Management Committee has a central role in holding other scrutiny committees and their leadership to account. It meets regularly and does provide a forum for scrutiny representatives to discuss respective work. But it could do more in providing firm leadership and accountability. By bolstering its terms of reference, it should ensure that scrutiny committees, through their chairs/vice-chairs, rigorously account for their performance; it should track implementation of recommendations; and develop and direct the delivery of a co-ordinated work programme that focuses upon significant corporate priorities.
- 12.2 In addition, through its seniority of membership and taking firm responsibility for the leadership of scrutiny, it provides an ideal forum for engaging with the Executive that

could include early involvement in the annual budget process, and the attendance and participation of the Chair of OSMC at Executive meetings.

- 12.3 The chair and vice-chairs of scrutiny committee members have a responsibility for leading an effective scrutiny process. Given this additional responsibility, chairs and vice-chairs receive special responsibility allowances. They should be held accountable for their performance of their respective scrutiny committees, and jointly for the operation of the scrutiny process as a whole.
- 12.4 As part of this, each committee should account annually for the impact of its work. This will go some way in helping the scrutiny process as a whole in demonstrating impact but will also help each committee articulate the benefits of its role and how it contributes to the wider business of the council.
- 12.5 And a refocused Annual Report is needed. The current annual report does provide a useful illustration of the breadth of scrutiny and a detailed compendium of activity. What is needed, however, is an annual report, owned by each committee chair that details the key issues that scrutiny considered over the past 12 months, why this was undertaken, and the benefits that resulted from the review – specifically its value-added!

Recommendations

- R12 *The chair and vice-chairs of scrutiny committee members should be held accountable for their performance of their respective scrutiny committees, and jointly for the operation of the scrutiny process as a whole*
- R13 *Each committee should account annually for the impact of its work including tracking the implementation of recommendations; and developing and directing the delivery of a co-ordinated work programme.*

13. The Relationship between Executive and Scrutiny

- 13.1 Two perspectives, almost poles apart, have been highlighted.... ‘The actions of the Executive result in the scrutiny being marginalised’ to, ‘The actions of scrutiny result in marginalising itself.’ Without any comment on the reality of this (and it is likely to be a little more nuanced) it is illustrative in highlighting that the relationship between scrutiny and the executive lies at the heart of the matter.
- 13.2 So let’s be clear on this; the responsibility for ensuring effective scrutiny rest with scrutiny councillors, officers *and* the Executive. A good scrutiny/Executive

relationship is a first principle component of success, the absence of this and without the active support of the Executive [e.g. regular attendance and genuine engagement with committee meetings by Executive members], scrutiny will not improve.

- 13.3 The Executive has the opportunity to drive scrutiny forward and set the tone for the relationship. Part of this is relationship management, with conspicuous attendance and engagement by the Executive at scrutiny committees rather than conspicuous absence. Executive Members have a role in keeping scrutiny committees informed not solely focused on policy delivery and proposals but also about the implementation of recommendations and their impact.
- 13.4 However, Executive Members do have a wide range of responsibilities, particularly those with large portfolios and any intent to be engaged with scrutiny risks being stymied by other commitments. To address this, there is the potential for an enhanced role for Executive Support Members in supporting scrutiny.
- 13.5 Alongside this, there could be a role for scrutiny chairs to routinely attend the Executive meetings to present the conclusions and recommendations of their reviews. It would help develop relationship between the Executive and scrutiny leadership, and be a positive step in better articulating the breadth and intent of reviews.
- 13.6 Culture and behaviours go some way in illustrating the problem; to what extent is there real appetite amongst the Executive and Group Leaders for a better functioning scrutiny, and what is the commitment of scrutiny members to deliver a more supportive and constructive approach?

Recommendations

- R14 Alongside this, scrutiny chairs should routinely attend the Executive meetings to present the conclusions and recommendations of their reviews. It would help develop relationship between the Executive and scrutiny leadership, and be a positive step in better articulating the breadth and intent of reviews.*

14. Culture and Behaviours

- 14.1 Scrutiny should not act in a party political manner. Members, regardless of political affiliation, should rely on evidence rather than opinion and work together to ensure that proposals and/or decisions are properly tested by bringing their political skills and understanding of local priorities to 'the table'. If scrutiny is addressing the right

issues, then by definition they will be politically contentious, but it is how these contentious issues are addressed that's significant.

- 14.2 There does need to be a change in culture and behaviours; and this is a challenge posed to both politicians and officers. Many of the potential improvements to scrutiny cannot be unlocked unless there is a change in culture, and a change in culture won't happen on the basis of people thinking it will just happen, it requires action.
- 14.3 The council is a political body, and so don't be surprised when councillors act in a party political manner. It is the extent to which 'partisan party politics' is played out through scrutiny that needs to be considered. Consultees reported their perception that scrutiny can be sometimes seen as the 'Praetorian Guard of the Executive' and/or the 'primary means of opposition' to the Executive. Both have resonance – and without change, the cycle continues.
- 14.4 However, it should be emphasised that there is no evidence of a formal whip in scrutiny, either in the ruling group or opposition. To what extent to which there is an 'informal' whip is a moot point though. Politics rightly has a pack mentality, with shared perspectives and self-imposed political discipline. 'Soft power' is a powerful influence, actions guided by expectations and it is this reality that can constrain open and robust challenge across political boundaries that is itself a feature of good formal scrutiny.
- 14.5 The reference to 'formal' scrutiny is deliberate in order to make a distinction between that scrutiny undertaken in open scrutiny committees [and the focus for this review], and the scrutiny that takes place within political groups themselves, that may well be more robust and challenging, and indeed influential, but is nevertheless done within the confines of the group.
- 14.6 In addition to this, scrutiny committee members should recognise that they have been given a mandate to undertake scrutiny on behalf of the council. Their role should not necessarily be confined to undertaking scrutiny only at committee meetings, and if the need arises, should feel empowered to challenge policy delivery/performance at other times.
- 14.7 A change in culture will take a good while to secure but there are a number of steps that could be taken to quicken the pace and to build understanding between the Executive and scrutiny. The OSMC needs to play the lead role and provide the bridge. Firstly, the chair of OSMC though attending Executive meetings could better articulate the 'intent' of scrutiny; and secondly an annual session between the

Executive, senior officers and OSMC could help the scrutiny leadership better understand the priorities of the council in the next 12 months, shape a co-ordinated and more timely programme of scrutiny to reflect those, and offer a forum for the Executive to engage directly with the scrutiny leadership in the consideration of policy options.

Recommendation

R15 *The Overview and Scrutiny Management Committee, as the overarching scrutiny committee, should take a clearer and firmer role in driving forward and managing the scrutiny process and relevant committees, and provide the bridge between scrutiny and the Executive.*

15. Sound and Effective Governance

15.1 Context is everything, and this review of scrutiny has considered governance as one part of the wider discussion on proposals for a more effective system of scrutiny at Lincolnshire County Council. There is always a risk that ‘structures’ become *the* discussion, rather than the *means* to deliver the changes agreed as a result of this review.

15.2 Structures and governance, whether new or old, will not in themselves deliver a better functioning scrutiny model but if members accept the shortcomings of the current approach, then structures and governance should not be rushed to for the answer. Others factors will have a greater influence, e.g. culture, leadership, engagement and agenda planning. Until these are addressed, there is little worth in proposing any revised governance model.

