



County Offices  
Newland  
Lincoln  
LN1 1YL

8 September 2016

**Council**

A meeting of the Council will be held on **Friday, 16 September 2016 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 T M Trollope-Bellew (Chairman), A G Hagues (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, 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 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, W S Webb, M A Whittington, P Wood, Mrs S Woolley, L Wootten, R Wootten, C N Worth, Mrs S M Wray and B Young



**COUNCIL AGENDA  
FRIDAY, 16 SEPTEMBER 2016**

<b>Item</b>	<b>Title</b>	<b>Pages</b>
<b>1</b>	<b>Apologies for Absence</b>	
<b>2</b>	<b>Declarations of Councillors' Interests</b>	
<b>3</b>	<b>Minutes of the meeting of the Council held on 20 May 2016</b>	<b>5 - 18</b>
<b>4</b>	<b>Chairman's Announcements</b>	
<b>5</b>	<b>Statements/Announcements by the Leader and Members of the Executive</b>	<b>19 - 68</b>
<b>6</b>	<b>Questions to the Chairman, the Leader, Executive Councillors, Chairman of Committees and Sub-Committees</b>	
<b>7</b>	<b>Review of Financial Performance 2016/17</b>	<b>69 - 120</b>
<b>8</b>	<b>Budget Update - Efficiency Strategy and Plan plus Flexible Use of Capital Receipts</b>	<b>121 - 130</b>
<b>9</b>	<b>Changes to the Constitution</b>	<b>131 - 166</b>
<b>10</b>	<b>Motions on Notice Submitted in Accordance with the Council's Constitution</b>	

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**Please note:** for more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting

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

Contact details set out above.

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



**COUNCIL  
20 MAY 2016**

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

Councillors 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, Mrs J Brockway, M Brookes, K J Clarke, C J Davie, R G Davies, P M Dilks, S R Dodds, G J Ellis, R G Fairman, I G Fleetwood, R L Foulkes, A G Hagues, M J Hill OBE, J D Hough, D C Hoyes MBE, D M Hunter-Clarke, R J Hunter-Clarke, N I Jackson, 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, 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, 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, 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

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

On the nomination of Councillor M J Hill OBE, seconded by Councillor D McNally, and being no other nominations, it was

**RESOLVED**

That Councillor T M Trollope-Bellew be elected as Chairman of the County Council for the year 2016/17.

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

**COUNCILLOR T M TROLLOPE-BELLEW IN THE CHAIR**

**CHAIRMAN'S LADY**

Councillor Rosemary Woolley was invested with the Chairman's Lady's Chain of Office.

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IMMEDIATE PAST CHAIRMAN

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

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

On the nomination of Councillor Mrs P A Bradwell, seconded by Councillor M Brookes, and there being no other nominations, it was

RESOLVED

That Councillor A G Hagues be elected Vice-Chairman of the County Council for the year 2016/17.

Councillor A G Hagues signed the declaration of acceptance of office, was invested with the Vice-Chairman's Chain of Office and thanked the Council for electing him.

**3**      APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A Bridges, P J O'Connor, C R Oxby, Miss E L Ransome, Miss F E E Ransome, Mrs S Ransome and Mrs C A Talbot.

**4**      DECLARATIONS OF COUNCILLORS' INTERESTS

Councillor W S Webb declared an interest in relation to agenda item 19, as the proposed Mayor would be able to have an influence in planning matters. Councillor Webb advised that he would leave the Chamber for consideration of this agenda item.

It was clarified by the Chief Executive that those County Councillors who were also members of District Councils did not have a conflict of interest in relation to agenda item 19, as the report would be considered by all 10 of the councils involved, and it would be for each authority to make a decision.

In relation to agenda item 19, it was queried whether any councillors seeking nomination for Mayor should declare an interest in this item. Councillors were advised that as there was no formal procedure at this time as nominations had not opened, and therefore there was nothing to declare at this time.

5      MINUTES OF THE MEETING OF THE COUNCIL HELD ON 19 FEBRUARY 2016

RESOLVED

That the minutes of the meeting held on 19 February 2016 be signed by the Chairman as a correct record.

6      SUBMISSION OF PETITIONS

(a) Petition to Save Lincoln South Fire Station

In accordance with the Council's petition Scheme, Mr Dan Taylor spoke for not more than five minutes in explanation of the petition to Save Lincoln South Fire Station.

It was reported that the Chief Executive had determined that the petition be referred to the Executive Councillor for Fire & Rescue, Emergency Planning, Trading Standards, Equality and Diversity.

(b) Petition to Reinstate Whisby Waste Facility

In accordance with the Council's Petition Scheme, Councillor Roseanne Kirk spoke for not more than five minutes in explanation of the petition to Reinstate Whisby Waste Facility.

It was reported that the Chief Executive has determined that the petition be referred to the Executive Councillor for Waste and Recycling.

7      CHAIRMAN TO SIGNIFY THE APPOINTMENT OF CHAIRMAN'S CHAPLAIN

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

8      CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised member that this year's Lincolnshire Show would be held at the Lincolnshire Showground on Wednesday 22 and Thursday 23 June 2016. It was hoped that as many members of the Council as possible would be able to attend what was always an enjoyable event. All members should have received an e-mail from the Civic Officer inviting them to take part in "Meet Your Councillor" which gave members of the public an opportunity to meet and talk with their local councillor. The Marquee for this would be located at the front of the County Council stand. Members were reminded that entrance tickets to the Lincolnshire Show would only be issued to those members taking part.

The County Service of Dedication would this year be held at St Michael and All Angels Church, Uffington, Stamford, on Sunday, 11 September 2016. Members of

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**20 MAY 2016**

the Council would be invited to attend the Service. The previous provisional date of Sunday 10 July 2016 could now be removed from diaries.

A list of civic engagements relating to the immediate past Chairman and Vice-Chairman were available from the Civic Officer.

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

In accordance with Article 5.02, the Leader notified the Council of the appointment to the Executive and for the purposes of part 3 (Responsibilities for Functions) the responsibilities of each Portfolio Holder. The Leader also notified the Council of the Executive Support Councillors he had appointed in accordance with Article 5.07.

The Leader advised that Councillor M S Jones and P A Robinson would be stepping down from their positions on the Executive, and their positions would not be replaced. Their portfolio responsibilities would be divided between Councillors M J Hill OBE, C N Worth and B Young. A complete list has been attached as Appendix A to these minutes.

**10**      STATEMENTS/ANNOUNCEMENTS BY THE LEADER (CIRCULATED AS A SEPARATE DOCUMENT) AND MEMBERS OF THE EXECUTIVE

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

A copy of the Leader's Annual Statement was circulated separately, prior to the meeting.

**11**      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) R A Renshaw	R G Davies	Street Lighting Transformation Project
(b) Mrs V C Ayling	C J Davie	Picnic areas
(c) A M Austin	R G Davies	Additional funding for potholes
(d) C Pain	M J Hill OB E	Serco
(e) P M Dilks	R G Davies	Street Lighting



(f) C J T H Brewis	C N Worth	GLL programme update
(g) Mrs N J Smith	R G Davies	Street Lighting
(h) Mrs J Renshaw	R G Davies	Street Lighting
(i) D Brailsford	Mrs P A Bradwell	Confirmation of Children's Commissioner role in Rotherham
(j) Mrs H N J Powell	Mrs P A Bradwell	Mental health funding
(k) G J Ellis	M J Hill OBE	PCC Role
(l) R L Foulkes	R G Davies	Broadband in rural areas
(m) Mrs M J Overton MBE	M J Hill OBE	Funding for 2016/17
(n) R Wootten	Mrs P A Bradwell	Current position on academisation plans
(o) R B Parker	R G Davies	Street lighting
(p) K J Clarke	C N Worth	Fire and Rescue
(q) C L Strange	C N Worth	Flying flags at half mast to commemorate 1 July 1916
(r) C E D Mair	M J Hill OBE	Devolution
(s) S R Dodds	M J Hill OBE	Syrian refugees
(t) D C Morgan	C N Worth	Fire and Rescue
(u) S L W Palmer	R G Davies	Road improvements
(v) R C Kirk	R A Shore	Whisby waste site closure
(w) J D Hough	M J Hill OBE	Lincoln South Fire Station
(x) N I Jackson	R G Davies	Rail services in Lincolnshire

**12      APPOINTMENT OF PARENT GOVERNOR REPRESENTATIVES**

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

It was moved, seconded and

**RESOLVED**

That the appointment of Mrs Patricia Barnett and Dr Emile van der Zee as Parent Governor Representatives be noted.

**13      POLITICAL BALANCE ON COMMITTEE'S AND SUB-COMMITTEES AND ALLOCATION OF PLACES TO POLITICAL GROUPS**

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

It was moved, seconded and

**RESOLVED**

1. That the change in the number of councillors on the Council since the last review be noted;
2. That Appendix A of the report be adopted as the amended political balance of committees, sub-committees and outside bodies;

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

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

It was moved, seconded and

**RESOLVED**

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

**15      CALENDAR OF MEETINGS 2016/17**

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

It was moved, seconded and

RESOLVED

That the calendar of meeting dates 2016/17, as shown in Appendix A of the report be approved, subject to the addition of a Community and Public Safety Scrutiny Committee on 14 December 2016 at 10.00am.

16     APPOINTMENT TO OUTSIDE BODIES

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

It was moved, seconded and

RESOLVED

1. That the appointments to outside bodies, as circulated as Schedule 3 with the Order of Proceedings, be approved.
2. That the appointment of Councillor R A H McAuley as a substitute member on the South East Lincolnshire Joint Strategic planning Committee be agreed.

(It was also noted that Councillor Mrs L A Rollings had been appointed as a member of the Health Scrutiny Committee for Lincolnshire for West Lindsey District Council in place of Councillor D B Bond)

17     EXECUTIVE DECISION - RULE 17 (SPECIAL URGENCY)

A report by the Leader of the Council had been circulated.

It was moved, seconded and

RESOLVED

That Council note the report.

18     OVERVIEW AND SCRUTINY ANNUAL REPORT 2015-2016

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

It was moved, seconded and

RESOLVED

That the Overview and Scrutiny Annual report for 2015-16 be approved.

19     MONITORING OFFICER'S ANNUAL REPORT 2015-16

A report by the Monitoring Officer had been circulated.

It was moved, seconded and

RESOLVED

That the report be received.

20     LINCOLNSHIRE MINERALS AND WASTE LOCAL PLAN: CORE  
STRATEGY AND DEVELOPMENT MANAGEMENT POLICIES

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

It was moved, seconded and

RESOLVED

That the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies document incorporating the Main Modifications recommended by the Inspector and the Additional Modifications proposed by officers (as set out in Appendix B to the report) be adopted on 1 June 2016 under Section 23 of the Planning and Compulsory Purchase Act 2004.

21     FUTURE USE OF BOURNE TOWN HALL

A report by the Chief Property Officer had been circulated.

It was moved and seconded

That the Council, in its role as trustee of Bourne Town Hall, approves that:

1. A preferred option be pursued of transferring ownership of Bourne Town Hall to a new or existing charity to be held on charitable trust consistent with the spirit of the original gift, in order for the Town Hall to be used for the benefit of the people of Bourne as intended by the original donor.
2. Should the preferred option not prove to be viable then Bourne Town Hall should be disposed of with sale proceeds used for the benefit of the residents of Bourne.
3. The Terms of Reference of the Bourne Town Hall Trust Management Committee be revised as set out in Appendix A of the report and authority be delegated to the Committee to exercise the Delegated Activities as defined in the revised Terms of Reference.

During debate an amendment was moved and seconded that the following words be added onto the end of recommendation 2 "...as intended by the deed of gift". Upon being put to the vote the amendment was lost.

A vote was taken on the substantive motion, and it was moved, seconded and

RESOLVED

That the Council, in its role as trustee of Bourne Town Hall, approves that:

1. A preferred option be pursued of transferring ownership of Bourne Town Hall to a new or existing charity to be held on charitable trust consistent with the spirit of the original gift, in order for the Town Hall to be used for the benefit of the people of Bourne as intended by the original donor.
2. Should the preferred option not prove to be viable then Bourne Town Hall should be disposed of with sale proceeds used for the benefit of the residents of Bourne.
3. The Terms of Reference of the Bourne Town Hall Trust Management Committee be revised as set out in Appendix A of the report and authority be delegated to the Committee to exercise the Delegated Activities as defined in the revised Terms of Reference.

The meeting adjourned for lunch at 12.55pm

The meeting resumed at 2.05pm

## 22     DEVOLUTION - GOVERNANCE REVIEW AND DRAFT SCHEME

A report by the Chief Executive had been circulated.

It was moved, seconded and

### RESOLVED

1. That Council endorse the signing of the Greater Lincolnshire Devolution Document Agreement by the Leader of the Council and delegates authority to the Chief Executive to engage in negotiations with Government regarding the potential devolution of further powers, with responsibilities and resources.
2. That the contents of the Greater Lincolnshire Governance Review, attached at Appendix A of the report be noted.
3. That, on the basis of the Governance Review, the Council concludes that the establishment of a Mayoral Combined Authority for the Greater Lincolnshire Area would improve the exercise of statutory functions in that area.
4. That the Council supports the preparation and publication of a Scheme for the establishment of a Mayoral Combined Authority for the Greater Lincolnshire Area under Section 109 of the Local Democracy, Economic Development and Construction Act 2009.
5. That the Council support the publication of the draft Scheme for a Greater Lincolnshire Mayoral Combined Authority as attached as Appendix B to the report for consultation purposes, subject to such final revisions as may be approved by the Chief Executive, in consultation with the Leader, and prior to the commencement of the formal consultation exercise.

6. That the outcome of the consultation exercise is submitted to the Secretary of State by the Chief Executive in consultation with the Leader.
7. That Council meets no later than 20 October 2016 to consider giving consent to an Order establishing a Mayoral Combined Authority for Greater Lincolnshire.
8. That insofar as any of the matters referred to in the report concern of non-executive functions, authority is delegated to the Chief Executive, in consultation with the Leader, to take all necessary steps and actions to progress the recommendations detailed in the report.
9. That further reports be presented to Council and the Executive as appropriate as the devolution process develops.

**23     ELECTORAL REVIEW OF LINCOLNSHIRE - UPDATE**

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

It was moved, seconded and

**RESOLVED**

1. That Council note the launch of a further period of limited consultation in North Kesteven, South Holland, South Kesteven and West Lindsey.
2. That Council delegate to the Chief Executive, in consultation with Group Leaders, any Council response to the further period of limited consultation in these four district areas.

**24     CHANGES TO THE CONSTITUTION**

A report by the Monitoring Officer had been circulated.

It was moved, seconded and

**RESOLVED**

That the changes to the Constitution attached as Appendix A to the report be approved.