15.3 However, the Scrutiny Review Group and Chief Executive directed that the scrutiny review should include options for a revised governance model for subsequent presentation to full Council, and this review is clear that current structures are unlikely to facilitate efficient and effective scrutiny of the Council’s commissioning strategies in line with the principles identified in this report. New structures are necessary and should be seen as a useful means of delivering a revised approach – and a corporate demonstration of commitment to refresh its approach to scrutiny – but structures are not in themselves the answer to improving scrutiny nor do they insulate the council from failure.

Principles for Revised Governance

- 15.4 To be candid, it's fairly straight forward to propose, and even implement, a revised structure. The very act of doing this can provide a strong statement of intent that 'scrutiny is changing at Lincolnshire County Council'. The real objective, however, is implementing a revised governance model where:
- It is actually desired Members
 - Delivers on the objectives for scrutiny
 - Meets the expectations of Members, and
 - It is an improvement on the current approach.

a) Is a new governance model wanted?

- 15.5 Members have generally accepted the shortcomings of the current approach in supporting an effective system of scrutiny. Proposals for a revised scrutiny governance model are largely seen as a necessary and inevitable conclusion of the current review.
- 15.6 However, consultation to date has shown that support for a revised model is not universal. Nor is opposition to a revised model likely to only come from those on the 'periphery'. Scrutiny is well supported by councillors – and a number could prefer the status quo; therefore placing a greater onus on this review, and the leadership at the Council, for presenting a compelling case for change.
- 15.7 As highlighted in this review of scrutiny; the culture, approach and focus of scrutiny has a clear link to governance and structures. It is not sufficient to consider culture and focus without consideration as to whether governance and structures remain a fit for purpose vehicle for the delivery of any revised approach.

b) Presenting the case for change

- 15.8 The summary below provides a rationale to revise the scrutiny model to ensure it reflects the key challenges facing the council, on the grounds of both efficiency and effectiveness. There are few persuasive reasons to do nothing.
- The council has changed considerably since scrutiny governance was last reviewed; not least in response to financial austerity, public sector reform and LCC's commissioning approach to service delivery.
 - Scrutiny needs to better reflect the council's priorities. It is not clear how key corporate priorities are reflected in the scrutiny work programme; how duplication is avoided and how resources are targeted on those issues of greater importance.

- The Overview and Scrutiny Management Committee should be supported in taking firm responsibility for the leadership of scrutiny, and for holding other scrutiny committees to account.
- There is administrative overload and the limited resource of the scrutiny team (members and officers) is not best directed.
- Lincolnshire County Council, when compared to other councils, is at the upper-end of the scale in terms of numbers of committees. Many have substantially fewer.
- Provides and demonstrates a refresh of scrutiny arrangements.
- Reflects the changing context for local government, particularly combined authorities and devolution.

15.9 But what should the successor model be? And how radical could it be? The consideration of a revised model needs to be more sophisticated than a 'cut-and-shut' of existing committees, with the introduction of longer meetings to compensate for the longer agendas.

15.10 Lincolnshire County Council is at the 'upper-end' in terms of the number of committees in place. Many have significantly fewer. The suggested framework for a review of governance is that options for less committees are an inevitable conclusion of the review. Certainly not more. This is not to infer that there are existing committees that do not contribute any value-added; and the entirety of the council agenda is certainly covered. However, the greater focus of scrutiny resources upon the key priorities; be they challenges facing the council, or its wider commissioning approach, does afford the potential to deliver a revised model, with potentially fewer committees, minimising overlap and reflecting the cross-cutting nature of many service areas.

15.11 For comparative purposes, the existing decision-making structure including scrutiny is attached as Appendix 3.

Options for Future Governance

15.12 Scrutiny in Lincolnshire tends to take two forms:

- Pre-decision Scrutiny – where council proposals, objectives and draft decisions are considered to inform their development before formal agreement. Here, scrutiny is intended lead to more effective policy decisions and delivery.
- Post-Decision Scrutiny – where the implementation of council policy and performance is considered within the context of service delivery. It enables the council to consider the effectiveness of its decision-making, supports policy and practice to be adjusted as a result – and supports 'learning from past practice'.

15.13 What is the ‘Lincolnshire way’? There is much talk of this as a concept, and indeed its importance as the foundation for any future model of scrutiny. From discussion with Members; it seems to be about balance, particularly in relation to the balance between pre-decision and post-decision scrutiny, and that post-decision longitudinal reviews, e.g. the effectiveness of a commissioning strategy or contractual relationship over a period of time, does then feed into pre-decision scrutiny.

a) The Overview and Scrutiny Management Committee

15.14 Whatever model is implemented, the Overview and Scrutiny Management Committee is the foundation for the revised approach. Leadership is not just the reserve of the Executive; and although currently underplayed, the OSMC, with membership comprising the chairs and vice-chairs of scrutiny committees, should provide strategic direction and ownership for the scrutiny process, mirroring the leadership role of the Executive.

15.15 In supporting the OSMC in taking a firmer leadership role, it is proposed the committee should:

- Scrutinise the council’s budget, audit and overall performance (including revenue budget and capital programme). This should include engagement between the Executive and OSMC on the budget setting process, and regular monitoring reports on the revenue budget and capital programme throughout the year. The Value for Money Scrutiny Committee is therefore disestablished on the basis that:
 - i) The OSMC is ideally paced to provide strategic oversight of resources, particularly how they relate across service areas of the council given the senior status of the membership drawn from all the other scrutiny committees.
 - ii) It would provide a core element of the OSMC’s agenda.
 - iii) The capital appraisal role of specific service areas is best undertaken by the scrutiny committee where that service would normally sit.
- Scrutinise issues of strategic importance to the council that come within the scope of more than one scrutiny committee.
- Provide clear and firm oversight of the work of other scrutiny committees and the management of the scrutiny work programme, including allocating specific issues, on an ad hoc basis, to scrutiny committees.

15.16 All of the following options are based on the Overview and Scrutiny Management Committee assuming responsibility for three of the commissioning strategies (#9 – enablers and support to the Council’s outcomes; #10 – how we do our business; #17,

enablers and support to key relationships) and undertaking the overview of performance, finance and customer satisfaction. It should provide the overarching leadership, accountability and co-ordination for scrutiny, within the framework provide above.

15.17 Whatever model is favoured, it should focus on Lincolnshire's commissioning strategies and reflect on the opportunity to undertake a 'commissioning approach' to scrutiny, with more overarching committees directing scrutiny reviews upon issues of importance and relevance rather than a reliance upon a number of standing committees across the whole breadth of council activity. This would involve a reduction in the number of committees to reflect both the cross-cutting nature of a number of the strategies and the potential areas of overlap with a high risk of duplication of effort.

b) The Framework for Options; the '5 Plus One', and '4 Plus One'

15.18 In the consideration of governance options, the option of 'no change' is rejected. Similarly, the previous proposals of February 2015 ('Future Scrutiny Arrangements' report to an 'Informal Meeting of Scrutiny Chairmen and Vice-Chairmen', 26th February 2015), is also rejected as being too close to the status quo and so not able to credibly deliver the required changes to scrutiny.

15.19 A core objective of scrutiny is to offer constructive challenge to the ruling administration on issues of importance to the wider community. However, a large number of committees is not the sole means, nor the most effective, for ensuring effective coverage of the decision-making agenda. A greater number of committees oblige an expansive work programme; fewer committees offer an opportunity to better reflect the cross-cutting nature of policy and service delivery alongside prioritisation of resources. This convergence becomes clear upon bringing together a number of the commissioning strategies where a number of strategies, currently separated, sit more naturally alongside each other within a single scrutiny committee.

15.20 There are committees that do not necessarily fit within this approach, the Value for Money Scrutiny Committee and the Flood and Drainage Management Scrutiny Committee. Specific proposals for the Value for Money Scrutiny Committee are outlined in para 15.15 of this report; while the important role that the Flood and Drainage Management Scrutiny Committee currently provides would be more effectively undertaken outside the scrutiny governance model through the establishment of a Lincolnshire Flood and Drainage Management Partnership.

15.21 For information, Appendix 4 contains a list of the 17 commissioning strategies.

c) Scrutiny Panels

15.22 Task and Finish Groups are widely acknowledged as an effective means for undertaking in-depth and comprehensive scrutiny reviews and the model should continue to be a feature of the revised approach; supporting both a meaningful input into the development of new council policies, and for 'longitudinal' reviews of policy implementation.

15.23 However, to balance the reduction in scrutiny committees, it is suggested that task and finish groups become formalised with the establishment of (two) standing groups called Scrutiny Panels; with a Chairman and Vice-Chairman and reviews agreed by the OSMC, with each panel acting on behalf of a scrutiny committee in considering one topic and concluding with a final report and recommendations.

15.24 It is proposed that the membership of the scrutiny panels is structured on the following basis:

- Each panel should have up to 8 members and be politically inclusive.
- To allow for consistency and stability, the Chairs and Vice-Chairs of scrutiny panels should be annual appointments of the council.
- The wider membership of each new scrutiny panel should be refreshed for each enquiry undertaken.
- The Chairs and Vice Chairs of Panels should not also hold chair and/or vice chair positions of scrutiny committees.
- Panels should have the option to appoint specialist advisers to assist with particular inquiries.

15.25 The following meeting cycles are proposed:

- Each review commissioned by the OSMC should take no more than 4 months from the time of commencement to the completion of the final report and its consideration by the relevant Scrutiny Committee.
- At the discretion of the OSMC, and dependent upon the nature of each proposed review, this would enable *up to* 6 such reviews (3 per panel) to be undertaken each year.

15.26 The following 2 options ('5 Plus One and the '4 Plus One') each include scrutiny panels in support of scrutiny committees.

d) The 5 Plus One Model

15.27 This option, attached as Appendix 5, will reduce by four the number of scrutiny committees of the Council. The proposed structure includes the following committees against each of which in brackets are, in broad terms, the associated commissioning strategies:

15.28 Overview and scrutiny management committee (commissioning strategies 9, 10, 17)

Plus

1. Adults Scrutiny Committee (commissioning strategies 5, 6, 7, 8)
2. Children and Young People Scrutiny Committee (commissioning strategies 1, 2, 3, 4)
3. Health Scrutiny Committee (externally facing).
4. Economy, Environment and Transport Scrutiny Committee (commissioning strategies 12, 13, 14).
5. Community Protection and Wellbeing Scrutiny Committee (commissioning strategies 11, 15, 16).

15.29 Adults Scrutiny Committee

The role of this committee is to scrutinise the executive function of the council in respect to its provision of adult social care. This relates to commissioning strategies 5, 6, 7, 8.

15.30 Children and Young People Scrutiny Committee

The role of this committee is to scrutinise the executive function of the council in respect to its provision of children and young people services. This relates to commissioning strategies 1, 2, 3, 4.

15.31 Health Scrutiny Committee

The role of this committee is externally facing to scrutinise NHS service delivery in Lincolnshire and the work of the Health and Wellbeing Board. This relates to commissioning strategies 11 and 16.

15.32 Economy, Environment and Transport Scrutiny Committee

This scrutiny committee is recognition of the clear cross-cutting nature of the council's transport, infrastructure, environment and economic development roles and responsibilities. This relates to commissioning strategies 12, 13 and 14.

15.33 **Community Protection and Wellbeing Scrutiny Committee**

This scrutiny committee is a recognition of the coherence for bringing together community safety, resilience and wider wellbeing. This relates to commissioning strategies 11, 15, 16.

e) **The 4 Plus One Model**

15.34 This option, attached as Appendix 6, will reduce by five the number of scrutiny committees of the Council. The proposed structure includes the following committees against each of which in brackets are, in broad terms, the associated commissioning strategies:

15.35 Overview and scrutiny management committee (commissioning strategies 9, 10, 17)

Plus

1. Adults and Communities Scrutiny Committee (commissioning strategies 5, 6, 7, 8, 11, 15, 16).
2. Children and Young People Scrutiny Committee (commissioning strategies 1, 2, 3, 4).
3. Economy, Environment and Transport Scrutiny Committee (commissioning strategies 12, 13, 14).
4. Health Scrutiny Committee (externally facing).

15.36 **Adults and Communities Scrutiny Committee**

The role of this committee is to scrutinise the executive function of the council in respect to its provision of adult social care, and communities and wellbeing responsibilities. It may further consider the work of the Health and Wellbeing Board in relation to integrated commissioning of health and social care services. The work of the committee relates to commissioning strategies 5, 6, 7, 8, 11, 15, 16.

15.37 **Children and Young People Scrutiny Committee**

The role of this committee is to scrutinise the executive function of the council in respect to its provision of children and young people services. This relates to commissioning strategies 1, 2, 3, 4.

15.38 **Economy, Environment and Transport Scrutiny Committee**

This scrutiny committee is recognition of the wider cross-cutting nature of the council's environment, transport, infrastructure and economic development roles and responsibilities. This relates to commissioning strategies 12, 13, 14.

15.39 **Health Scrutiny Committee**

The role of this committee is externally facing to scrutinise NHS service delivery in Lincolnshire and the work of the Health and Wellbeing Board. This relates to commissioning strategies 11 and 16.

Membership

15.40 At the same time that the number of committees is considered, then so too should the number of members on each committee. For purposes of consistency at the very least, all committees should have an equal number of councillors unless there are compelling reasons to the contrary. If there are to be 11 county council members, as there are at present, then the basis for this should be laid out. More than 12 members would, however, constrain the management of scrutiny business and decision making.

15.41 There may be exceptions to this proposal for consistency in the number of committee members – and the example of the Health Scrutiny Committee is a good case in point, with its requirements for district councillor inclusion and Healthwatch Lincolnshire.

15.42 Scrutiny committees may not include members of the council’s executive and their membership should in general reflect the political make-up of the council (Article 6 of the Council’s Constitution).

15.43 In the delivery of a refreshed approach to scrutiny, it is suggested that the leadership considers the merits of allocating chair and vice-chair responsibilities with an eye on inclusivity across political groups. There is no statutory requirement to do this and needs to be considered alongside wider political management matters – but it is commonly accepted good practice to do so.

Devolution and Combined Authorities?

15.44 This review has not considered how Combined Authority [or similar] proposals may impact on the governance model for scrutiny, and of course, the wider council. Until the situation becomes clearer, particularly in terms of devolved powers and mayoral-models of governance [or not], there is little value in attempting to reflect these developments in the proposals presented in this report.

15.45 Nevertheless, there are a number of principles that should be considered. The greater responsibilities that Combined Authorities bring will require robust governance arrangements that are accountable and transparent.