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

**(1) Motion by Councillor R B Parker**

It was moved and seconded that:

This council notes in relation to the Serco contract for the delivery of back office services that

- since 1<sup>st</sup> April 2015 because of the failure of Serco to deliver services as specified in the contract there have been serious operational difficulties which have caused problems for the citizens of Lincolnshire, our Local Authority schools, organisations we trade with and which supply us with vital services, and our staff
- as a consequence the reputation of the County Council has suffered severely because we as the local authority and as a fair trader and as a good employer have to take responsibility for the failures of our contractors
- at the end of February 2016 when the last report was received by the Value for Money Committee, 9 of the 43 Key Performance Indicators which measure the delivery of services under the contract were still not being met by Serco
- as a consequence of Serco's failure to meet the terms of the contract, service credits amounting to just under £1.2m have been repaid by Serco since April 2015
- at the present date there is no clear indication when all Key Performance Indicators and other projects not being met, will be met.

Accordingly this council expresses its serious dissatisfaction with the delivery of the back office services contract by Serco and resolves

- to ask the Chief Executive to begin at once a review using independent specialists to examine all aspects of the drawing up and implementation of the contract between Serco and the County Council. Three particular areas to include
  - 1) whether it was reasonable to expect there to be a smooth transfer of responsibilities from Mouchel to Serco and a shift from one IT system, SAP to Agresso, at the same time – 1 April 2015 - and
  - 2) whether the contract as drawn up was too large for the County Council to exit from without very serious ongoing difficulties thereby restricting the council's freedom of movement and
  - 3) whether Serco and the County Council had sufficient specialist staff in place in the right numbers to handle their respective responsibilities during the run-up to and from 1 April 2015
- to ask the Chief Executive to explore all options available to the County Council to bring an end to the contractual relationship between Serco and the County Council within the terms of the contract
- to bring a report back to the next full council meeting in September to enable the Council to make recommendations to the Executive.

An amendment was moved and seconded as follows:

This council continues to be concerned and disappointed by the delivery of some services by Serco and the impact this is having on

- the citizens of Lincolnshire,
- our Local Authority schools,
- organisations we trade with and which supply us with vital services
- our staff
- operations of the County Council.

This Council acknowledges that Serco has made progress in improving service delivery and looks forward to this service delivery reaching the contracted standards. While this Council has the contractual right to terminate the contract with Serco, it recognises that it is currently in the Council's best interest to work with Serco while they continue to put the problems right. Serco's continued commitment to rectification, in spite of their financial losses, is valued by this Council.

Accordingly the Council resolves

- to ask the Chief Executive to ensure that the promised review of the procurement and award of the Serco contract and the implementation of Agresso is undertaken at once using the Council's external auditors KPMG the terms of reference for the review to be agreed by the Audit Committee at its next meeting in June.
- that the review is reported to the Audit Committee at its September meeting.
- To ask the Chief Executive to keep under review progress to improve performance and the options available to the County Council within the terms of the contract and to consult as he considers necessary with the Recovery Group.

The mover of the original motion accepted the amendment, and this became the substantive motion.

Upon being put to the vote, the motion was carried.

## (2) Motion by Councillor C Pain

It was moved and seconded that:-

In the latest government austerity cuts in the next financial year, Lincolnshire County Council will have to cut in the region of another 34.8 million pounds from their budget. This will be on top of the 150 million pounds that the Lincolnshire County Council has already cut. We will also have to cut more council jobs.

I strongly feel that the latest austerity cuts are an inappropriate move against Lincolnshire County Council and its services. As I stand here in the council chamber our officers cannot even implement the extra 34.8 million pounds worth of savings in year two. This will mean that the County Council will become bankrupt and have to close its doors and hand the keys back to the government.



I believe that the country would be far better stopping paying the EU 355 million a week and also stopping millions of pounds of aid that we give to corrupt third world countries. This money is desperately needed here in the UK.

We cannot afford to lose more staff as this will put pressure on the remaining staff and the services we deliver. The staff should be consulted to give them a choice of losing fellow officers and workers, or the entire council staff taking a pay reduction equal to the proposed savings. This will keep the expertise and staff on hand to maintain Lincolnshire County Council services that the Lincolnshire public deserve. At the same time it will give hard working staff members job security, where they have mortgages, families and cars to run etc. I am sure they would like the security of knowing their jobs were safe. Any savings through staff leaving or retiring should be taken into account in the overall equation. This means that the salaries can be reviewed at a later date, but more importantly this assures the continuity of Lincolnshire County Council.

The false economy of these job reductions means that any proposed savings will be offset by redundancy payments and means that no short term savings will be made. Some councils have done this previously and had to replace these people afterwards, often with the same people that were made redundant in the first place.

I propose the following motion:-

Lincolnshire County Council Staff are consulted on the future savings to be made out of the LCC staff budget, and are given the option of taking a pay cut across every employee, rather than losing staff from the workforce. The findings of this consultation should be taken into account by the Head of Paid Service in determining the future structure of the workforce.

Upon being put to the vote, the motion was lost.

The meeting closed at 4.25 pm

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## **COUNTY COUNCIL MEETING – 16 SEPTEMBER 2016**

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

### **FINANCE**

#### **Outturn and Final Accounts Preparation**

The outturn of accounts position is considered elsewhere on the agenda for today's meeting. The draft financial statements of the Council were the subject of scrutiny by the Audit Committee on 18<sup>th</sup> July and were presented to external audit for their review on the 1<sup>st</sup> August. The outcome of the review by external audit will be considered by the Audit Committee on 26<sup>th</sup> September. As members are well aware this has been the first year in which the Agresso system has been in use and it has presented a number of significant challenges to the Finance Team both during the year and now as the accounts are closed down. A particular challenge has related to the complete and accurate reflection of payroll transactions in the financial statements. The consequences for the financial statements of the difficulties experienced in the implementation of Agresso during last year will no doubt be the subject of comment from our auditors in their opinion work when it is presented to the Audit Committee on 26<sup>th</sup> September.

#### **The Four Year Funding Deal from Government / Next Year's Budget**

Consideration of acceptance of the four year funding deal from Government covering the current and next three financial years is dealt with elsewhere on the agenda for this meeting. A submission on that has to be made by mid October. Work is well underway to consider budget options for next year. The new Chancellor and the new Government have already abandoned the target to achieve a budget surplus by 2020 and have indicated that there may be other changes to fiscal strategy. Any changes are not likely to be announced until the Autumn Statement in late November. Because the fiscal strategy may be changed the Council will once again look to set a one year budget in February 2017 for 2017/18 only. This will also allow a new County Council to review future years' priorities and budgets after the elections in May 2017. During the period from early November to mid-December it is intended to repeat the private workshop sessions for each scrutiny committee to give members early insight into potential budget options for next year. Each session will, as last year, be open to any member to attend.

#### **DCLG Consultations – 100% Localisation of Business Rates & the Fair Funding Review**

In Autumn 2015 the Chancellor announced that all local authorities would see a change in their funding over the life of this Parliament away from direct Government grant and towards a funding mechanism based on full local retention of business rates income. This is a major change and has potentially significant implications for all local authorities in all regions of the county. Whilst the exercise is planned be fiscally neutral

from the HM Treasury perspective, it will result in more activity being decentralised to local from central government. A range of working groups at a national level has now been formed to take this work forward. These Groups operate at both member and officer level and deal with both the principles of the changes and their technical detail. In addition to this the DCLG launched two key consultation exercises in July with a response deadline of 26<sup>th</sup> September 2016. One deals with the issues relating to the 100% local retention of business rates and the other with the exercise to reconsider spending needs of each local authority going forward (this is called the 'Fair Funding Review'). These are very much initial consultations and more specific proposals are likely to be the subject of further future consultations. At the time of writing it is intended to circulate our draft responses to both these consultations to all members and the Value for Money Scrutiny Committee will receive an update on the topic at its meeting on 27<sup>th</sup> September.

### **Association of Local Authority Risk Managers (ALARM) – Professional of the Year**

ALARM is the national organisation which has been supporting professionals who manage risk and insurance serving public services and community organisations for over 25 years. On an annual basis as part of the annual conference it runs an awards event recognising the excellent work of the risk and insurance professionals. One of the awards is Professional of the Year which is to celebrate exceptional individual achievement. The award is presented to an outstanding professional who has demonstrated the aspiration, inspiration and the enthusiasm to promote and support the management of risk, as well as developing the role and credibility of the risk function within their organisation and the wider sector. This year Mandy Knowlton-Rayner, who joined Lincolnshire County Council in the summer of 2015 as the Insurance and Risk Lead, was announced as the winner of the award. As part of the award Mandy will travel to Phoenix Arizona to share and exchange experiences and approaches with colleagues of the equivalent national organisation in America, PRIMA. I am sure you would all wish to join me in congratulating Mandy on her award.

### **Society of County Treasurers' Presidency**

As from 22 September 2016, the Executive Director for Finance & Public Protection, Pete Moore, will become the SCT President for the year. As lead financial advisor Pete will be actively involved in national funding issues affecting counties, including some of those mentioned above.

## **PROPERTY**

Capital receipts continue to be generated through the sale of surplus assets; the Council exceeded the annual 2015/16 target for receipts. A key part of the Council's strategy is to maximise Capital Receipts over the next two years. Capital receipt flexibility now allows local authorities to spend their asset receipts on the revenue costs of reform projects. This financial year over £1m has already been generated in receipt, these include the sale of land at Teal Park (£437,500) and in surplus farms estate in Toynton (£420,000)

Thirteen primary schools with a total investment of £17 million have had significant extensions in 2016 to add additional capacity to meet the increasing need for pupil places. This includes schools in Spalding, Gainsborough, Lincoln, Grantham and Sleaford. A new primary school in North Hykeham will open in the Autumn, initially to reception aged pupils.

## **COMMERCIAL TEAM – PEOPLE SERVICES**

### **Procurement Activity**

Following on from the large number of new procurements in 2015 the Team has worked hard to support a number of challenging transitions most notably Home Care providing intensive support over a prolonged period to minimise disruption with the introduction of the new commercial model. The outcome has been a significant decrease in the number of people waiting for a service and improved measures of quality across the county.

### **Block Transitional Care and Reablement Beds**

Increasing market pressures within the residential care sector has resulted in the need for a level of guaranteed capacity and a procurement for the block purchase of a number of beds was successfully completed in August to meet this need.

### **Community Supported Living**

The new Community Supported Living Open Select List was established in 2015 and following a successful transition period the Team has now moved onto managing the new arrangements as well as working hard to develop new schemes across the county. This has involved re-opening the Open Select List with the addition of two new providers one being a new entrant to the Lincolnshire market.

### **Carers**

In May 2016 we awarded the Carers Support Service contract to Carers FIRST a registered charity new to Lincolnshire. This represents a brand new model where the six separate provisions operating previously have been brought together under the one contract providing increased consistency and less onerous contract management. Early indications show that the service is working well and providing support to Carers countywide.

### **Sensory Impairment**

The Sensory Impairment service was re-procured and awarded in January 2016. The service is a preventative and re-ablement provision for both adults and children with a sensory impairment.

The new Contract offers an improved person centred service delivery, providing flexible and innovative solutions within a fixed budget that offers value for money year on year.

## **Provider Forums**

In June and July the team held three Residential Care Provider Forums across the County which were attended by over half of the County's residential providers. This was an opportunity for the Commercial Team along with Adults Commissioners to share important messages with the market and to allow for the sector to feedback on key issues. Feedback from all events was very positive and the team intends to carry this work forward with future events.

## **Contract Management**

Contract management activity is critical to the effective delivery of Adult Care services. Contract officers are now regularly managing a variety of high risk and high profile situations. During 2015 the Contract Officers undertook over 800 contract management meetings and site visits.

## **Adult Social Care Peer Review**

It is pleasing to report that the regions reviewing team found that both procurement and contract management within Adult Care is a key strength and commented as follows:

"The staff we met in commissioning, procurement and quality were very good technically and very enthusiastic. Clearly you have done a huge amount of procurement in a very short time, and it appears to us that this was done well, which was very impressive given the volume".

The Peer Review also found that the relationships with Providers were very positive.

## **COMMERCIAL TEAM – INFRASTRUCTURE**

The Team is currently supporting 49 procurement projects, including projects for the shared procurement service, ranging in scope from the provision of agency staff, occupational Health, translation and interpretation services, document storage, vehicle rental, cash collection and driving instruction.

A recent procurement working with colleagues in IMT and Business Support for the provision of Multi-Functional Devices (MFDs) is expected to provide a new fleet of devices, optimised for a leaner organisation while providing new productivity tools and producing notable savings to the Council.

The Team has also been supporting Children's Services as they review their approach to catering in schools.

## **Continuing development**

The team continues to respond to the continued financial challenges and the new procurement strategy focuses on securing further efficiencies through more innovative

approaches to procurement, enabling strategic transformation and ensuring contracts deliver additional social value where possible.

We are improving productivity internally through the introduction of a new e-Procurement platform. The new system will make it easier to run efficient procurement practices while capturing data which is essential for transparency and planning.

In order to effectively support suppliers a new suite of online training tools is being developed to improve knowledge of the procurement process so that SMEs and Local Businesses are able to submit high quality bids.

### **Serco contract management**

2016/17 continues to be a busy year with the Team working closely with Service Leads to hold Serco to account and to develop the contract in ways that are beneficial to the Council. Robust contract management procedures are in place and the Team plans to focus additional time on managing the delivery of transformation activities.

The Council and Serco have been undertaking a review of the contracts Key Performance Indicators as part of the routine contract management with a view to keeping them current, challenging and to motivate improved service delivery.

## **COMMERCIAL TEAM –CORPORATE PROJECTS AND PERFORMANCE TEAM**

The team is fully deployed on Council priority projects including those set out below:

### **LCC Commercial Offer to Schools**

Project support is being provided to translate the current LCC 'traded services' offer to schools into a commercial E-commerce solution together with a cost recovery pricing model for schools to procure from. Training on the new system is scheduled in early October 2016 after which roll-out will happen.

### **Blue Light Programme**

This is a collaborative programme, which involves a number of projects, to provide a modern and fit for purpose estate which meets the needs of each “blue light” service (Fire, Police & Ambulance) whilst saving money. The Team is supporting Lincolnshire Fire and Rescue Service through the Programme Management Office by providing project management and support to key areas.

### **Children Services Transport Review - Completed**

In the first quarter of 2016/17 the project supporting the review of home to school transport for Lincolnshire special schools and other non-mainstream settings was completed. The Team worked with Children's Services and the Passenger Transport Unit on the review of the existing procurement model for home to school transport.

The new model aggregates 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 and savings to the Council.



## **COUNTY COUNCIL MEETING – 16 SEPTEMBER 2016**

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

### **CHILDREN'S SERVICES**

#### **Annual Professional Judgement Conference for Staff**

LCC was proud to host Professor Eileen Munro at the third annual professional judgement Conference. Over 200 staff and partners from other agencies attended the day. Professor Munro gave a presentation about her recent research involvement and findings from the Signs of Safety Innovation Project. LCC have been one of the ten authorities participating in this project.

#### **Progress on school exclusions**

The rate of permanent exclusion of pupils from Lincolnshire schools has remained persistently high for several years and addressing this problem is a top priority for the Local Authority. The Inclusive Lincolnshire Strategy was launched in January 2016 and although resources associated with the strategy were not available for schools to access in their complete form until September 2016, it has already had a positive impact on exclusion rates. We have commissioned a behaviour outreach support service (BOSS), delivered by Family Action offering support for pupils at risk from September 2016. 'Restorative Solutions' has been commissioned to run a one year 22 school restorative pilot in Lincolnshire with the aim being to roll the approach out thereafter.. Some of Lincolnshire's highest excluding schools have opted to join the pilot, a very encouraging sign. This new service will be evaluated at the end of the academic year.

#### **School Places**

The basic need work-stream of the capital programme continues to deliver new school places across the county. In March 2016 a further £11m was announced for 2018/19. By September 2019 over £70m will have been invested into Lincolnshire schools since 2011, 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 have been created in the year leading up to 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, particularly in the secondary sector as we plan for the increased numbers moving through the primary sector in certain areas of the county.

#### **School Admissions**

This year's schools admissions saw the offer of 15,460 school places with both primary and secondary cohorts being larger than previous years. Maintaining a high first preference satisfaction rate of 92% is in keeping with previous years and remains slightly higher than our East Midlands neighbours. Out of the 15,460 places

only 278 (1.8%) were offers other than the first three chosen by parents. Despite local pressures on successful and popular schools an average of 85% of parents requesting midyear changes of schools through the school admissions team received an offer of a place at their first preference school.

### **A Level Results**

Provisional results from 30 out of 40 sixth forms in the county show that Lincolnshire schools have outperformed the England average in nearly all measures.

At 99.1%, the percentage of Lincolnshire students passing A-levels is ahead of the England average by 1.1%.

Nine Lincolnshire schools (30%) achieved a percentage of A\* grades above the national average, and 12 (40%) Lincolnshire schools have achieved more A\*-A passes at A-level than national.

15 out of the 30 schools have a percentage of pupils achieving 3+ A-Level passes at A\*-E of 90% or more, with three of schools hitting 100% for 3 or more passes.

### **GCSE Results**

Early indications of GCSE results across Lincolnshire show continued improvements this year.

With 10 schools still to return data, provisional figures released by Lincolnshire schools, including academies, indicate that the percentage of students attaining good grades in core subjects continues to rise.

The percentage of students attaining five or more A\*-C including English and Maths is no longer a headline measure of school performance.

The new headline is the percentage of students attaining an A\*-C grade in English and Maths, which has increased by 5%, from 58.3% in 2015 to 63.2% this year. An impressive 23 schools so far have achieved more than 60%.

The percentage of students attaining A\*-C in English is currently 73.5% for 2016 and compares to 67.6% last year, an increase of 5.9%. Four of the 45 schools achieved 100% in this measure.

The percentage of A\*-C in Maths is currently showing as 69.8% for 2016, 1.8% up on last year. Six of the 45 schools achieved 100% in this measure.

With an increase of 2.2% on last year, the percentage achieving the English Baccalaureate is 29.4% for 2016 compared to 27.2% in 2015.

So far 24 schools have shown improvement on last year in this measure, with 12 of those schools improving by over 5% on last year.

## **ADULT CARE**

### **Adult Care Services**

Requests for adult care received in the first quarter of 2016/17 continue to increase. Last year some 34,000 requests were made, yes 34,000! This equates to almost 100 per day from adults who are not already known to Social Care.

Given these figures what we, as a Council, can do to help prevent people needing our support, or to reduce this need is a priority. So far this year two-thirds of requests were dealt with at the Customer Service Centre with information and advice or by directing people to other sources of support, such as charities and community groups, and to give advice to people who can afford to pay for their own care. So, good information and advice is a necessity as is our ability to support local communities and colleagues in voluntary and charitable organisations.

A further 700 people have received the Reablement services and 1,200 people have accessed the Wellbeing Service. Both services have contributed significantly to delaying or reducing the need for more intensive services. Despite slightly higher admissions to residential care than expected, only 5% of all requests for support led to a longer term community package or a residential placement for the person which is where the bulk of the Adult Care budget is spent.

The results from the annual statutory Adult Social Care Survey showed an improvement on customer satisfaction, with 66% of people who were 'extremely' or 'very satisfied' with the care and support they received, and only 5% of clients not satisfied. The survey also showed that people had more control over their daily lives and a better quality of life than reported in the previous year.

My colleague, Cllr Woolley, will have mentioned the Better Care Fund (BCF). I also want to highlight the importance of this fund which resources a series of projects to reduce the pressure on the health sector, and keep people at home for longer. Although pressure remains around delayed discharges, delays attributable to Social Care are still relatively low. Adult Social Care and Health partners continue to work closely together to improve experiences for people accessing services both in and out of hospital. The primary objective for this year is to reduce non-elective admissions to hospital and improve overall performance around delayed transfers of care. Encouragingly, since April there have been 2% fewer non-elective admissions to hospital than planned. Working together is the only way we can achieve a reduction in delayed discharges. The Council is trying to do more work with our health colleagues, but I don't think this is moving at a fast enough pace.

### **Extra Care Housing**

We recognize that in Lincolnshire there is too little Extra Care provision. In order to stimulate an expansion the Council has launched an initiative to significantly increase the availability of Extra Care Housing in Lincolnshire. Adult Care has made available £8 million of capital funding to back a procurement exercise, launched with the support of Corporate Property Services in early August, to award grant funding agreements to successful providers in February 2017.

Extra Care Housing is accommodation which promotes wellbeing and independence, and is available for ownership, or rental. This popular form of supportive housing typically offers one or two bedroom apartments in a development of 40 units or more,

with ready access to care and support 24 hours a day, seven days a week. As well as retaining the security associated with home ownership or tenancy, Extra Care Housing additionally offers a choice for people with care and support needs, which many prefer to residential care.

Lincolnshire currently has eight extra care schemes with a total of 288 units across the county from Louth to Bourne, and from Skegness to Lincoln. They form part of a range of housing options that deliver a variety of levels of care.

The Council investigated a number of options to deliver this program using the funding available. The preferred option selected is the award of a 'Public Works Concession' Contract which grants extra care housing developers and providers financial assistance by way of a capital contribution, while freeing the market to develop flexible solutions using regular sources of funding unavailable to the public sector.

The Council is looking to encourage innovative proposals which may be delivered by several partners, both developers and care providers in the private or public sectors. This process requires bidders to demonstrate how they are going to deliver Extra Care Housing rather than reflecting a traditional specification focused tendering process.

The successful outcome of this procurement will help create further cost effective services which address the needs of our growing older population.

### **Care Quality Commission**

The overall standard of regulated care in Lincolnshire homes continues to be good under the new style ratings. Of the published new style reports for social care locations in the county by June 2016, 180 (60.4%) were rated as good, 79 (26.5%) required improvement, and there were none found to be inadequate. A further 38 (12.8%) are yet to be formally rated. We should know later this autumn how this compares to other Authorities, although early indications suggest Lincolnshire providers are performing well. (*Data Source: Care Quality Commission*) Adult Care continues to work closely with the Council's Commercial Team, CQC, LINCA (the independent providers' 'trade body'), and other partners to robustly monitor services, improve services and provide appropriate training and advice.

### **Serco and Adult Care**

Adult Care commissions financial services from Serco as part of the Corporate Support Contract. I am pleased to say that at the end of Quarter 1 all Key Performance Indicators were meeting target service levels. Improvements in performance have been seen across all areas since the contract began. Particular highlights are improvements in direct payment processing times with 100% of direct payments now paid within 14 business days, 91% of non-residential and 85% of residential financial assessments completed within 15 business days. As part of the contract with Serco there is also a requirement to ensure that Adult Care service users are supported to access DWP benefits. In 2015/16 640 people were identified as not in receipt of their full benefit entitlement. This has resulted in an additional annual income of £1,050,795 for people who use adult services and as a result an additional £397,725 income for Adult Care.

## **Peer Review of Adult Care**

I am delighted to say that an independent Peer Review of Adult Care has provided a very positive result describing Adult Care as 'highly efficient', having a "strong commissioning ethos" and a "clear sense of direction" with enthusiastic and committed staff with high expectations in terms of performance and quality". Peer reviewers also commented that "Adult Safeguarding appeared to be effective" with a "well established Adult Safeguarding Board with a clear intention and plan".

This is the result of a collective effort between Members and officers, involving colleagues across the Council and reflects well on everyone. Well done!

## **PUBLIC HEALTH**

### **Substance Misuse**

In March 2016, the Council awarded a new contract to Addaction for the Lincolnshire Community Alcohol and Drug Treatment service and the Drug and Alcohol Recovery Service.

Since then, officers in the Public Health have been working closely with Addaction and outgoing providers to ensure that a new service can commence on 1 October 2016. I am pleased to report that the implementation phase for the new services is progressing well and Addaction are confident that they will have a fully operational service in place by 1 October 2016.

The new service will provide an integrated model of care and includes adult and young persons' treatment for both alcohol and drugs, as well as a needle syringe programme providing specialist and pharmacy based services.

The recovery service will be delivered by Addaction in partnership with Double Impact which is a local charity specialising in recovery services. The service includes mutual aid, peer support, education and training services as well as building a recovery community. Recruitment is underway and new staff will commence their recovery work ahead of schedule to assist with the transformation running up to October 2016.

### **Sexual Health**

Following their successful bid, the contract with Lincolnshire Community Health Services NHS Trust has been signed, with a seamless handover of operations on 1 April 2016. Members of the public saw no difference in service at handover and no access to services issues were reported.

The new Lincolnshire Integrated Sexual Health (LISH) service will provide a flexible, confidential service to anyone who seeks sexual health advice, including sexually transmitted infections, or requires HIV advice, screening and treatment or contraception health needs.

A total of nine open access clinics have been set up in Lincoln, Louth, Gainsborough, Sleaford, Skegness, Boston, Spalding, Grantham and Stamford to meet the identified needs of the population. In addition, the service will be rolling out an outreach service, delivered through a 'clinic in a boot' initiative and secondly from

a bus. In addition, a comprehensive and easily accessible website is now available at [www.lincolnshirehealthyfamilies.nhs.uk](http://www.lincolnshirehealthyfamilies.nhs.uk).

The new contract will see more clinics open for more hours than before, whilst the service embraces new technology and introduces online booking options as part of their delivery plans to increase client choice.

We continue to work effectively with commissioning colleagues in NHS England to manage the Section 75 agreement for HIV treatment.

## **ADULT LEARNING**

### **Community Learning**

There continues to be high demand for Adult Learning provision. In the 2015/16 academic year over 8,224 learners were funded through the Adult Education budget. Of these, 860 were on programmes leading to qualifications, 49 were on Apprenticeship programmes within the County Council and the City of Lincoln Council, and 16 were on Traineeship programmes. In line with national priorities, the core element of the accredited provision is qualifications in English and maths in order to help learners on their journey of improving their life chances. An important aspect of the non-accredited provision is engagement activity to support learners onto accredited programmes including Access to Higher Education and GCSE provision.

### **Celebrating Learner Success**

Three adult learners, who attended Family Learning courses, were honoured for their exceptional achievements at the June Lincolnshire Show and received awards from Councillor Trollope-Bellew. The learners involved were nominated by their tutors for their exemplary dedication to learning over the past 12 months. As a result of their hard work, combined with quality teaching and guidance from the learning service, all three learners have gained employment in local schools as teaching assistants.

Steve Kelby, one of the learners whose achievements were celebrated at the Show provided the following feedback on his time in Family Learning:

*"Family Learning is fun, educational, easy going and a fabulous insight into the school environment from the inside to see how your child is taught and interacts with the teachers and other pupils.*

*There's no pressure to study or take qualifications but the opportunity is there and encouragement given if you wish to continue your own learning journey. There is also help to get back into the workforce if that's something you're looking for.*

*I'd encourage any family member, parents or grandparents of any age or gender to go and try it out. It's free, you've nothing to lose and potentially lots to gain, so what's stopping you?!"*



The Post-16 education sector is critical to Government strategy of raising productivity and economic growth and it is currently reviewing all Further Education activity across the country, known as Area Reviews. Lincolnshire's Area Reviews will start in October. Local authorities are requested to provide evidence to local steering group meetings about the education and economic need for training of Lincolnshire's young people and adults. I am agreeing a joint statement with the Executive Councillor for Development to submit the Area Review to ensure that opportunities for local individuals and economic development matters are well represented.

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## **COUNTY COUNCIL MEETING – 16 SEPTEMBER 2016**

**Statement from: Councillor C J Davie, Executive Councillor for Development**

### **ECONOMIC DEVELOPMENT & TOURISM**

Economic matters have been dominated by the results of the EU Referendum. Clearly the outcome of the referendum represents a major shift. However, all of the businesses that I have spoken to since the vote have told me that what they need is certainty in order to give them the confidence to keep investing. The economic plan that we have been following is just as relevant, perhaps even more so, than it was before the referendum. That plan involves creating a climate for investment, facilitating private sector initiatives, and supporting a drive for high level skills.

#### **Creating a Climate for Investment**

Our tourism development work has the purpose of attracting visitors to Lincolnshire, encouraging them to visit places across the whole of the county, and in doing so encouraging tourism businesses to invest further because there are more visitors.

The latest figures for the value of tourism in Lincolnshire were released in the middle of August 2016. They show that the value of tourism has risen from £1.19bn in 2013/14 to £1.34bn in 2015/16, an increase of £148m. As a board director of the Greater Lincolnshire Local Enterprise Partnership I set the target of doubling the value of tourism within 10 years, and these figures show that Lincolnshire is well on the way to achieving that target.

At a practical level, LCC has played a leading role in a number of tourism projects. These include the Poppies: Wave at Lincoln Castle. Councillor Nick Worth and I are delighted to see that there have been just under 500,000 visitors (487,138) at the end of August. In addition the new visitor centre at Gibraltar Point has now opened. LCC developed this centre in partnership with Lincolnshire Wildlife Trust and by the end of August there had been more than 32,000 visitors.

Another element of creating climate for investment is through supporting bids for funding. The Greater Lincolnshire Local Enterprise Partnership has recently made an ambitious bid to Government for £106m to be spent on projects that will improve transport, increase housing levels, broaden skills provision, and encourage enterprise. The projects that sit in this overall bid cover all parts of Lincolnshire including business investments in South Kesteven to health and care investments in Lincoln and agri-food investments in West Lindsey. We will hear in the autumn how that bid has fared.

One of the matters of process following the EU referendum was that Government had temporarily stopped approving bids for EU funding. This was to enable them to design domestic programmes that will be implemented when we leave the EU. The delay in approvals was temporary but it had a negative impact on bids made by LCC, our partners and small businesses. When I wrote to the new ministerial teams in the Department for Communities and Local Government and Business Energy and Industrial Strategy, I stressed the need to unblock this temporary problem. Her Majesty's Treasury have now issued guidance about how projects can now be approved by Government.