- 15.46 The recent burst of activity to meet the Chancellor’s spending review deadlines has obliged the constituent partners to focus on the ‘what’; ‘what’ are the opportunities, ‘what’ powers to be devolved, ‘what’ are the levels of local support? The important part that must also follow is the ‘how’; ‘how’ to ensure effective decision making, and ‘how’ to ensure wider engagement, accountability and transparency, i.e. ‘how’ to enable local councillors, on behalf of their communities, to scrutinise and challenge all matters within the remit of the Combined Authority.
- 15.47 In this respect, Parliamentary Orders were laid down that require the Combined Authorities’ overview and scrutiny committee(s) to have members drawn from both the constituent and non-constituent councils and, following good practice, will mean that members are appointed to these committees with a view to achieving political balance across the councils involved. No Councillor who is a member of the Combined Authority itself may sit on the Overview and Scrutiny Committee.
- 15.48 In term of scrutiny of LEP activity, where it is a specifically Lincolnshire issue, then it is entirely reasonable that this issue is considered as part of the council’s relevant scrutiny committee’s work programme. However, where it is a wider issue and linked to Combined Authority proposals, and in line with the recommendations of the recent LGA peer review (Investment – Open for Growth’), a collaborative approach would be required with input from all 10 councils, with an objective of establishing all-member ownership of the growth agenda, and creating a clear shared vision for Greater Lincolnshire’s future economic growth.

Timings and Implementation

- 15.49 Some of the proposals included in this review of scrutiny do not require any formal constitutional (or similar) changes, for example; agenda planning, the focus of scrutiny, work programme and culture. Where these recommendations are accepted by Lincolnshire County Council, then the advice is to ‘get on with it’.
- 15.50 Such proposals are separate to governance proposals; they concern the approach and principles of scrutiny. The Overview and Scrutiny Management Committee has an important role in driving these proposals forward and by providing strong leadership on behalf of, and for, scrutiny committees.
- 15.51 Other proposals require a more ‘constitutional’ response, in particular those that relate to governance and structures (including the number of scrutiny committees). While on the one hand, change is often better when implemented quickly; the pursuit for implementing a new model should be balanced against that of the

forthcoming boundary review (that will reduce the number of councillors), agreement of devolution proposals, and the subsequent 2017 council elections.

15.52 The implementation of governance proposals is for the council to consider and agree. It may be that the immediate uncertainties and wider changes oblige the development of proposals in advance of the 2017 council elections, with implementation thereafter.

15.53 In this instance, the Council may wish to consider the merits of more immediately amending the OSMC's terms of reference to equip this committee [within the principles identified in para 15.15] in preparing the ground for any subsequent governance changes, or alternatively inviting OSMC to assume additional responsibility that supports its leadership in advance of any formal governance changes. This could offer the benefits of a stronger leadership model for the OSMC to drive the wider changes to scrutiny that do not have constitutional implications.

Recommendation

R16 *To secure a more effective system of scrutiny at the county council, there is a need to put in place a revised governance structure for scrutiny based on the following principles:*

- *The Overview and Management Scrutiny Committee should take a leading role in delivering the revised approach to scrutiny, specifically agenda and work programming, relationships and culture, focus and prioritisation, in consultation with scrutiny chairs and vice-chairs, and the Executive.*
- *The numbers of scrutiny committees are reduced.*
- *The membership of scrutiny committees is reviewed to support greater consistency in the number of members that sit on each committee.*
- *Scrutiny panels are established in support of scrutiny committees, with chairs and vice-chairs appointed on an annual basis.*

15.54 Both options presented in Section 3 of this report ('5 Plus One' and '4 Plus One') offer the benefits of reflecting the commissioning strategies of the council, supporting a more cross-cutting consideration of the scrutiny agenda; and with the reduction in the number of committees, will enable the scrutiny team to focus resource support.

15.55 The '5 Plus One' model offers these benefits but with a more even spread of commissioning strategies across scrutiny committees. This avoids an overly radical reduction in the number of scrutiny committees that may lead to concerns of a disproportionately high workload for the Adults and Communities Scrutiny

Committee in particular, while also bringing together Economy, Environment and Transport, and Community Wellbeing and Protection into two separate scrutiny committees; services that fit naturally alongside one another.

Recommendation

R17 *In considering the case for change and the relative merits of both options presented in Section 3 of this report, Lincolnshire County Council is recommended to implement a revised governance structure for scrutiny based on the '5 Plus One' model with the following scrutiny committees:*

Overview and Scrutiny Management Committee.

Plus

- 1. Adults Scrutiny Committee.*
- 2. Children and Young People Scrutiny Committee.*
- 3. Health Scrutiny Committee.*
- 4. Economy, Environment and Transport Scrutiny Committee.*
- 5. Community Protection and Wellbeing Scrutiny Committee.*

16. Concluding Remarks

16.1 This is a summary of the issues as informed by consultation at Lincolnshire County Council, desk based reviews, attendance at and reflections of scrutiny committee meetings, and consideration of practice elsewhere. The conclusions and recommendations are intended to support members and officers of Lincolnshire County Council to reflect upon the approach and effectiveness of its scrutiny process, and develop and agree a way forward.

16.2 The engagement of members and officers in contributing to this review has already been acknowledged. It is therefore important that this enthusiasm is matched by the commitment of the Council to reflect upon this report and implement changes that have the support of members. 'No change' is, in itself, always an option but will not meet the aspirations to improve scrutiny so evident throughout this review.

16.3 It remains, of course, for Lincolnshire County Council as a whole to determine the scrutiny arrangements that best meets its needs. But Members are invited to focus on agreeing the new approach to scrutiny; once this framework is agreed, then measures should be taken to implement proposals for the governance arrangements for scrutiny.

Stuart Young
26th November 2015

Appendix 1

Scrutiny Review – Terms of Reference

1. Background

- 1.1 Lincolnshire County Council proposes to undertake a review to support a more effective overview and scrutiny process.

2. Project Requirements

- 2.1 A 'scrutiny review councillor working group' has been established to oversee this review.
- 2.2 The review should not be review of structures per se but a wider review of how scrutiny is undertaken by Lincolnshire County Council, how to improve its effectiveness, and how to better engage councillors and officers in both the process and outcomes of scrutiny through a specific consideration of proposals for:
- a) Increasing impact of scrutiny
 - b) Effectiveness of approach
 - c) Behaviours and culture
 - d) Sound and effective governance
 - e) Learning from good practice

3. Increasing the Impact of Scrutiny

- 3.1 To what extent is there a consensus on the objectives, usefulness and focus for scrutiny and how should this be secured?
- 3.2 What are/should be the impacts of scrutiny, how can the recommendations be measured and demonstrated?

4. Effectiveness of Approach

- 4.1 Achieving the right balance between pre-decision scrutiny, developmental and pro-active scrutiny.
- 4.2 Improving engagement and value-added between scrutiny process and the executive.

- 4.3 The role of officers across the council in support of the scrutiny process, in addition to that of the 'Democratic Services Team'.
- 4.5 Agenda setting, prioritisation of scrutiny topics and work programme.
- 4.6 The potential for more effective and consistent scrutiny of outside organisations whose role and responsibilities impact on the communities of Lincolnshire.
- 4.7 Opportunities for increasing the awareness and involvement of wider partners and the local community with the scrutiny process.
- 4.8 How have all scrutiny committees, and their respective chairs, been held to account for their programme of work/performance.
- 4.9 How are councillors supported in undertaking their scrutiny responsibilities, e.g. on-going training and development, mentoring and appraisal?

5. Behaviours and Culture

- 5.1 The culture and behaviours of councillors; is scrutiny used for critical challenge, a means of opposition or does it act as the Praetorian Guard of the executive?
- 5.2 How consistent is the culture of, and approach to, scrutiny across the council.
- 5.3 The culture and behaviour of officers through the prompt provision of information to councillors, to engage fully in the process (and outcome) of scrutiny, to answer questions frankly and to provide effective advice and support as required.
- 5.4 The usefulness and appropriateness of any presumption against whipping members of scrutiny committees.

6. Sound and Effective Governance

- 6.1 The number and structure of scrutiny committees, meeting frequency, the role of task and finish groups and associated processes.
- 6.2 Opportunities for improving effectiveness, impact and relevance alongside a more focused, streamlined governance framework that reflects the changing nature, challenges and pressures facing Lincolnshire County Council.

7. Learning from Good Practice

- 7.1 Examples of effective scrutiny by Lincolnshire County Council.
- 7.2 Comparative analysis of effective scrutiny elsewhere in the country.
- 7.3 Consider any learning from the comparison of the 'scrutiny and executive model' with the committee system.

8. Outputs

- 8.1 The key output will be a print-ready PDF of the final draft document (for consideration by full council).
- 8.2 At least 3 meetings of the scrutiny task and finish group are envisaged to inform the development of the review.
- 8.3 Final presentation to full council, if required.

9. Timetable

- 9.1 Expected commencement of the project 30th April 2015.
- 9.2 The print-ready PDF of the final draft document should be submitted by 18th September 2015 for initial consideration by full council.

Appendix 2

Consultation and Governance of this Review

At the 20th February 2015 meeting of Lincolnshire County Council the following motion was carried;

"That the Council ask the Chief Executive to secure external advice and support in conducting a review of the Council's scrutiny arrangements and to present recommendations for making those arrangements more effective."

Subsequently, Dr Stuart Young, Executive Director at East Midlands Councils was appointed by the Chief Executive to conduct this Review. At the informal meeting of scrutiny chairmen and vice-chairmen on 26th February 2015 it was proposed that a Scrutiny Review Group should be established to provide member oversight of the Review and to act as a sounding board as the work progressed and this was confirmed at the meeting of political group leaders on 3rd March 2015. This Scrutiny Review Group has met on four occasions and has comprised the following councillors:

- Councillor Pat O'Connor (Chairman)
- Councillor Mrs J Brockway
- Councillor R L Foulkes
- Councillor A J Jesson
- Councillor Mrs A M Newton
- Councillor Mrs M J Overton MBE
- Councillor C R Oxby
- Councillor R B Parker
- Councillor N H Pepper
- Councillor T M Trollope-Bellew

In undertaking this review, the views, conclusions and recommendations are those of the report's author and are for the consideration and, if appropriate, endorsement by the members of Lincolnshire County Council.

Consultees

Councillor Jackie Brockway	Chief Whip, Conservative Group
Councillor Nev Jackson	Member of the Audit Committee
Councillor Christine Talbot	Chairman of the Health Scrutiny Committee for Lincolnshire.
Councillor Colin Mair	Leader of the UKIP Group and a member of the Value for Money Scrutiny Committee.
Councillor John Hough	Leader of the Labour Party Group
Councillor Marianne Overton	Leader of the Lincolnshire Independents Group
Councillor Chris Pain	Leader of the Independence from Europe Group and vice-chairman of the Economic Scrutiny Committee.
Councillor Lewis Strange	Chairman of Environmental Scrutiny Committee and the Flood and Drainage Management Scrutiny Committee
Councillor Linda Wootten	Vice-Chairman of Community and Public Safety Scrutiny Committee
Councillor Colin Davie	Executive Councillor for Economic Development, Environment, Planning and Tourism.

Further supported by discussion with:

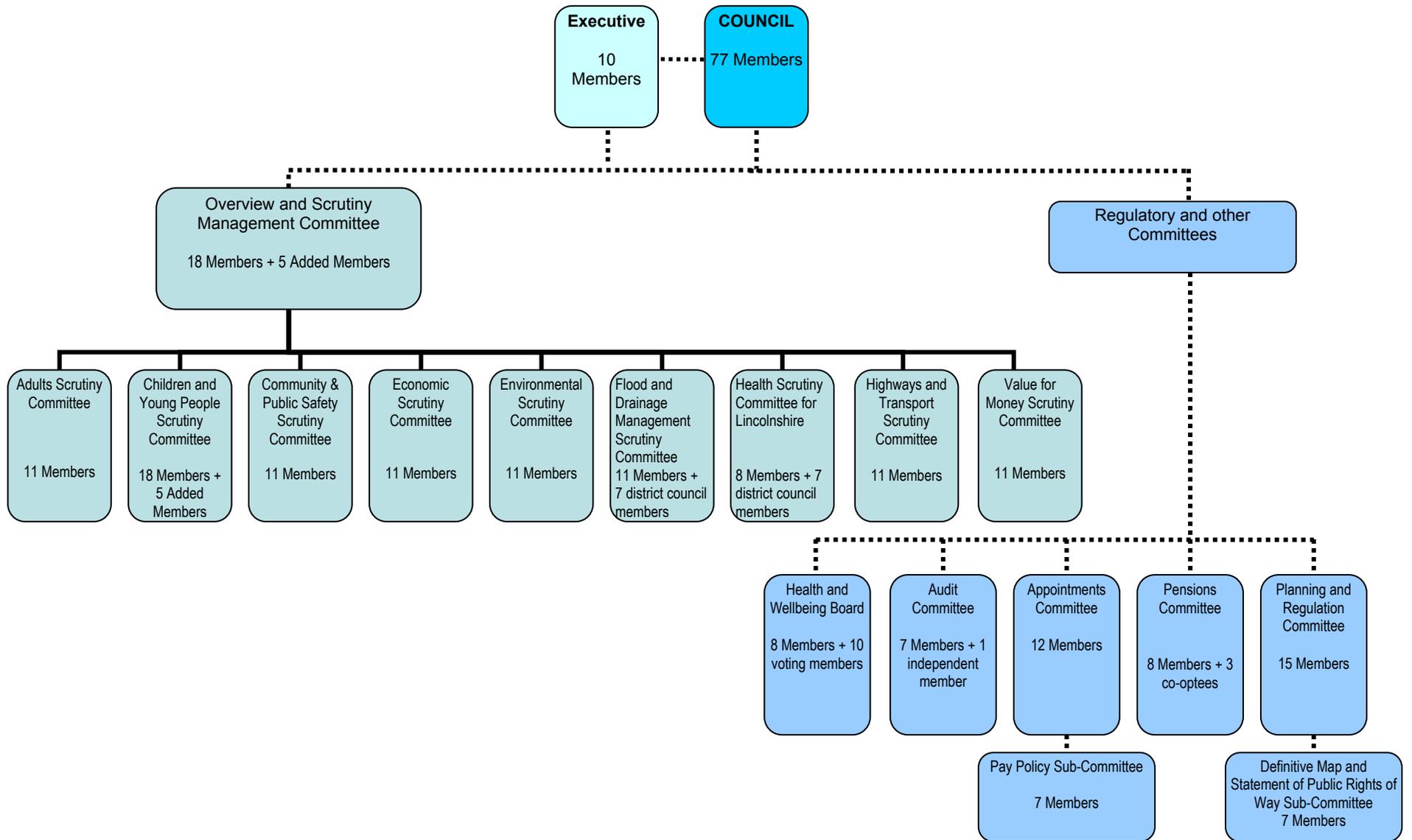
(Informal) Executive
Corporate Leadership Board
Scrutiny Team
Democratic Services Team