## **Facilitating Private Sector Projects**

The 'Made in Lincolnshire' awards were held recently and, at a time when we need to promote Lincolnshire as far and wide as possible, it is excellent that we have awards ceremonies like this. There will soon be an online 'Made in Lincolnshire' brochure, and the range of businesses who applied for an award is wide and impressive. To name some examples, Lincolnshire can boast a horse carriage manufacturer with a Queen's Award; a speedboat hull manufacturer; a global mentholated sweet manufacturer; major agricultural machinery manufacturers; and sector leaders in golf equipment. Our manufacturing sector is strong, and I am keen to help it strengthen further through various approaches.

The Government is promoting an increase in exporting. The Economic Scrutiny Committee discussed the importance of councils like LCC taking a leading role in export, using our civic profile and responsibilities to promote the area and create opportunities for Lincolnshire businesses to trade internationally. This is a priority for me and may lead to a small amount of expenditure by LCC but the benefits to businesses and the wider economy will be substantial.

We are already hearing examples of where Lincolnshire's businesses are using the current economic situation to boost their exports – for example, a Lincoln area manufacturing company that our team visited recently has just secured new orders from Australia. Exporting is important not just because it creates extra jobs. Studies show that businesses who actively export are more likely to invest in new products and technology and that they are more likely to have an active training plan in place. Therefore, by increasing exporting, we are also increasing investment in the local economy and in the supply chain to our exporters.

Most of our exporting work, however, will be to encourage the Government's export programmes to be tailored to opportunities for Lincolnshire businesses. Senior officers and I have met with Directors in UK Trade and Investment, and agencies who promote UK exports to China and to India. The Greater Lincolnshire Devolution Deal, which has the aim of a joint export promotion strategy between UKTI and Lincolnshire councils, has been particularly useful. There will be additional export promotion events in October as a result of this work.

We have a focus on the most important sectors in the economy. The Greater Lincolnshire Local Enterprise Partnership recently started a series of 'Big Debates', and in August held a major debate about the food sector. The format is that business leaders are invited to join a panel in debating the issues that matter to their sector. Roythornes Solicitors in Spalding hosted the food production debate with around 40 food sector business leaders. It was a very lively debate and there was real support for creating a food sector centre of excellence which puts south east Lincolnshire firmly on the international food map. My Executive Support Councillor, William Webb, is taking a lead role in agriculture and food, and will continue to engage with food businesses on this subject.

## **Higher Level Skills**

LCC continues to deliver Adult Learning programmes and I am pleased to work with Councillors Bradwell and Brailsford on these programmes. The headline figure of 8,224 learners is very impressive, but some of the examples of how learners are

building up skills in our very important health and social care sector or have developed their own business are even more impressive.

These include a learner at Boston College who, as a result of attending our *'Introduction to the Care Certificate and Health and Social Care'* course enrolled on an apprenticeship programme to work towards her Level 2 QCF Diploma in Health and Social Care, as well as undertaking the necessary maths qualifications. The Care Home Deputy Manager where the learner works commented that her *"knowledge and work ethic has increased since she started her Care Certificate and QCF Apprenticeship with Boston College"*. Another example of how learners are using the skills gained on our provision is a female learner studying on our *'Start Your Own Business'* course, being delivered in partnership with RAF bases and the Prince's Trust. She had been in an abusive relationship and felt very exposed with tradesmen in her own home. As a consequence, she has retrained as an electrician and as a result of the skills gained on the *'Start Your Own Business'* course, has set up her own business employing other tradeswomen to offer services to vulnerable women.

I have updated you previously on the work that officers are doing with the Skills Funding Agency to create additional training places in the skills that employers need. Tender submissions from colleges and private training providers that will provide training to 3,735 learners will be being considered by the Skills Funding Agency and our officers in September and October, with delivery due to commence in November.

Finally, an area review of Post 16 learning will commence in October. This is part of a national programme of reviews and it will be valuable in ensuring that Lincolnshire's individuals, communities, and businesses benefit from an effective further education service. Members from the Economic and Children & Young People Scrutiny Committees have debated the objectives that we want to see achieved through the area review and as a result, Councillor Bradwell and I have agreed a joint statement of the County Council's objectives for this review.

## **ENVIRONMENT AND STRATEGIC PLANNING**

### **Sustainability**

#### **Salix Revolving Energy Fund**

The £1m fund has been used to fund 82 projects totalling £1.9m and is saving LCC £400,000 and 2,000 tonnes of CO<sub>2</sub> annually.

#### **Carbon Management Plan**

Work has been completed on the collation of data from 1 April 2015 to 31 March 2016 and shows a reduction of 4.2% from the previous year. This means that LCC is on target to meet the 22% reduction target by 2018.

#### **Greenhouse Gas Emissions Reporting**

Work has been completed on the collation of data from 1 April 2015 to 31 March 2016, from 40 data sources, that will allow LCC to publish its Greenhouse Gas Emissions report. Data is showing a reduction in Greenhouse Gas emissions of 7.4% from the previous year. The greater difference in reduction from the Carbon

Management Plan is due to the source data set being slightly different and the conversion factors being used to calculate the emissions are updated annually from Government. However, the emissions for the Carbon Management Plan are the same each year.

### **Electrically Heated Schools**

After a successful trial of radiant heater panels at Rauceby Primary School, funding has been secured to replace electric night time storage heaters in all of the remaining electrically heated schools. The storage heaters will be replaced with radiant heater panels in all teaching areas and halls. The radiant heater panels are much more efficient and will allow far more control over the heating within classrooms.

### **England Coastal Path**

Work continues on the first two stretches of the proposed route which, once complete, will form Lincolnshire's only National Trail. For the section between Sutton Bridge and Skegness, officers have continued to work with Natural England colleagues to assist in reviewing where the route may be laid out. Particular consideration has been given in relation to some of the stretches such as at Gibraltar Point, where discussions with the Lincolnshire Wildlife Trust are helping to form an understanding of how the path can be laid out in this sensitive environment and how the Steeping river can be crossed. Meetings with other affected landowners and interested parties have also been undertaken on other stretches of the route.

For the section between Skegness Pier and Mablethorpe, Natural England are currently processing the data gathered from walking a proposed route so that report maps can be prepared and establishment and maintenance costs estimated. A publication date of mid-November is being worked towards when there will be an 8 week period for representations and objections. The norm is then a 6 month turnaround for a decision from the Secretary of State, followed by an establishment period (usually 6-9 months). It is expected that this section of the route will be open by 2018.

Preparatory work on the section from Mablethorpe to the Humber Bridge is due to begin in 2017.

### **Natural Environment**

Officers are preparing the Wild Coast Vision with the Lincolnshire Wildlife Trust and other partners. This will seek to join up various coastal environment assets such as the Coastal Grazing Marshes and the Lincolnshire Coastal Country Park along with Local and National Nature Reserves such as Theddlethorpe Dunes and Gibraltar Point. This new document will ensure the County Council makes the most of opportunities to align with the LEP's Strategic Economic Plan to ensure enhancement to the visitor and county economy.

### **Gibraltar Point Visitor Centre**

The official opening of the Gibraltar Point Visitor Centre is to be held on 7 October 2016. Renowned naturalist and patron of The Wildlife Trust, Dr Simon King OBE will be in attendance together with the Chief Executive of the Lincolnshire

Wildlife Trust and invited dignitaries. This is a great opportunity to celebrate the successful partnership working that has made this Centre a first class visitor destination to enjoy the beautiful and diverse national nature reserve.

### **Public Rights of Way**

The section continues to ensure that wherever possible the rights of way network in Lincolnshire is open and available for use. The summer months have seen a significant increase in reports to the section as visitors to the county and residents take the opportunity to visit the countryside during the holiday period.

### **Coastal Development**

As previously reported in May, the Environment Agency has agreed to join a workshop with major coastal developers to explore how coastal protection schemes can be designed to protect the area and to promote investment at the same time. Joint working of this nature will be a feature of our future relationship with the Environment Agency and we are seeking to make this integral to ongoing deliberations about the long-term approach to managing Greater Lincolnshire's coastline.

### **Central Lincolnshire Local Plan**

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 officers have been fully engaged in supporting this work, particularly in the areas of demographics, housing targets, infrastructure delivery and energy policy and will provide support at the examination in public.

Before the new Central Lincolnshire Local Plan can be adopted it will go through several rounds of consultation and will undergo an examination where the 'soundness' of the document will be assessed. An independent Inspector will review all the evidence that has been used to inform and define the policies, the consultation that has taken place, and the process that was taken to prepare the document, before writing a report that will set out whether the document can be adopted as policy. The examination hearings are expected to take place in November of this year which will hopefully enable the plan to be adopted in early 2017.

### **South East Lincolnshire Local Plan**

Comments were invited on 'Preferred Sites for Development' for residential, employment and other uses between 15 July and 12 August 2106. These are sites which the Joint Committee proposes to identify as allocations for development in the 'Publication' version of the Local Plan, which will be submitted to the Secretary of State. Since some of these Preferred Sites have not been the subject of previous

public consultation, it is important that there is a final opportunity for everyone to offer their views on their suitability.

LCC has made detailed and robust representations regarding the proposed uses and location of the development sites. In particular, land which can be used to facilitate investment in infrastructure has been identified in Holbeach and Boston. It is hoped that the Local Plan can be formally submitted to the Planning Inspectorate just before Christmas 2016.

### **East Lindsey Local Plan**

A consultation (<http://www.e-lindsey.gov.uk/localplan>) seeks views on East Lindsey's vision and strategic policies for growth and development up to 2031. Officers have already given their preliminary views on the overall approach of the Plan, and in particular, the relationship between the Lincolnshire Coastal Study Principles and the growth ambitions of the Greater Lincolnshire LEP Strategic Economic Plan, in a report to the Overview and Management Scrutiny Committee (OMSC) on 28 July 2016.

The main issues identified are:

**Coastal Flood Risk and Inland Spatial Strategy** – LCC is generally supportive of East Lindsey's approach to managing growth and development. In particular, it appreciates the challenge of responding to the serious threat of coastal flood risk and the proposed strategy of coastal housing restraint and inland growth. However, there is a need for a more refined and targeted approach to matching particular land uses to particular locations. LCC supports the desires of business to see an extended season with better designed sites and formal evacuation procedures as part of an industry approach to a more economically vibrant coastline, which does not increase the volume of people at risk from coastal inundation.

**Housing** – LCC supports the overall housing target based on 2012 household projections and the implementation of existing planning permissions in Coastal East Lindsey (significant at 1308 dwellings) plus brownfield market housing and affordable housing in the coastal strip to maintain the level of population. There is a need to address the visitor economy long term labour supply issues and it is suggested that a key worker approach for market housing is adopted. The redirection of housing growth further inland is welcomed. However, a better targeted distribution which focuses on the most sustainable towns (especially Horncastle) would enable much needed infrastructure such as a new primary school and road improvements to be built. The need to identify a Horncastle bypass and start the process of identifying a potential route has been raised strongly.

**Economy and Tourism** – a more ambitious approach to diversifying and upgrading the tourism offer along the coast is suggested in the LCC response. To drive a vibrant economy, better sites, more expensive vans, hard standings and an extended season will drive the economy without necessarily increasing the number of people on the coast. Homes for workers to grow the economy and an extended season to deliver more of a full employment ratio, rather than seasonal, is a key requirement. In addition, the use of exceptional policies along the coastal strip to deliver market housing on brownfield sites and unconstrained affordable housing should be focused on supporting the local economy by prioritising tourist worker accommodation and key worker housing respectively. However, LCC officers have a

concern about the Plan meeting the SEP economic growth targets along the coast, which can be achieved by diversifying the tourism offer without increasing the population at risk from coastal flooding by using suitable design and mitigation.

**Transport, Infrastructure and Funding** – LCC has concerns regarding the content and quality of East Lindsey's interim Infrastructure Delivery Plan (IDP). Detailed comments by Education and Transport have been made to improve the relevance and accuracy of the document. It should be noted that no Community Infrastructure Levy (CIL) is proposed because of the relatively low land values in the district, resulting in more reliance on site-specific Section 106 Obligations. An offer has been made to work closely with ELDC to improve the content and quality of the IDP.

**Renewable Energy** – the approach to large-scale renewable energy development is considered too permissive and not fully compliant with recent Government policy changes. Officers have suggested amendments to bring East Lindsey policy in line with national guidance.

A detailed and technical response which comprised LCC's formal reply to the consultation has been sent to East Lindsey.

## **Planning**

### **Minerals and Waste Local Plan**

The Minerals and Waste Local Plan Core Strategy and Development Management policies was adopted on 1 June 2016. The Core Strategy sets out the key principles to guide the future winning and workings of minerals and the nature 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 assessed against.

The second part of the Local Plan is the site location document which sets out the Council's preferred waste and minerals sites to meet the projected need for minerals and waste sites over the plan period to 2031. The initial site location document was subject to the first round of public consultation in early 2016. A total of 100 representations were received. Following on from this consultation and in response to the representations received a number of meetings have taken place over the summer with the minerals industry to discuss making changes to their sites and/or provide further information. Officers are now preparing a submissions document capturing these changes which will be presented to the Environmental Scrutiny Committee and Executive later this year for approval. Subject to the agreement of the Scrutiny Committee and Executive this document will go out for further public consultation before the end of the year. The site location document will then be submitted for examination in summer 2017 and presented for adoption towards the end of 2017.

## **Environment**

### **Flood Risk Management**

The Greater Lincolnshire LEP continues to implement its Water Management Plan, with a high-profile Parliamentary launch at the House of Commons on 7 September and a local event planned for later in the year. In the meantime, officers are

preparing final detailed submissions to Government for external monies to support the first round of projects promoted in the Water Management Plan.

Effective coastal management is a key element in our shared ambitions for Lincolnshire's future economic prosperity, and following confirmation that funding for the existing scheme known as 'Lincshore' – covering Mablethorpe to Skegness – is now secure up to 2021, the Lincolnshire Flood Management Partnership and the LEP are working to agree and implement a costed and sustainable approach to managing the coast from 2021 onwards. As the operating authority for the area, the Environment Agency are responsible for putting in place a strategy for coastal flood risk, while through the partnership we are seeking to ensure that this strategy supports and promotes our common wider objectives for Greater Lincolnshire's communities, economy and environment.

### **Boston Barrier**

We are continuing to work with the Environment Agency to secure the Transport and Works Act Order (TWAO) for the £100m Boston Barrier – the consultation on the TWAO opened on 23 August and runs until 5 October 2016. The Barrier will protect over 14,000 homes and is programmed for completion by December 2019.

On the 31 August, I met with James Bevan the Chief Executive of the Environment Agency at the Barrier project and we discussed the opportunity for economic growth arising from projects such as the Boston Barrier. He also reaffirmed that the agency's position on the development was positive. This bodes well for Greater Lincolnshire's ambition for economic growth and new homes in the years ahead.