Scrutiny Consultation Workshop

Councillor Tony Bridges
Councillor Mike Brookes
Councillor Phil Dilks
Councillor Richard Fairman
Councillor Tiggs Keywood-Wainwright
Councillor Robin Renshaw
Councillor Lewis Strange
Councillor Tony Turner

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CURRENT DECISION-MAKING ARRANGEMENTS



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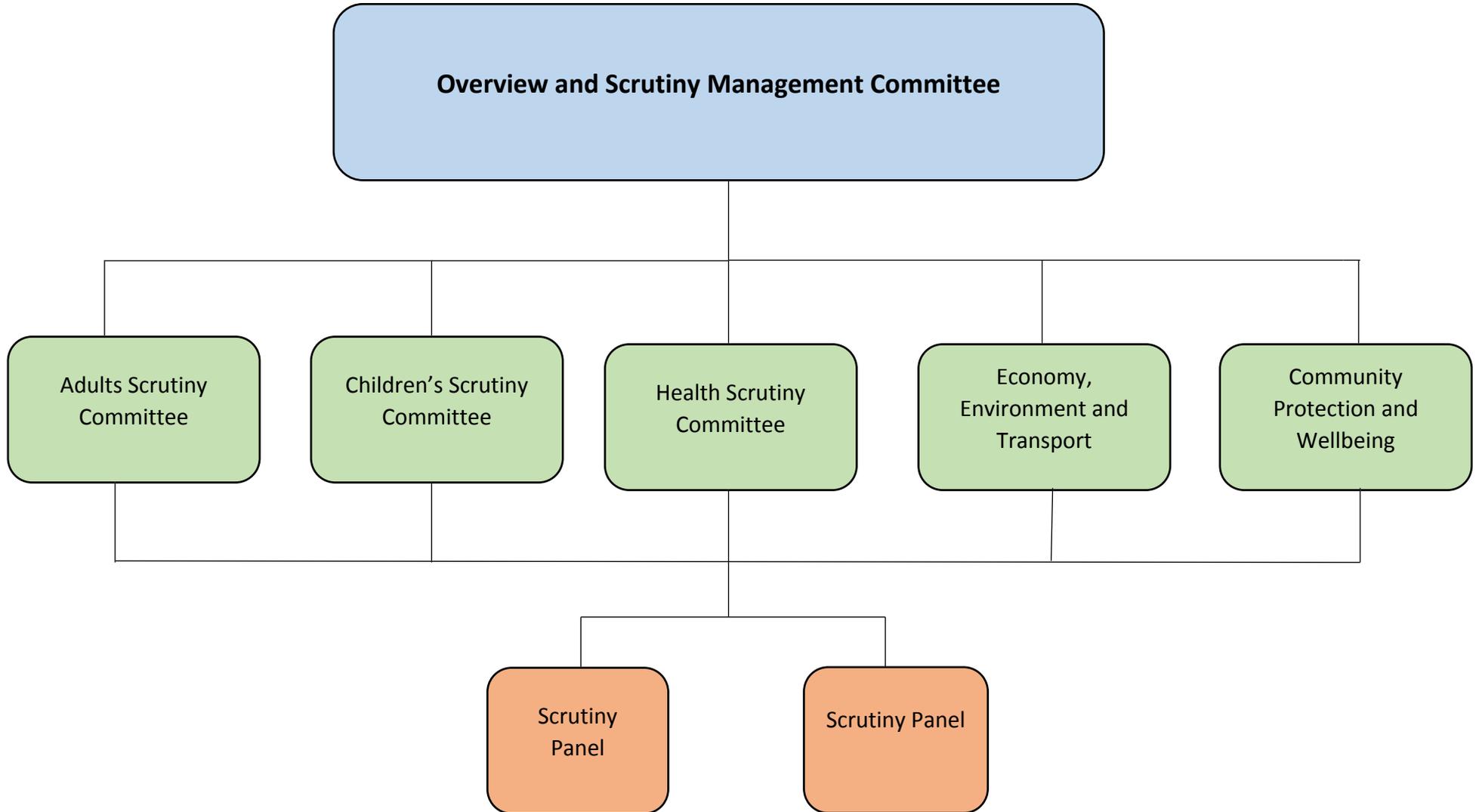
Proposed Future Scrutiny Arrangements

Commissioning Strategies

1. Children are Safe and Healthy
2. Learn and Achieve
3. Readiness for Adult Life
4. Readiness for School
5. Adult Specialities
6. Carers
7. Adult Frailty, Long Term Conditions and Physical Disability
8. Safeguarding Adults
9. Enablers and support to the Council's outcomes
10. How we do our business
11. Protecting the public
12. Sustaining and growing business and the economy
13. Protecting and sustaining the environment
14. Sustaining and developing prosperity through infrastructure
15. Community Resilience and Assets
16. Wellbeing
17. Enablers and support to key relationships

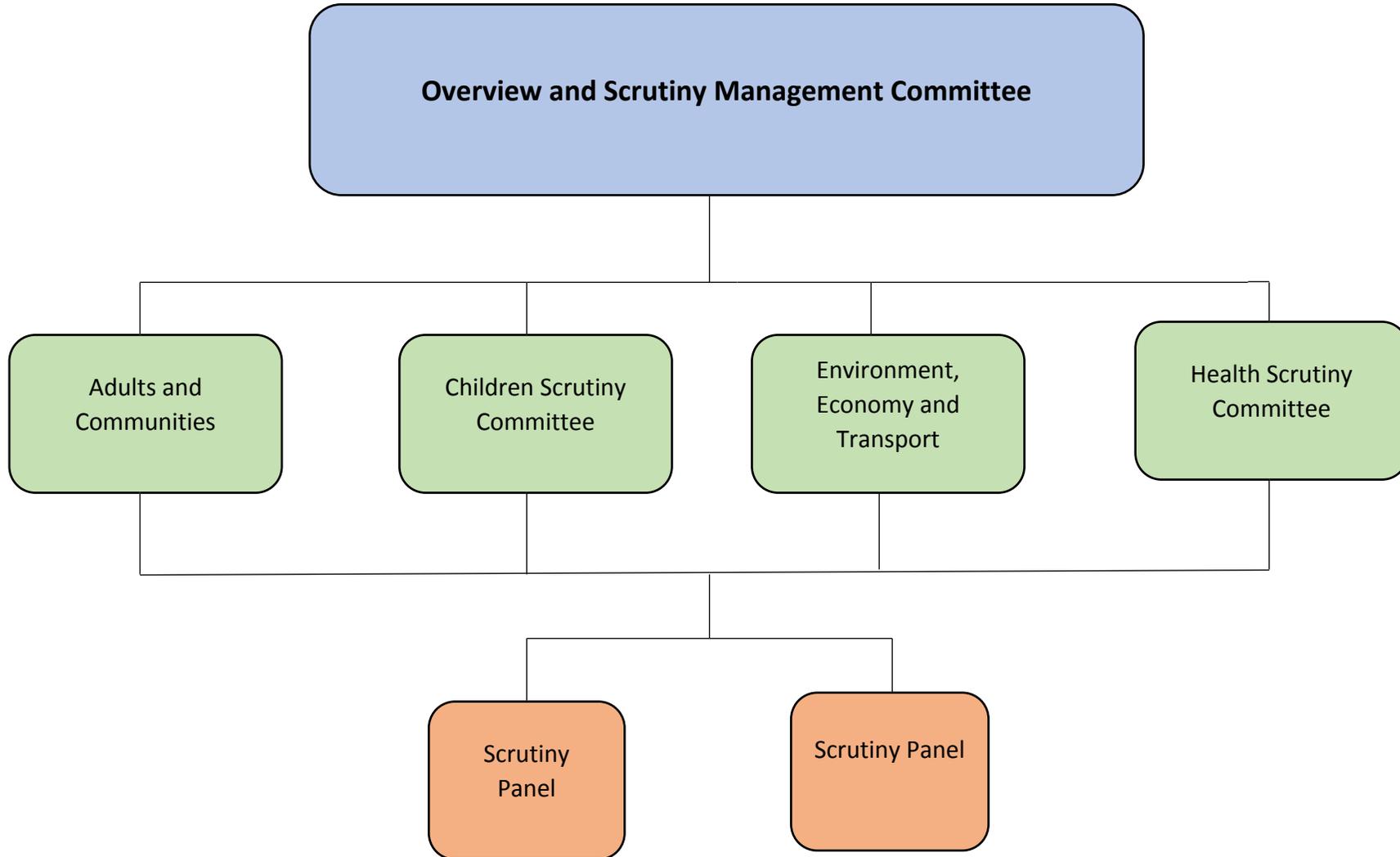
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The 5 Plus One Model