### **Louth and Horncastle Flood Alleviation**

The Louth and Horncastle flood alleviation schemes will be completed this year giving much needed protection to these towns. We have provided £6m financial support to the overall cost of £15m to enable these projects to be constructed.

### **Local Flood Risk – Capital Programme**

As the lead local flood authority we continue to deliver an annual programme of local flood risk schemes of around £1.2m, through the national Flood Defence Grant in Aid (FDGiA) six year medium term plan, attracting over 50% of external funding.



## **COUNTY COUNCIL MEETING - 16 SEPTEMBER 2016**

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

### **HIGHWAYS AND TRANSPORT**

#### **Lincoln Eastern Bypass**

The Public Inquiry into the Orders for the Scheme has now concluded and the Secretary of State has published his decision to confirm the Orders. The legal process to acquire land needed for the scheme has now started.

Tenders were issued to four prospective contractors in June 2016, with a return date of 30 August 2016. Once tenders have been verified and assessed, this will allow a submission to DfT (Department for Transport) in early October 2016 for approval to release the £50m funding they are currently provisionally contributing for the scheme. Once this has been confirmed contracts can be signed with the successful contractor. It is hoped to start on site in January 2017.

A track possession has been provisionally booked by Network Rail for October 2017, to allow them to construct the bridge that will take the Lincoln to Spalding railway over the bypass. This is currently under discussion, Network Rail hope to be on site in December 2016.

A scheme of archaeological investigation will commence in September along the length of the route, after seeking competitive tenders from specialist contractors.

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**

The works are due to be completed in late September and a low key opening ceremony with Karl McCartney, MP is planned for 18 November 2016.

Work has commenced on Brayford Wharf East to make it one way northbound and make the left in left out at St. Marks permanent.

The City of Lincoln have prepared the site north of Tentercroft Street for a temporary bus station in preparation for the Lincoln Transport Hub and the access into the area from the East West link has been modified to accommodate.

### **Network Rail High Street Footbridge**

The footbridge opened in June 2016. A series of remedial works to correct defects are currently being implemented by Network Rail.

### **Network Rail Brayford Wharf East Footbridge**

Network Rail has now secured the shortfall in funding to allow them to progress with this scheme. The scope of the bridge has been reduced to match this shortfall and no longer includes for the provision of lifts. A planning application is expected to be submitted in autumn 2016, with the bridge opening in autumn 2017.

### **Skegness Countryside Business Park**

This contract for the works is currently out to tender, the tender period is eight weeks. The chosen procurement vehicle is the Midlands Highway Alliance.

### **Holbeach, Peppermint Junction**

The Peppermint Junction improvement scheme is now at 'detailed design' stage having received planning permission. This project replaces the existing A17/A151 T Junction with a roundabout and introduces a second roundabout on the A151 to release adjacent housing/employment land. Works are currently proposed to commence in May 2017, where overnight works will be used where possible to minimise congestion on this strategic route.

Outline proposals for the neighbouring housing development have been submitted by LCC and are being considered by SHDC. Proposals for the Food Enterprise Zone to the west of the A151 continue to be developed.

Separate funding has been identified to improve traffic movements at the adjacent Boston Road Roundabout, whilst also considering pedestrian safety. Carriageway to the East and South of Peppermint Junction will also be resurfaced as part of planned maintenance at the same time. It is proposed that these works will use the same contract as Peppermint Junction to minimise cost and reduce inconvenience during the works.

### **Grantham – King31 Including A1 Connection (Spittlegate Level, west to A1)**

Phase 1 of the King31 element commenced on site on 21 September 2015 and was substantially complete to cost & target in July 2016, even though it had been extended towards the A1 to bring financial benefits by using cut material to replace imported fill. The contractor is currently completing snagging works on the final surfacing.

Phase 2, the grade separated A1 Junction itself, originally relied on an inherited planning permission from the developer. This has resulted in a new application approved by LCC with the completed design submitted for approvals to Highways England. Once approved, Highways England will publish the Line Orders (road modification and PRoW diversion). Galliford Try have been appointed (through Midlands Highways Alliance) to produce a target cost, scheduled for early

September 2016. If this is approved by Executive we could place an order for commencement in November 2016; subject to Highways England concluding their above work.

### **Grantham – Southern Quadrant Link Road (SQLR)**

This is effectively Phase 3 of the Grantham Southern Relief Road.

LCC now have a new planning permission following approval of the S.73 change to planning, with no Judicial Review challenge. This involves a substantial 5 span viaduct over the River Witham and East Coast Main Line (electrified).

The detailed design is now approaching completion, as is preparation for the Compulsory Purchase Orders (CPO) and the Side Road Orders (SRO) for this final element of the Grantham Southern Relief Road. Similar schemes suggest this will require a Public Inquiry and we will be running our procurement process concurrently with this.

### **Spalding Western Relief Road**

The housing developer is due to submit a reserved matters planning application for the South phase of this road in the near future, with a view to gaining approval during 2016. We continue to liaise with the developer in view of gaining agreement from them on funding contributions for this section of the relief road.

The design for the North phase has been frozen, but has been consulted on during Jul/Aug 2016 as part of the draft South East Lincolnshire Local Plan. This now awaits developer stimulation (separate to the South phase).

The central section of SWWR is identified as a 'safeguarded corridor' within the South East Lincolnshire Local Plan.

### **Street Lighting Transformation**

The Street Lighting Transformation continues to progress well and as at 5th August; 7,017 LED lights have been installed, 11,415\* Part Night conversions have been completed and 242 street lights have been fully switched off after careful assessment alongside colleagues at Lincolnshire Road Safety Partnership.

\*Includes 2,500 lights that have had photocells replaced to change their switch off time from 10pm to midnight. These photocells are being reprogrammed so that they can be utilised later in the programme.

These changes, so far, will result in annualised savings of 4.3M kilowatt-hours of electricity and £408,015.

We continue to raise awareness of the changes to street lights across the county through the LCC website, local media and County News (Autumn edition).

## **Highways Alliance**

The Lincolnshire Highways Alliance is an Alliance between the County Council, Dynniq, Mouchel and Kier. The Alliance delivers the majority of highway services through the Traffic Signals Term Contract, the Professional Services Contract and the Highways Works Term Contract which all started on April 2010.

Each of the Alliance contracts has recently been extended by 1 year to 31<sup>st</sup> March 2019, which means that the contract has been issued to year 9 of a possible 10.

## **Alliance Performance**

Quarterly performance is reported through the Alliance management structure, with performance issues becoming the subject of an improvement action plan. The Alliance partners have managed to achieve their targets for Quarter 1. The results per contract area are:

- Alliance Key Performance Indicators (LCC/Kier/Mouchel/Dynniq) – 79%
- Highways Works Term Contract Performance Indicators (Kier) – 89%
- Traffic Signals Term Contract Performance Indicators (Dynniq) – 95%
- Professional Services Contract Performance Indicators (Mouchel) – 86.3%
- Client Performance Indicators (LCC) – 74%

The performance achieved in Quarter 1 shows that the Alliance Indicators are at a good level and look set to remain as we progress through Year 7. A series of new indicators are being trialled alongside the current set of indicators to target and challenge each partner so that the Alliance continues to evolve.

## **Winter Maintenance**

The County Council will enter the winter of 2016/17 with 25,000 tonnes of salt within our eight highway depots and a further 24,000 available on quayside at Immingham Docks. The Highways Alliance has held some driver recruitment days to actively promote recruitment of additional LGV drivers to supplement the number of drivers available for winter maintenance activities. This has also involved close liaison with staff within the Fire & Rescue service who it is hoped will be assisting this winter. As part of the normal lease process the four large gritters covering the hills in the Wolds have been replaced at a reduced cost to the authority through close liaison with manufacturers and the lease company.

## **Lincolnshire Road Safety Partnership (LRSP)**

The number of people killed or seriously injured (KSi) in Lincolnshire in 2015 was 314. There were 176 to the 30 June 2016. In 2015 there were 39 fatalities on the roads. Unfortunately, there have already been 37 fatalities in 2016.

In response to high number of fatal collisions the LRSP data team are working with the Collision Investigation team to continually analyse the fatal collisions to identify trends and highlight work that may need to be done. Common factors may include:

- Gender breakdown
- Weekday / time of day
- Vehicle type
- Road surface / area
- Weather vs.casualty class
- Contributory factors

The LRSP is also undertaking a fundamental review of our motorcycle provision; working with Lincolnshire police to re-introduce Operation Stealth motorcycle enforcement, creating a new young rider training programme and reviewing how we provide training through Performance Plus and Bikesafe.

LRSP and Lincolnshire Police have agreed a new method of enforcement tasking (roads policing) that will see an increased presence at problem locations and are also investigating how we can further assist enforcement by local policing teams at identified problem sights by providing data through their tasking process.

The LRSP's public engagement exercise 'Public perceptions of road safety in Lincolnshire' started on 29 August 2016.

A new average speed camera system was installed on the A1 at Stoke Rochford and became operational on the 20 May 2016. Per week it is detecting approximately 150 offences. The system is enforcing in the north bound and south bound carriageways and has replaced the two fixed Gatso style installations. The old style units were detecting approximately 190 offences per week during the same period. We would expect the number of offences to decrease over time as road users become more familiar with the system.

Lincolnshire Police have issued a contract to install an average speed camera system on the A16 at Crowland. All equipment has been ordered and work between the manufacturer, LCC and Lincolnshire Police to coordinate the installation are well under way.

15 new fixed digital upgrade sites are now operational; all offence processing software and hardware has been installed and is operational.

The following completed training courses in Lincolnshire in 2015:

	Up to end July 2016	Up to end July 2015	Difference
Speed Awareness	8359	7149	+1210
Driver Alertness	148	208	-60
What's Driving Us	441	560	-119
Driving 4 Change	7	3	+4
Ride	15	8	+7
Taxi Driver	28	23	+5
Pass Plus	31	26	+5
Mature Driver	6	74	-68

So far in 2016 The Local Safety Scheme engineering team have completed:

- 28 road safety audits completed for road improvements between January and end of April.
- A list of over 900 sites with high numbers of injury collisions over the last five years was generated in December 2015. Analysis identified just over 50 sites requiring more detailed investigation work. This is currently being undertaken by the Accident Investigation and Prevention Team.
- Similarly the initial list of 455 links (linear clusters) on the A and B road network have resulted in around a dozen sites for treatment. Work is currently ongoing to develop our forward programme of engineering interventions with around 10 sites already issued for works on site.

The LRSP Education Training and Publicity team (ETP) recently completed a summer drink & drug driving campaign which included the reintroduction of an anonymous text service allowing the public to text DRINK or DRUGS to 80800 with details of offenders so that Lincolnshire Police can respond. Posters and radio advertising were also created.

The ETP team also utilised social media to share road safety messages as part of Child Protection Week throughout June.

The ETP team continues to deliver it's suite of Primary and Secondary focussed road safety education across the County with school aged children and young adults. This is supported at an upper Secondary level with the continued successful delivery of our 2fast2soon programme, Jason's Story a bespoke theatre production and workshops focussing on risk, consequences and peer pressure; influencing behaviour change among our new and future road users.

## **Total Transport Initiative – Integration with Health**

NSL, current provider of Non-Emergency Patient Transport (NEPT) services in Lincolnshire, have given notice to exit the contract by June 2017. The retendering exercise is led by CCG (West) on behalf of all of the Lincolnshire CCGs.

Despite previous encouraging discussions and positive findings from an operational trial, the CCG has decided against separating the new NEPTs tender into Lots. A single contract covering all elements including Entitlement, Scheduling and Transport Provision is how the existing contract operates and this has not been without its problems. Splitting the tender into Lots (at least to differentiate the back office and field activities) would have made it much easier to integrate DRT/CallConnect and NEPTs Control and Planning functions.

The ITT places the onus on the successful bidder to consider whether it wants to work with LCC to deliver an integrated service. If the new provider does not choose to engage with LCC or the terms they offer LCC are not suitable then further development of this project before 2022 is unlikely.

## **Teckal Company Development**

The purpose of establishing a Teckal company is primarily to enable the Council to moderate the market for passenger transport in the light of reductions in capacity in the market and increases in prices evidenced by recent tender exercises. The Teckal company TransportConnect Ltd is now registered with Companies House.

The aim was for TransportConnect Ltd to start delivery of up to 27 transport contracts from 1 August 2016, after they had secured an Operator's Licence from the Traffic Commissioner. It was anticipated that this would take 9 weeks from date of application. There has been an added delay in the process and as a consequence an Operator Licence has not yet been granted. EFS have agreed to further extend delivery of their current contracts until the Licence is granted but with additional cost and conditions.

The Managing Director and Office Manager roles have been filled and the Company has contracts in place for HR consultancy and Financial Services. 47 EFS employees have undergone TUPE transfer and there are leases in place regarding 4 sites: Pode Hole and Barrowby (Council-owned); Swineshead and Bourne (sub-let by EFS).

A proposed governance structure for how TransportConnect Ltd aligns with the Council's existing structure is being drafted on the basis of a sub-committee or advisory board of the Executive being created to act as the 'Owner' of the company, to which the company Board of Directors would be answerable.

It is proposed that LCC will recover main set-up costs, including the purchase of vehicles. A detailed 5 year financial projection model has been created for the

Company and populated with all available costs and projected income. The current cautious projection indicates a loss in year one, followed by a surplus in following years.



## **INFORMATION MANAGEMENT AND TECHNOLOGY**

### **Overview**

IMT Services being delivered by Serco are continuing to slowly improve, and most services are stable following twelve months of service. There remain some areas where the breadth of services delivered by Serco, and level of service are falling short of expectations.

Whilst there are continued delays in implementing key IT transformation projects, which are hampering the delivery of key IT-enabled improvements, day to day user experience of the service desk remains high.

The Council has recently experienced a malware attack which invoked Business Continuity Plans across Council services. The response to this was generally positive and LCC and Serco colleagues continue to work collaboratively on lessons learnt and enhancements.

In February 2016, the Council was subject to an audit by the Information Commissioners Office (ICO). This audit has recognised the improvements made over the previous twenty four months and reaffirmed that our forward plans are appropriate.

### **ICO Audit**

In summary the audit has provided benefit to LCC through recognising areas of good practice and confirming the need to enhance a number of areas already planned for improvement.

The audit consisted of:

- A 3 day on site visit by two ICO auditors.
- A review of over 120 individual pieces of documentary evidence.
- 28 interviews primarily with the Information Governance Team but with crucial support from Children's Services; Adult's Services; Public Health; Business Support; Legal Services; People Management; Serco (Lincoln); and Restore (off-site storage contractors).

As a result of the above the overall result is that the ICO has reasonable assurance the council is delivering data protection compliance.

### **Malware Attack**

On Tuesday the 26 January 2016, Lincolnshire County Council was subject to a malicious software attack known as ransomware. The issue was managed by the council's IMT team with Serco and they worked with services across the council in the application of business continuity plans. This enabled services to be maintained and risks to be appropriately managed.

The approach undertaken was verified by Lincolnshire Police's Cyber Crime unit.

An in-depth review of the security and response arrangements in place is on-going in collaboration with colleagues at Serco, and in discussion with the wider Security community to see if improvements can be identified for the future.

Whilst there is outstanding contract work due from Serco in respect of disaster recovery this does not detract from the excellent work and expertise the 'on the ground' Serco engineers brought to the incident, and it is noted that their commitment to the Council and to rectifying the situation was excellent.

### **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 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 still 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 clarify expectations and work through the backlog of project work. This is continuing to have a positive effect and backlogs are largely cleared. It is the aim that all small projects are delivered within six weeks from commission.

### **Transformation Technology**

Whilst many of the outstanding projects now have plans, some further planning and prioritisation work is required. Where plans are now available, Serco and the IMT team are working to ensure interdependencies of the remaining transformation projects are clear and milestone dates are established.

### **Broadband**

#### **Phase 1**

The main broadband project (Phase 1) was concluded on its scheduled date of 31 March 2016. At the end of Phase 1 150,775 premises had been successfully fibre enabled, which equates to 738 roadside cabinets. This was against a contractual target of 148,334 premises. In addition to this successful delivery the project came in under budget. This saving is earmarked for broadband delivery and will now be used to enable additional broadband improvements.

## Phase 2

Phase 2 of the project commenced 1st April 2016 as planned and includes the first group of additional areas identified as being in need of further investment. The full deployment plan for Phase 2 is still to be finalised with BT. In the interim, work has commenced on the areas already agreed.

The final Phase 2 plan will be published as soon as it has been agreed with BT, and the original Superfast coverage figure for Phase 2 of 4801 premises will be significantly improved upon. As Phase 2 progresses further areas that are in need of better broadband and represent value for money will be included and therefore, the deployment plan will grow and change.

It is expected that it may not be possible to reach some areas with the existing BT technologies and alternative technologies are being investigated.

Overall, we remain confident that Phase 2 will allow us to go further with faster broadband than we had originally anticipated, but we remain committed to ensuring value for money for the numbers of premises covered and end user speeds achieved, when determining where to invest further funding.

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## **COUNTY COUNCIL MEETING – 16 SEPTEMBER 2016**

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

### **PRESENT SITUATION**

#### **Provision of HWRCs**

The HWRCs service is provided through three contracts of staffing, disposal and haulage. New contracts need to be in place from the 1 April 2017 and for the first time we now own and operate 9 HWRCs throughout the county.

We are investigating the possibility of savings; the haulage element was sent out to tender in early August. Tenderers will have the opportunity to cost a longer term contract of 7 years with the possibility of buying the vehicles, potentially saving money in vehicle leasing costs and to allow time for the vehicles to be purchased and built. The staffing and disposal of the various waste stream contracts will be tendered in October.

#### **Mixed Dry Recycling Contamination**

This issue has been hotly debated recently around the country because the government have introduced a regime for assessing the degree of contamination in each load tested. We are working closely with our District Council colleagues to robustly scrutinise the new regime in order to agree whether assessments are indeed accurate and, if so, what levels of contamination we should be aiming to realistically achieve across Lincolnshire.

### **FUTURE AMBITIONS/CONSIDERATIONS**

The significant challenge we continue to face is the delivery of the high performing and well regarded Waste Service, within a reduced budget. We are investigating the alternative service provisions that other Local Authorities have considered or are operating successfully, as possible opportunities for helping to safeguard the core Waste Service in Lincolnshire.

#### **Waste Audit**

In order for Waste to move forward and deliver comprehensive waste services across several authorities, we have to work closely and effectively together. I am not convinced that the Lincolnshire Waste partnership set up is strategic enough to be able to do this. I have asked for a complete audit of the LWP and the officer waste forum, so that we may glean present strengths and weaknesses whilst finding new ways of working in order to create effective bodies fit for the future.

Therefore we are currently undertaking an audit of the Lincolnshire Waste Partnership and the Joint Municipal Waste Management Strategy. This will inform an action plan that will be used to help shape the strategic direction and governance of waste in the County. County Councillors, District Councillors, Environment Agency and senior officers from all Authorities have been engaged.

Initial findings will be discussed at the next Partnership meeting in mid-September.

### **Boston Household Waste Recycling Centre (HWRC)**

You will recall that I have referred to a new HWRC for Boston during my past statements:

*'Boston will be our next project and will become number ten of our recycling sites. Presently plans for developing this site to open in April 2017 are underway and will again be a purpose build facility, second to none'.*

Following this we made an application to the Planning Committee for permission to build the HWRC and after their careful consideration planning permission was granted and we are continuing to deliver this centre accordingly.

## **COUNTY COUNCIL MEETING – 16 SEPTEMBER 2016**

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

### **LINCOLNSHIRE HEALTH AND WELLBEING BOARD**

#### **Joint Strategic Needs Assessment**

As reported in my last statement, the fundamental review of the Joint Strategic Needs Assessment (JSNA) began in earnest in April 2016. All 35 topics in the JSNA are being reviewed by expert panels made up of representatives from the County Council, Clinical Commissioning Groups, other health partners, District Councils and the voluntary sector. The JSNA reports on the health and wellbeing needs of the people of Lincolnshire. It brings together detailed information on local health and wellbeing needs and looks ahead at emerging challenges and projected future needs. The JSNA is the overarching evidence base and is used by the Health and Wellbeing Board to inform the shared priorities in the Joint Health and Wellbeing Strategy (JHWS), and is the basis for the planning and commissioning of services.

The informal Health and Wellbeing Board meeting on 12 July, attended by wider partners, provided an opportunity to evaluate the robustness of the updated JSNA format by ensuring the new commentaries provide the necessary evidence to enable the Board to identify the priorities for the next JHWS. This exercise was particularly important given the fact that the JSNA review began before the prioritisation framework for the JHWS was developed, so the meeting enabled us to cross check the approaches.

The meeting highlighted a number of minor gaps in the approach and steps are being put in place to ensure the JSNA commentaries provide a robust evidence base for the development of the JHWS. This additional work may have a slight impact on timescales, although the intention is still to republish the JSNA on the Lincolnshire Research Observatory by early spring 2017.

As part of the review process a number of new topics have been identified: Autism, Dementia, Domestic Abuse and Financial Inclusion.

#### **BETTER CARE FUND (BCF)**

Members will be aware that we are now in our second year of the Better Care Fund. The Lincolnshire 2016/17 BCF Plans received NHS England approval on 5 July 2016. The required pooled fund agreement in the form of five 'Section 75 agreements', and two 'aligned budgets' between the County Council and the four CCGs in Lincolnshire were also all signed-off ahead of the 30 June deadline. This means that the £48.4m revenue funding and £4.9m capital available to Lincolnshire for 2016/17 is now protected and formally available. It also means that (following negotiations with the CCGs) £16.825m of BCF funding is available to protect Adult Care Services in 2016/17. This funding is absolutely essential for the service, both protecting existing service provision and providing some capacity for innovative joint working with the health community. In 2015/16 Lincolnshire was only one of five areas in the country with a significant pooled budget (of £197m), in 2016/17 the level

of pooled funding is in excess of £193m and we remain one of a small number of health and social care systems in the country with a large pooled budget.

The national conditions surrounding the BCF were added to in 2016/17 from those which existed in the previous year. Additional emphasis has been placed on non-elective admissions and delayed transfers of care at a national level reflecting increased concern about how acute care is operating. Regular performance reports are produced for the Lincolnshire system so that we can closely monitor these and other critical areas. The Health and Wellbeing Board that I chair receives an update concerning the BCF at each of its formal meetings.

## **COMMUNITY ENGAGEMENT**

### **Corporate Complaints and Compliments**

In October last year, the Council undertook a review of corporate complaints. An action plan was developed which included a number of activities. Over the last few months, a working group consisting of managers from all Directorates has been meeting to address the actions. The Council now has a single Corporate Complaints and Compliments Policy and a supporting procedure. The Council's website and other supporting information have been updated and a new process for reporting on complaints, and making improvements where required, has been introduced.

### **Community Engagement Community of Practice**

Last year, the Community Engagement team set up a Community Engagement Community of Practice (CoP) for officers involved in engaging with service users and members of the public. This 'platform' offers monthly practice development sessions (identified by the group and lasting only one hour); a monthly e-newsletter featuring local, national and international research and twice yearly meetings where best practice engagement is discussed along with common challenges. The CoP has over 60 members from across all Directorates and is now expanding to involve District Councils and other key partners.

### **Lincolnshire Armed Forces Community Covenant (AFCC)**

The Armed Forces Community Covenant (AFCC) Partnership Board (co-chaired by Cllr Woolley and Air Commodore Luck) will be reviewing membership and consolidating actions at its next meeting on 14 September. This year's annual conference will be held on 14 October.

The AFCC is now open for applications under four priorities: details can be found on the AFCC area on our website. We continue to offer support to groups and organisations in the application process.

Between 2012 (when the AFCC Grant Fund started) and 2015, successful applications levered in £1.3 million to the county. The criteria and process of approval for the grant scheme changed last year with fewer applications being developed and accepted by the regional panel. This resulted in £105,000 being levered in over the last year.



## **Lincolnshire Sport**

The DCMS and Sport England have both launched new strategies this year, to roll out in April 2017. The strategies look at activity rather than sport and will focus on getting people who are inactive doing at least 30 minutes of exercise. Unlike the previous strategy that engaged people who were already active, this new strategy will look at behaviour change to improve the physical and mental health and wellbeing of individuals.

The 5 key areas of the Sport England strategy "Towards an Active Nation" will focus on are Physical Wellbeing, Mental Wellbeing, Individual Development, Social and Community Development and Economic Development. There is an opportunity for Lincolnshire, with high levels of inactive people and areas with multiple indicators of deprivation, where we could work with other traditional and non-traditional partners to develop projects and programmes that will benefit the county.

Lincolnshire Sport is already working with the 3rd sector partners to scope potential projects and programmes that we could apply for funding to develop and deliver. LCC via Public Health will also be supporting these project teams. They will be working together to try and attract additional funding to support the work already being done to improve both physical health and mental health.

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## **COUNTY COUNCIL MEETING – 16 SEPTEMBER 2016**

**Statement from: Councillor C N Worth, Executive Councillor for Culture and Emergency Services**

### **LIBRARY SERVICES**

The contract with Greenwich Leisure Limited (GLL) was officially launched on 4 April 2016, with a seamless handover of operations.

As part of the dialogue phase of the procurement exercise and as per the contract, it was agreed that the initial focus would be on transition and operational delivery. Formal performance monitoring will not be implemented until Q2, however, initial indication is that visits have increased over the core library sites and there has been an influx of activities delivered over the summer period.

There are ongoing developments within the service and the potential for soft play areas for children at the core sites is currently being reviewed. Numerous physical changes are also being developed at a number of the core sites including Boston, Skegness, Sleaford and a new castle themed children's area at Lincoln.

Partnerships are beginning to be explored with District Councils around the use of the mobile service to support the District's proposed changes to the community access points. Relationships are also developing with the University Librarian over potential joint working opportunities.

Operational staff feedback on their first months of working with GLL are all positive. However, we are still to receive agreement from the landlord at the Isaac Newton Shopping Centre in Grantham, to our sub-letting of the site to GLL. Grantham Library staff, therefore, remain LCC employees, although they are supported operationally by the GLL management team and LCC.

The Community Hub roll-out continues to progress with relationships forming with GLL around the dedicated training and support that is available.

Sutton Bridge, Swineshead and Wainfleet are still scheduled to go live over the coming months, bringing the total number of Community Hubs to 36 (this includes Belton Lane Children's Centre and the 3 hospitals that operate as a hub).

I look forward to seeing all these services come into their own over the next few years. This is an exciting time for an excellent library service and is a great outcome for everyone.

### **HERITAGE & CULTURE**

#### **Lincolnshire Heritage Sites are Awarded TripAdvisor – Certificate of Excellence**

In June, Lincoln Castle, Gainsborough Old Hall, The Collection and Usher Gallery, the Battle of Britain Memorial Flight Visitor Centre and the Museum of Lincolnshire Life were all given the TripAdvisor Certificate of Excellence. The accolade is

awarded based on the quality, quantity and reviews submitted by travellers on TripAdvisor over a year. For quality, the sites maintained an overall TripAdvisor bubble rating of at least four out of five.

### **Lincoln Castle and the Museum of Lincolnshire Life receive Sandford Award**

In July, Lincoln Castle and the Museum of Lincolnshire Life were recognised for their educational programmes with a Sandford Award. They join The Collection and Gainsborough Old Hall which have held the award since 2015 and 2014 respectively. The Sandford Award is an independently judged, quality assured assessment of education programmes at heritage sites, museums, archives and collections across the British Isles.

### **Poppies: Wave**

Over 200,000 people visited 'Poppies: Wave' in July, six weeks after it opened at Lincoln Castle. Lincoln was chosen to host *Wave* (by artist Paul Cummins and installation by Tom Piper) by the arts programme for the First World War centenary, 1418NOW. Amy Farrington (originally from Lincoln but now living in Barcelona) was the 200,000<sup>th</sup> person to visit the *Wave*. To celebrate the milestone, Amy and her partner Andrew, were given all-inclusive tickets to the Castle's other attractions. As at the end of August total numbers of visitors had increased to just under 500,000.

### **Magna Carta returned to The Castle**

I am pleased to report that Magna Carta returned to the Castle in August after work was completed to reset the humidity level. Magna Carta and Charter of the Forest were moved to an off-site location earlier in the summer following a rise in humidity in the David Ross Magna Carta Vault. Due to specific requirements for hosting the documents, it was necessary for them to be removed to a controlled environment whilst the humidity levels in the vault were restored.

### **Usher Gallery to receive BP Portrait Award 2016**

In September, the BP Portrait Award 2016, the most prestigious portraiture competition in the world, arrives at the Usher Gallery direct from its 37th year at the National Portrait Gallery in London. It will then move to its final stop at the National Portrait Gallery in Scotland. Selected from 2,557 entries by artists from 80 countries around the world, the popular competition has a huge international reach and will be a broad selection of the best global portraiture painting.

## **REGISTRATION AND CORONER'S SERVICE**

### **Registration Service**

The Registration Service continues to promote its celebratory events and ceremonies. The summer is always a busy time for families to celebrate particularly in relation to marriage.

We continue to explore opportunities for closer working with North and North East Lincolnshire under the Greater Lincolnshire devolution agenda. A project team has been set up to see how this could be developed with an initial focus on the sharing of

training material and facilitating service delivery across the borders where that is convenient for families yet within the legislative framework.

A new Bereavement Booklet has been developed and is due to be published very shortly. This will provide information, support and guidance for bereaved families. We aim to have this available in a wide range of locations and in particular within hospital settings.