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The 4 Plus One Model



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

Report to:	County Council
Date:	18 December 2015
Subject:	Review of Audit Committee Terms of Reference

Summary:

To seek approval for the suggested Audit Committee Terms of Reference, which have been updated in line with best practice

Recommendation(s):

1. That Council considers the new terms of reference attached as Appendix B.
2. That the Council approve the new terms of reference and approve amendments to the Council's Constitution to replace the wording in Article 7 of the Constitution relating to the Audit Committee with the wording at Appendix B.

1. Background

The Audit Committee, in line with The Chartered Institute of Public Finance and Accountancy (CIPFA) practical guidance, have reviewed and updated their Terms of Reference.

The existing Terms of Reference are attached as Appendix A and the new suggested Terms are attached as Appendix B.

The Terms of Reference form part of Article 7 of the Council's Constitution and any changes to such terms of reference require approval by full Council

2. Conclusion

The Council's Audit Committee plays a key role in helping the Council to maintain good governance – ensuring that the Council is run well.

Having effective Terms of Reference helps the Committee to report to full Council on its performance and effectiveness.

3. Legal Comments:

The function of agreeing and/or amending the terms of reference of Committees and the function of adopting and changing the Constitution are reserved to the full Council.

The decision is therefore within the remit of the full Council.

4. Resource Comments:

There are no financial implications arising from acceptance of the recommendation 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. Appendices

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

Appendix A	Existing Audit Committee Terms of Reference
Appendix B	New Terms of Reference for the Audit Committee

7. 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 Lucy Pledge, who can be contacted on 01522 553692 or Lucy.Pledge@Lincolnshire.gov.uk.

7.05 Audit Committee

There will be an Audit Committee consisting of eight members. Seven of the members will be Non-Executive Councillors and reflect the political balance overall, 1 member shall be an independent person who is not a Councillor or Officer of the Council.

Role:

- To fulfil the role of an Audit Committee in respect of the work of the Council

Functions:

Audit Activity

- to consider the Head of Internal Audit's annual report and opinion, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements
- to consider summaries of specific internal audit reports of significance or as requested
- to consider reports dealing with the management and performance of internal audit
- to consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale
- to consider the external auditor's annual letter, relevant reports, and the report to those charged with governance
- to consider specific reports as agreed with the external auditor
- to comment on the scope and depth of external audit work and to ensure it gives value for money
- to liaise with the Audit Commission over the appointment of the Council's external auditor

Regulatory Framework

- to maintain an overview of the Council's Constitution.
- to review any issues referred to it by the Chief Executive, Director,

or any Council body

- to monitor the effective development and operation of risk management and corporate governance in the Council
- to monitor Council policies on confidential reporting code, anti-fraud and anti-corruption policy and Council's complaint process
- to oversee the production of the Council's Annual Governance Statement and to recommend its adoption
- to consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice
- to consider the council's compliance with its own and other published standards and controls

Accounts

- to review the annual statement of accounts. Specifically to consider whether appropriate accounting policies have been followed and whether there are any concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council
- to consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts
- duty to approve the authority's statement of accounts, income and expenditure and balance sheet

Standards

- promoting and maintaining high ethical standards by Councillors and non-elected members;
- assisting the Councillors and added members to observe the Members' Code of Conduct;
- advising the Council on the adoption or revision of the Members' Code of Conduct;
- monitoring the operation of the Members' Code of Conduct;
- advising, training or arranging to train Councillors and added members on matters relating to the Members' Code of Conduct;

- determining complaints of breaches of the Code of Conduct for Members referred for hearing by the Monitoring Officer.

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Audit Committee - suggested new Terms of Reference

Audit Committee

There will be an Audit Committee consisting of eight members. Seven of the members will be Non-Executive Councillors and reflect the political balance overall. One member shall be an independent person who is not a Councillor or Officer of the Council.

Role

- To fulfil the role of an Audit Committee in respect of the work of the Council.
 - The Audit Committee is a key component of Lincolnshire County Council's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.
 - The purpose of the Audit Committee is to provide independent assurance to the members of the adequacy of the risk management framework and the internal control environment. It provides independent review of Lincolnshire County Council's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.

Functions:

Internal Audit

- approve the internal audit charter
- To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations
- To consider the Head of Internal Audit's annual report and opinion.
 - a) The statement of the level of conformance with the Public Sector Internal Audit Standards and Local Government Application Note and the results of the Quality Assurance and Improvement Programme that supports the statement – these will indicate the reliability of the conclusions of internal audit.

- b) The opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control together with the summary of the work supporting the opinion – these will assist the committee in reviewing the Annual Governance Statement.
- To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
- To approve significant interim changes to the risk-based internal audit plan and resource requirements.
- To make appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations.
- To consider reports from the head of internal audit on internal audit's performance during the year. These will include:-
 - a) Updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work
 - b) Regular reports on the results of the Quality Assurance and Improvement Programme.
 - c) Reports on instances where the internal audit function does not conform to the Public Sector Internal Audit Standards and Local Government Application Note, considering whether the non-conformance is significant enough that it must be included in the Annual Governance Statement.
- To consider summaries of specific internal audit reports of significance or as requested
- To contribute to the Quality Assurance and Improvement Programme and in particular, to the external quality assessment of internal audit that takes place at least once every five years.
- To support the development of effective communication with the head of internal audit.

External Audit

- To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.
- To consider specific reports as agreed with the external auditor
- To comment on the scope and depth of external audit work and to ensure it gives value for money.
- To liaise with the appropriate body over the appointment of the Council's external auditor.
- To commission work from internal and external audit.
- To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.

Regulatory Framework – Governance, Risk and Control

- To maintain an overview of the Council's Constitution
- To review any issues referred to it by the Chief Executive, Director or any Council body.
- To monitor the effective development and operation of risk management and corporate governance in the Council.
- To monitor progress in addressing risk-related issues reported to the committee.
- To review the assessment of fraud risks and potential harm to the council from fraud and corruption.
- To monitor the counter-fraud strategy, actions and resources.
- To review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control.
- To review the council's corporate governance arrangements against the good governance framework and consider annual governance reports and assurances.