Nationally, legislative opportunities include the addition of mother's names to marriage certificates which has been proposed in a second Private Members Bill, the proposal for wider data sharing under the Digital Economy Bill, and implementation of aspects of the Immigration Act which may support fee raising powers.

### **Lincolnshire Coroner's Service**

The interim arrangements following the departure of Professor Forrest as Senior Coroner to South Lincolnshire continue to be embedded. It has been a particularly busy first six months in the calendar year with a high volume of reported deaths to the Coroner with a large number of unusual scenarios and high profile cases for both Coroners.

Following the Executive's decision on 5 April 2016 to support the merger of the two coroner areas, the service has been working to develop the Business Case for Merger with constructive and positive dialogue and support with both the Ministry of Justice and the Chief Coroner's Office. It is anticipated the Business Case will be published by the Ministry of Justice early in the autumn as part of an engagement event to seek views on the proposed merger from a wider perspective of stakeholders.

Alongside this, the Council is working with Lincolnshire Police to more clearly align service delivery with the Council's statutory responsibilities for the provision of adequate accommodation and staffing. This also moves towards the Chief Coroner's recently published guidance in relation to the 'Model Coroner's Office'.

The Coroner's Court Support Service has been active in Lincolnshire since June and we will be able to provide a further update on the success of this initiative in due course.

We continue on the journey to transform the service and to try to ensure that a high quality, timely and sensitive service is delivered to families.

## **FIRE & RESCUE**

### **Home Office Reform**

The new Minister of State for Policing and the Fire Service, Bandon Lewis MP, has taken on responsibility for delivering the package of reforms for the Fire and Rescue service outlined in May by the then Home Secretary. The main pillars of these reforms include: efficiency and collaboration, transparency and accountability and workforce reform. This work is already underway with the Policing and Crime Bill, which contains provisions on emergency service collaboration and enabling Police and Crime Commissioners to take on fire and rescue functions where a local case has been made, expected to receive Royal Assent towards the end of the year.

Other areas of work include developing proposals for an independent inspection regime and exploring a single portal for information on fire and rescue services.

More locally, progress on the Blue Light Collaboration project continues apace having been endorsed by the Executive in May. The project will deliver a shared police and fire headquarters at Nettleham, see the development of a new joint Blue Light campus at South Park and the co-location of a number of emergency service stations around the county. The expected completion date is December 2018.

### **Integrated Risk Management Planning (IRMP)**

The changes at Lincoln North fire station, resulting from last year's IRMP consultation, took effect on 1 September 2016. This saw the station change from a 24/7 shift crewed station to a Lincolnshire Crewing System station where wholetime firefighters are available on the fire station during the day and available 'on call' within 5 minutes at night.

Lincolnshire Fire and Rescue presented the results of this year's IRMP consultation to the Executive on 6 September. Key recommendations that were agreed included: the adoption of a revised 3-year strategy document which outlines key community risks and the Service's approach to mitigating those risks; a revised proposal around the Lincoln South fire station which, although will not impact on response times, will still require a reduction of 12 wholetime firefighters across the county to meet savings targets; the permanent relocation of an aerial ladder platform to Boston; the further development of the Joint Ambulance Conveyance project; and the introduction of a cost recovery process for businesses which generate repeated unwanted fire signals from automatic fire alarm apparatus. These changes will be implemented over the coming months as appropriate.

### **New Station at Sleaford**

Work on the new fire station at Sleaford has now started. The development is taking place on the Eastgate Centre site and will include a new fire station and County Council office accommodation. There also remains the potential for EMAS to share the site in the future. The work is due to be completed by October 2017.

## **EMERGENCY PLANNING**

### **Exercise Grey Seal**

Exercise Grey Seal is a Lincolnshire Resilience Forum (LRF) coastal pollution exercise. It will take place over the period 21-23 November 2016 and be run in conjunction with the Maritime and Coastguard Agency. Key objectives of the exercise will be: to test the co-ordination between national, sub-national and local levels (including cross border liaison between Lincolnshire and Humber) in response to a major coastal pollution incident; validate the Lincolnshire LRF Coastal Pollution Response plan; and test integration of local communities and volunteer responses to an environmental emergency. The scenario will be based around a collision of a passenger ferry with an oil tanker resulting in oil coming ashore in Lincolnshire, North East Lincolnshire and Bridlington.

## **COUNTY COUNCIL MEETING – 16 SEPTEMBER 2016**

**Statement from: Councillor B Young, Executive Councillor for Community Safety and People Management**

### **CRIME REDUCTION**

#### **Safer Communities**

The service continues to work with partners to develop improved systems to manage victims and incidents of Anti-Social Behaviour (ASB) including the most vulnerable victims the worst perpetrators and problem locations. The focus on vulnerability requires a need to link into other safeguarding mechanisms. Following a slight increase at the end of 2015-16, ASB incidents have reduced between April and June Q1 and are 3% lower than the same time last year. Most categories of ASB have followed the decrease but cyber enabled ASB is up compared to the same quarter last year (64.7%).

Work continues to drive success across partner organisations in tackling issues linked to the abuse of alcohol and drugs. There continues to be good success working with some of the most problematic drinkers in the Blue Light Alcohol Concern Project reducing up to 30% incidents, crimes and attendances by police and at hospitals, of this difficult group. Alcohol related incidents have seen a decrease this quarter (down 9.9% compared to Q1 2015-16). Transport incidents which are alcohol related are still higher than they have been for the previous five years although the increase compared to the same quarter last year is much smaller than it has been.

Reports of sexual violence and abuse crime continue to increase. Although some of this increase is linked to historic cases much of it is very recent, often linked to alcohol and the night time economy. Organisations including the University of Lincoln are working together on a preventative campaign #NOMORE which launches in September 2016.

Positively, incidents of domestic abuse **reported** to the police are marginally higher than the same quarter last year. However, the county has seen a number of tragic incidents over the last few months resulting in domestic homicides; four new Domestic Homicide Reviews have been commissioned. As LCC lead on the administration of the reviews this is putting particular pressure on the Community Safety team, which now have the management of 6 active reviews.

Lincolnshire remains one of the safest places to live and work. Overall recorded crime is down by 1.3% compared to the same quarter last year. Whereas property crime (all acquisitive and damage offences) is decreasing, personal crime (all violent, public order and sexual offences) continues to rise. Against the same quarter last year, personal crime is up 12.7%. The Safer Communities team will continue to engage with partners to tackle the areas of crime that cause most harm to communities and individuals.

## **YOUTH OFFENDING**

The service continues to maintain positive performance around the three key performance indicators (Custody, re- offending and first time entrants). Lincolnshire YOS received its budget settlement from the Youth Justice Board for 2016/17 which amounted to a further reduction of approximately 9%.

For some time the service has anticipated the publication of the national review of youth justice undertaken by Charlie Taylor which was commissioned by the then Justice Secretary, Michael Gove. The changes within government have once again delayed the publication and there is no clear date as to when this may be published or clarity on the likely content or recommendations.

Youth justice has an important role within the re-launched integrated offender management model (ARC) and the emerging plans around devolution within Greater Lincolnshire. There are clear opportunities within devolution to drive innovation in how youth justice is delivered and we will work in conjunction with the Ministry of Justice to progress this as part of a wider criminal justice model.

Finally, in late 2015 the service piloted the 'Status' programme for young males aged 14 and above who were convicted of violent offences. This is a focused cognitive group work intervention designed to challenge the beliefs and attitudes which support violence and minimise the likelihood of further violence. The programme has been warmly received by magistrates and community panel members in Lincolnshire and will roll out formally as a dedicated condition within Court Orders from September 2016.



## TRADING STANDARDS

### **Scam Mail Project**

The Scam Mail project continues to roll out across the county, with visits to individuals who are known to be responding to scam mail as their mail has been intercepted at the perpetrators of the scam. Happily, in some cases we have been able to return cash or cheques to the victims or their name is showing on a 'suckers list'. The officers involved are working with individuals many of them who are very lonely or isolated to break the cycle of responding to the scams often to fill their day with activity. Referrals are being made to the Wellbeing Service and charitable organisations. Feedback from one victim stated *"Thank you for your wonderful assistance - now it's up to me to BE STRONG"*.

It is known nationally that: only 5% of victims report being scammed to the authorities; fraud costs the UK economy £52 billion every year; the average age of a scam victim is 74, and the average loss is £1000 per victim. However it is not uncommon for victims to lose hundreds of thousands of pounds and a scam victim is 2.4 times more likely to die or require extra care in the two years after a scam. These national facts are playing out in Lincolnshire.

### **Black Economy**

Work continues at Lincolnshire's largest markets and car boot sales to address the issue of counterfeit items. Two successful prosecutions resulted in prison sentences for traders who had continued to sell counterfeit clothing and goods including cigarettes. In handing down a six month sentence the judge stated that *"this type of crime is deceitful to the public and deprives the Treasury"*. Officers have worked with market owners and organisers to ensure that local markets are not exploited for 'black economy' purposes. The teams efforts in this area were recognised by an award from the National Markets Group which includes HMRC, DWP and Police at the Chartered Trading Standards Institute Conference in June.

## **PEOPLE MANAGEMENT**

On Friday 12 August 2016, the Department of Education released the proposals for the Apprentice funding and asked for feedback to be submitted back to them by Monday 5<sup>th</sup> September. The policy proposals will then be released by October.

Unfortunately, the results of the consultation were not released as expected at the end of June, which means that it is still unclear whether Fire and Rescue or schools will be included in the Levy we also still await confirmation of the proposed public sector target originally floated as 2.3% of the total workforce headcount for apprenticeships starts.

In the meantime, the Apprenticeship Strategy Group have commenced role mapping against the new apprenticeship standards with approximately 100 job roles currently being mapped . The next stage will be to ascertain how many of the mapped roles will be/are vacancies and how many will be staff conversions. The staff conversions will be dependent on the confirmation of the eligibility criteria, which is expected to be included in the updated funding policy as above.

We currently have a graduate management trainee working in the People Management Team, investigating and researching the existing early career progressions that exist within the Council. A paper is being prepared along with recommendations to go to the Director with responsibility for People Management by the end of September. In addition a paper is also being prepared on the recommendations for payment of all age apprenticeships with effect from April 2017.

## **LEGAL SERVICES**

In July Legal Services Lincolnshire underwent an annual assessment of its LEXCEL quality award.

LEXCEL is a Law Society approved and accredited quality standard recognised across the profession as demonstrating excellence in practice management and client care. The assessment involved a two day visit evaluating the risk management arrangements of the service as well as the professional practice of a cross-section of staff in the service.

The assessment was positive with only a small number of minor issues identified, which have already been addressed. The service was re-accredited for a further year.

Legal Services has been identified as hard to recruit to area of the Council and engagement with People Management has already commenced to address recruitment difficulties in key areas including commercial law and planning.

From November solicitors employed by the Council will be subject to significantly changed obligations in relation to demonstrating and certifying their continued competence. New training and development processes have been implemented to reflect the changes.

Legal Services Lincolnshire continues to provide legal support to the work of the County Council and partners. Principal areas of change and complexity continue to be devolution and the pooling of pension funds. Significant projects being supported include Blue Light Collaboration and the establishment of a Teckal company to take over transport contracts in the south of the county.

Looking ahead, the service will be monitoring any changes in law resulting from the referendum decision of 23 June 2016

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

Report to:	<b>County Council</b>
Date:	<b>16 September 2016</b>
Subject:	<b>Review of Financial Performance 2016/17</b>

**Summary:**

This report:

- Describes the Executive's recommendations on budget carry forwards of over and under spending from 2015/16 into the current financial year and seeks approval for those proposals not set out under Financial Regulations; and
- Sets out performance against the Prudential Indicators for 2015/16.

**Recommendation(s):**

The County Council is recommended to:

1. Note the carry forwards set out in paragraph 1.2 and 1.3 of the report, which are made in line with the Council's Financial Regulations, and approve the Information and Commissioning underspend up to 1% not being carried forward as part of the Information and Commissioning budgets but instead added to the underspends above 1% for the purposes of recommendation 2 below;
- 2 Approve the proposed use of carry forwards of over and under spending in excess of 1% as set out in paragraph 1.4 of the report;
- 3 Note the transfers to and from reserves summarised in Table A of this report and the position of earmarked reserves as at 31 March 2016 summarised in Table B of this report;
- 4 Note the position in relation to general reserves set out in paragraph 1.8 and Table C of this report; and
5. Note performance against the Prudential Indicators for 2015/16 as set out in paragraphs 1.10 to 1.11 and Table D of this report.

## **1. Background**

### **Carry forward of over and under spendings**

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

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

1.2 Under paragraph B18 of the Council's Financial Regulations, forming part of the Constitution, all under and overspendings on service revenue budgets of up to 1.0% will be carried forward without exception. Information and Commissioning does not require their 1.0% underspend to be carried forward into 2016/17. This is an exception to the Financial Regulations, and as such, Council are asked approve this exception, in addition to noting the up to 1% carryforwards for other service areas. The effect of the up to 1.0% carry forward on service budgets, excluding Information, is £4.295m.

1.3 Under paragraph B19 of the Council's Financial Regulations the following budgets will also be carried forward. The effect of this for 2015/16, which full Council is asked to note, is as follows:

- The full carry forward of underspends relating to Schools is £16.446m. Any underspends in relation to schools must be spent on schools and so is carried forward in its entirety;
- The full carry forward of underspends relating to Shared Services is £0.538m; and
- Transfers to earmarked reserves linked to revenue budgets where the spend is of an uneven nature is £0.521m. Made up of: a transfer to the Schools Sickness Insurance Fund (this provides reimbursement to schools, who are members of the scheme, when staff are absence from work) (£0.355m), the underspend on the Insurance Fund (£0.175m), and a transfer from the underspend on the Museums Exhibits (£0.009m).

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

- A year end transfer of £13.175m into the financial volatility reserves. £20.165m is required for the planned contribution to Council's revenue budgets in 2016/17. The balance of £23.623m will be available to fund future uncertainties in local government funding in 2017/18 and beyond;
- Additions to existing reserves for:
  - Civil Parking Enforcement (£0.498m) and Fixed Penalty Notices (£0.052m);
  - Flood and Water Risk Management (£0.127m);
  - Local Welfare Provision (£0.15m); and
  - Health and Wellbeing (£0.014m).
- Creation of new reserves for:
  - Waste Management (£1.000m) to meet the cost of anticipated waste volumes and disposal costs in 2016/17;
  - Heritage Service (£0.880m) to contribute towards the cost of service developments to minimise future dependence of Council funding; and
  - Street Lighting (£0.100m) to fund the cost of re-programming street lamps.

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

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

- transfers to reflect the carry forward of over and underspendings; and
- a variety of transfers to or from other earmarked reserves reflecting actual expenditure and income in 2015/16.

1.6 In 2015/16 the Council's total income was £19.528m less than expenditure. The transfers to and from reserves resulting from the proposals described above and from in year transfers reflecting actual expenditure and income are shown in **TABLE A**.