- To consider the council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.
- To consider the council's compliance with its own and other published standards and controls.
- To report to full council on a regular basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.

Accounts

- To review the annual statement of accounts. Specifically to consider whether appropriate accounting policies have been followed and whether there are any concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.
- To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.
- Duty to approve the authority's statement of accounts, income and expenditure and balance sheet.

Standards

- Promoting and maintaining high ethical standards by Councillors and non-elected members;
- Assisting the Councillors and added members to observe the Members' Code of Conduct;
- Advising the Council on the adoption or revision of the Members' Code of Conduct;
- Monitoring the operation of the Members' Code of Conduct;
- Advising, training or arranging to train Councillors and added members on matters relating to the Members' Code of Conduct;
- Determining complaints of breaches of the Code of Conduct for Members referred for hearing by the Monitoring Officer.



County Council

Open Report by Nigel West, Head of Democratic Services and Statutory Scrutiny Officer

Report to:	County Council
Date:	18 December 2015
Subject:	Appointment of Independent Persons

Summary:

This report seeks councillors' approval for the appointment of two Independent Persons.

Recommendation(s):

That the Council appoints Mr Alan Pickering and Dr Christopher Riley as Independent Persons.

1. Background

1.1 The Localism Act 2011 places a duty on the Council to promote and maintain high standards of conduct for elected and co-opted members. This includes a requirement for the Council to have a code of conduct with which all members must comply and have arrangements in place to deal with complaints regarding breaches of the code.

1.2 The Act provides that the Council must appoint an Independent Person to help with any such complaints.

1.3 The Independent Person will have the following functions:

- They must be consulted by the Council before it makes a finding as to whether a member has failed to comply with the code of conduct following investigation or decides on action to be taken in respect of that member;
- They may be consulted by the Council in respect of a standards complaint at any other stage; and
- They may be consulted by a member or co-opted member of the Council against whom a complaint has been made

1.4 In addition regulations now require the Council to establish a Panel of Independent Persons appointed by itself or another authority under the Act to advise it in considering a decision relating to the dismissal of any of its statutory officers – i.e. the Head of Paid Service, Monitoring Officer or Chief Finance Officer

(Section 151 Officer). The Independent Person may be invited to form a part of such a Panel if and when it is convened.

1.5 In light of this extra responsibility the Council's Independent Person, Clive Mason, and the Council's Head of Democratic Services were invited to recruit a further Independent Person for the County Council.

1.6 An advertising campaign attracted a number of applications, from which a shortlist of five was drawn. Interviews were conducted by Mr Mason and the Head of Democratic Services during November 2015. It was their intention to recommend at least one of the candidates for the appointment to this voluntary role.

1.7 Sadly Mr Mason died at the end of the week that the interviews of candidates were concluded. This was a tremendous shock to both Nigel West and Richard Wills. They wish to acknowledge the professionalism and diligence with which Mr Mason assisted them in carrying out his duties. They are confident that those councillors who encountered Mr Mason in his role will concur. His last duty as the County Council's Independent Person was to assist in this recruitment process. The Monitoring Officer has expressed the Council's deepest sympathy and condolences in a letter to Mr Mason's family.

1.8 The Head of Democratic Services is now in a position to recommend two people for the role of Independent Person and has put forward the names of Mr Alan Pickering from Boston and Dr Christopher Riley from Middle Rasen. Details of both gentlemen are attached at Appendix A to this report.

2. Conclusion

2.1 Council must appoint an Independent Person to support its arrangements for dealing with standards matters. Following the sudden death of Mr Clive Mason there are two vacancies for this voluntary role.

3. Legal Comments:

The legal requirement to appoint one or more Independent Persons and their role is set out in the Report. Under the Localism Act 2011 a person may not be appointed as an Independent Person unless the appointment has been approved by a majority of the members of the Council.

The decision is therefore within the remit of the full Council.

4. Resources Comments:

There are no material additional financial implications arising from the acceptance of the recommendation 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. Appendices

These are listed below and attached at the back of the report	
Appendix A	Details of those recommended for the position of Independent Person

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
Localism Act 2011	Democratic Services

This report was written by Nigel West, who can be contacted on 01522 552840 or nigel.west@lincolnshire.gov.uk.

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Appendix A

Details of those recommended for the position of Independent Person

In relation to Item 11 on the agenda, brief details of the people recommended for the position of Independent Person on Lincolnshire County Council can be found below.

Dr Christopher Riley

Dr Christopher Riley has lived in Middle Rasen for the past ten years. Over the past four years, he has served the community as a Special Police Constable (SPC).

Prior to early retirement, he was a senior manager in the Ministry of Justice (MOJ) in the Prison Service Directorate. Initially, he was responsible for developing and implementing reoffending reduction strategies. He subsequently joined the Ministry of Justice's London Headquarters staff deploying his skills in organisational development as the regional workforce modernisation manager for Yorkshire and the Humber.

His local government career began in 1969 in urban district councils. After a career change in the mid-1980s, he became a lecturer and manager in both further education colleges and universities.

Mr Alan Pickering

Alan Pickering trained as a food technologist, specialising in meat and meat products before becoming involved in the IT sector in international sales.

He became self-employed in 1997 and is now retired.

A resident of Boston, he is currently independent lay member of the Audit and Governance Committee for Boston Borough Council and East Lindsey District Council.

He had previously been an independent member of Boston Borough Council's Standards Committee.

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Open Report on behalf of Richard Wills, Executive Director with responsibility for Democratic Services

Report to:	County Council
Date:	18 December 2015
Subject:	Appointment to Eastern Shires Purchasing Organisation (ESPO) – Management Committee

Summary:

This report requests the Council to make an appointment change to the Eastern Shires Purchasing Organisation (ESPO) – Management Committee.

Recommendation:

That Councillor R L Foulkes be appointed to the Eastern Shires Purchasing Organisation (ESPO) Management Committee.

1. Background

The Council's Constitution provides the Council with responsibility for appointing representatives of the Council to outside bodies unless the appointment is an Executive function under Part 3 of the Constitution, or has been delegated by the Council.

Under Part 3 of the Constitution the Executive has responsibility to make appointments to all outside bodies except joint committees of one or more local authorities, or politically balanced bodies. The bulk of outside body appointments are therefore made by the Executive. However, under the Council's Constitution it falls to the Council to make appointments to joint committees and to those bodies, the membership of which is politically balanced. ESPO is a joint committee of one or more local authorities.

At the Annual General meeting held on 15 May 2013, the Council appointed member representation to outside bodies under Part 3 of the Constitution that were the responsibility of the Council.

At that time, appointments made in respect of the ESPO Management Committee were as follows:-

Name of Body	Number of Appointments	Councillor(s)
Eastern Shires Purchasing Organisation – Management Committee	2	Mrs S Ransome Mrs S Rawlins

Since the meeting, a change has been received that Councillor Mrs S Ransome is to come off as one of our representatives, and is to be replaced by Councillor R J Foulkes.

Conclusion

Appointments to outside bodies assist Councillors participating strategically, and in the wider community; and provide them with additional knowledge and expertise.

3. Legal Comments:

The making of appointments to bodies as detailed is within the remit of the Council.

4. Resource Comments:

There are no direct financial implications arising from the adoption of the recommendations in this report.

5. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

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 Katrina Cope, who can be contacted on Katrina.cope@lincolnshire.gov.uk or on 01522 552104.

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