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

	£	£
<b>Schools Carry Forward</b>		<b>-4,753,085</b>
<b>Other Service Carry Forwards</b>		
Use of 2015/16 Service Carry Forward		<b>-2,167,351</b>
Executive Director - Children's Services	1,010,763	
Executive Director - Adult Care	1,459,714	
Executive Director - Community Wellbeing and Public	281,973	
Executive Director - Environment and Economy	763,501	
Executive Director - Finance and Public Protection	779,044	
Chief Information and Commissioning Officer	0	<b>4,294,995</b>
<b>Other Earmarked Reserves</b>		
Insurances	174,977	
Schools Sickness Insurance Scheme	354,748	
Museum Exhibits	-8,603	
Development - Economic Development Reserve	-20,000	
Health and Wellbeing	-1,022,216	
Development - Lincs Coastal Country Park	-5,432	
Legal	-560,029	
Procurement	-36,641	
Salix Carbon Management	81,683	
Community Safety Development Fund	-472,638	
Financial Volatility Reserve - Budget Shortfall	-1,705,828	
Financial Volatility Reserve	-8,011,183	
Youth Service Positive Activities Development Fund	-87,150	
Youth Offending Service	149,699	
Civil Parking Enforcement	550,570	
Support Service Contract Reserve (FDSS)	-922,111	
Roads Maintenance Reserve	-2,115,000	
New Salt Dome Willingham	-200,000	
Planning Appeals Reserve	-80,000	
Adoption Reform Reserve	-407,591	
Local Welfare Provision Reserve	124,891	
Energy from Waste Lifecycles	1,286,035	
Waste Management	1,000,000	
Heritage Services	880,000	
Street Lighting	100,000	
Flood and Water Risk Management	126,914	
Families Working Together	-11,848	
DAAT Pooled Budget	-17,500	<b>-10,854,254</b>
<b>Revenue Grants Reserve</b>		<b>-5,748,623</b>
<b>General Fund</b>		<b>-300,000</b>
		<b>-19,528,317</b>



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

**TABLE B – Earmarked Reserves at 31 March 2016**

	<b>BALANCE AT 31 MARCH 2016 £'000</b>
<b>Schools Carry Forward</b>	<b>27,388</b>
<b><u>Earmarked Reserves</u></b>	
Other Services	4,295
Adverse Weather	1,000
Insurances	6,395
Schools Sickness Insurance Scheme	1,143
Museum Exhibits	135
Development - Economic Development Reserve	423
Health and Wellbeing	1,155
Development - Lincs Coastal Country Park	368
Legal	1,407
Procurement	788
Salix Carbon Management	248
Safer Communities Development Fund	833
Co-Responders Services	150
Financial Volatility Reserve - Budget Shortfall	20,165
Financial Volatility Reserve	23,623
Teal Park	50
Youth Service Positive Activities Development Fund	20
Corby Glen/South Lincolnshire Sports Fund	171
Youth Offending Service	513
Domestic Homicide Reviews	100
Civil Parking Enforcement	864
Support Service Contract Reserve (FDSS)	1,710
Roads Maintenance Reserve	88
Adoption Reform Reserve	192
Community Advisors Reserve	156
Local Welfare Provision Reserve	541
Property Management	250
Energy from Waste Lifecycles	2,572
Broadband Project	135
Broadband Clawback	157
Flood and Water Risk Management	558
Young People in Lincolnshire	334
Members Big Society	8
Lincoln Eastern Bypass (LEB)	500
Unsuitable Transport Routes	100
Families Working Together	599
Enterprise Schemes	191
Asbestos Pressure	50
DAAT Pooled Budget	247
Waste Management	1,000
Heritage Services	880
Street Lighting	100
	<b>74,214</b>
<b>Revenue Grants and Contributions</b>	<b>49,296</b>
<b>Total Reserves</b>	<b>150,898</b>

## General Reserves

1.8 The Council's policy on general reserves is that they will be maintained within a range of 2.5% to 3.5% of its annual budget requirement. The impact of actual expenditure and income in 2015/16 and the proposals on the carry forward of over and under spendings is that the general reserves at 31 March 2016 is £15.600m or 3.5% as shown in **TABLE C** below.

**TABLE C – General Reserves at 31 March 2016**

	£'000
Balance at 1 April 2015	15,900
Planned contribution to/use (-) in year	-300
Proposed contribution to/use of (-) reserves	0
Balance at 31 March 2016	15,600
<b>Balance as a % of total budget</b>	<b>3.50%</b>

## Updated Financial Performance Report

1.9 The Financial Performance Report presented at Executive on 6 September 2016 included draft outturn figures for the Council. The 2016/17 outturn for the Council has now been finalised and is incorporated into the proposals set out in this paper. For completeness an updated copy of the Executive report has been attached to this paper at **Appendix A** and the changes from the copy presented on 6 September are highlighted in yellow.

## Prudential Indicators 2015/16

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

1.11 In complying with the Code the indicators for 2015/16 were approved by County Council on 20 February 2015 along with the budget and council tax for that year. In accordance with the Code, the Executive Director has been monitoring the actual performance against the targets set and would have reported any issues of concern to members had there been a need to. The County Council should also be informed of the actual position compared with that estimated for any given year after the year end. **TABLE D** provides details of this comparison for 2014/15. It shows that Prudential Indicators have not been exceeded during the year and there have been no breach of limits set by the Authority.

**TABLE D – Prudential Indicators actual compared to estimated 2015/16**

PRUDENTIAL INDICATORS ACTUAL COMPARED TO ESTIMATED 2015/2016			
Original Estimate	2015/16 £000	Actuals	2015/16 £000
Capital Expenditure Net	80,362	Actual Capital Expenditure (Excl Sch RCCO & Leasing)	28,768
Capital Financing Requirement 31/3/2016	630,292	Actual Capital Financing Requirement 31/3/2016	559,558
Capital Financing Requirement Estimate at 31/3/2018	665,617	Capital Financing Requirement Estimate 31/3/2018	594,942
Gross External Borrowing	513,440	Actual Gross External Borrowing	481,747
Borrowing in Advance of Need Limit	8,831	Actual Borrowing in Advance of Need Taken	0
Incremental Impact of Borrowing Plans on Council Tax '-Band D	£8.36	Actual Incremental Impact of Borrowing Plans on 'Council Tax -Band D	-£5.10
MRP & Interest Repayments not to exceed 10% of Net Revenue Stream Estimate	6.24%	MRP & Interest Repayments not to exceed 10% of Net Revenue Stream Actual	5.75%
Ratio of Financing Costs To Net Revenue Stream	6.14%	Actual Ratio of Financing Costs To Net Revenue Stream	5.68%
<b>External Debt:</b>			
<u>Authorised limit for external debt -</u>		<b>Actual external debt at 31/3/16</b>	
borrowing	592,052	Borrowing	481,747
other long term liabilities	15,083	Other long term liabilities(Credit Arrangements)	12,193
TOTAL	607,135	TOTAL	493,940
<u>Operational boundary -</u>			
borrowing	568,052		
other long term liabilities	13,083		
TOTAL	581,135		
<b>Treasury Management:</b>			
<u>Upper limit for fixed interest rate exposure</u>		<b>Actual exposure fixed interest</b>	
Net principal re fixed rate borrowing less investments	665,617	Net Principal	311,933
<u>Upper limit for variable rate exposure</u>		<b>Actual exposure variable interest</b>	
Net principal re variable rate borrowing less investments	199,685	Net Principal	-46,204
<u>Upper limit for total principal sums invested for over 364 days (per maturity date)</u>	40,000	<b>Actual sums invested &gt; 364 Day</b>	214
<b>Maturity structure of fixed rate borrowing during 2015/16</b>	upper limit	<b>Actual maturity structure as at 31 March 2016</b>	
under 12 months	25%	under 12 months	3.20%
12 months and within 24 months	25%	12 months and within 24 months	3.20%
24 months and within 5 years	50%	24 months and within 5 years	15.50%
5 years and within 10 years	75%	5 years and within 10 years	9.30%
10 years and above	100%	10 years and above	68.70%

## Equality Act 2010

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

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

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

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

- a. Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b. Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
- c. Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

1.14 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

1.15 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

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

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

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

1.18 The Council must also have regard to the Child Poverty Strategy, the Joint Strategic Needs Assessment and the Joint Health and Wellbeing Strategy and its obligations under section 17 of the Crime and Disorder Act 1998 in reaching a decision.

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

## **2. Conclusion**

2.1 The treatment of the carry forward in relation to Information and Commissioning and the use of that carry forward together with carry forwards of under and overspendings from 2015/16 in excess of 1% are proposed to County Council by the Executive for approval.

2.2 The Prudential indicators comply with CIPFA's Prudential Code of Capital Finance in Local Authorities and provide County Council with actual performance against the targets approved by County Council on 20 February 2015.

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

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

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

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

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

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

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

## **5. Consultation**

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

n/a

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

n/a

### **c) Scrutiny Comments**

On 28 July 2016, the Overview and Scrutiny Management Committee considered the report on Financial Performance 2015/16.

#### **Overall Conclusions of the Overview and Scrutiny Management Committee**

The Overview and Scrutiny Management Committee agreed to support the four recommendations in the report to the Executive. Councillors P M Dilks and R B Parker requested that their vote against supporting the recommendations was recorded.

The Committee also concluded that it would like to see more information on budget monitoring considered by overview and scrutiny committees during the course of the year, including consideration by the Overview and Scrutiny Management Committee.

The Committee also recorded that it would look forward to improved financial information in the current year to enable underspends to be identified sooner, rather than being reported after the end of the financial year.

#### **Points of Clarification**

The following points of clarification were made during the meeting:

- With the exception of the items listed in paragraph 1.77 of the report [proposed transfer of funds to reserves], no executive directors had submitted any bids to carry forward underspends in excess of 1%, on the basis that executive directors understood the overall financial challenges facing the County Council and they had not identified any special circumstances, other than those items in paragraph 1.77, to merit making a bid for funding over and above the 1% limit.
- In relation to the allocation of funds from underspends up to 1% (paragraph 1.76 of the report), it was a matter for each executive director, in consultation with the relevant Executive Councillor, to determine how these funds would be allocated.
- In relation to the proposal to add £0.498 million to reserves for Civil Parking Enforcement (paragraph 1.77 of the report), it was understood that these reserve funds would be used to provide closed circuit television to support parking enforcement activity, and could not be used for other activities, but

further clarification would be required on whether under the relevant legislation, the bid for a street lighting reserve of £100,000 (paragraph 1.77 of the report) could be funded from it.

- The impact of business rate appeals could be a significant risk, but business rate income was a complex topic and would merit consideration in its own right.
- Approximately £4.5 million had been raised by the Council Tax increase of 1.9% for 2015/16.
- Disability Facilities Grant (DFG) had been passed to the County Council as part of the Better Care Fund since 2015/16. The responsibility for the approval of the Better Care Fund rested with the Health and Wellbeing Board. In 2015/16, the full Better Care Fund identification of allocated DFG had been transferred to district councils. A higher element of DFG had been identified in the Better Care Fund for 2016/17, but no district council had received a lower level of DFG funding than under the previous system.
- The reported underspend of £18.802 million on the schools budgets was a cumulative total, meaning it was inclusive of previous year underspends, and did not solely relate to the 2015/16 financial year.
- Executive directors actively monitored budgets. For example, one executive director had taken action during 2015/16 to manage a potential overspend, by reallocating funds within the directorate. Executive directors continued to monitor budgets, and data from the in-year monitoring of the 2016/17 budget was a factor in setting the budget for 2017/18.

#### Comments of Individual Members of the Committee

Individual members of the Committee also made the following comments, which the Committee agreed would be passed to the Executive: -

- The capital programme underspend on broadband was a concern and there a risk that broadband would not be delivered to an adequate level and might require additional funding in the future. The Overview and Scrutiny Management Committee would consider progress with broadband as part of its next regular update on the topic.
- If certain information technology systems in the capital programme had been implemented sooner, the County Council could have achieved savings.
- Prior to the setting of the 2015/16 budget, it was widely reported that it would be a challenging year. However, an underspend of £20 million (County Council budget, net of school budget) occurred. Improved budget monitoring during the course of 2015/16 would have enabled the Council to use identified underspends to deliver improved services.
- More information should have been included in the report to the Executive on how the underspends of up to 1%, representing £4.295 million (referred

to in paragraph 1.76 of the report) had been allocated.

- An underspend of £20 million (County Council budget, net of school budget) in 2015/16 might be a relatively small percentage of the County Council's budget. However, for a district council, this sum would be substantial. The County Council needed to ensure that appropriate explanations were given to the public for this level of underspend.
- An overall underspend of 3% of the Council's total budget was not excessive, and the Executive and executive directors should be congratulated for managing the budget in challenging circumstances. The overall budgetary position of the County Council was good.

The Council's overall budget strategy was on course and there was no need for the County Council to change its approach.

#### **d) Policy Proofing Actions Required**

See the body of the Report

### **6. Appendices**

These are listed below and attached at the back of the report	
Appendix 1	Report to the Executive – 6 September 2016

### **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
Financial Strategy	Executive Director Finance and Public Protection
Executive Report - Review of Financial Performance 2015/2016 Report	Executive Director Finance and Public Protection

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



Report Reference:  
**Executive/Executive Councillor**

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

Report to:	<b>Executive</b>
Date:	<b>6 September 2016</b>
Subject:	<b>Review of Financial Performance 2015/16</b>
Decision Reference:	<b>I010797</b>
Key decision?	<b>Yes</b>

**Summary:**

This report:

- describes the Council's financial performance in 2015/16;
- identifies and explains variances from the Council's revenue and capital budgets;
- makes proposals on the carry forward of over and under spendings into the current financial year; and
- reports Prudential and Financial Performance Indicators for 2015/16.

**Recommendation(s):**

The Executive is recommended to:

- (1) recommend to full Council that the Information and Commissioning underspend up to 1.0% is not carried forward as part of the Information and Commissioning budgets but is added to the underspends above 1.0% for the purposes of recommendation 2 below;
- (2) recommends to full Council that the proposals in paragraph 1.77 of the Report relating to the treatment of underspends in excess of 1.0% be approved, subject to the final figures being confirmed pursuant to paragraph 5 below;
- (3) note the transfers to and from reserves carried out in 2015/16 as set out in **Table D**;
- (4) note financial performance in 2015/16 including the Prudential Indicators;

and

- (5) Request the Leader, to review and confirm the amount of the schools and Council Outturn to the County Council and the amount recommended to be transferred to the Financial Volatility Reserve pursuant to paragraph 1.77, as appropriate, in light of the final outturn position on Schools budgets and expenditure if finalised between the Executive meeting and the County Council on 16 September.

#### **Alternatives Considered:**

This report describes the actual position for the 2015/16 financial year and is factual in content and follows current Council policy. No alternatives are being considered in relation to this aspect.

In relation to the treatment of the Information and Commissioning underspend up to 1.0% this could be carried forward as part of the Information and Commissioning budgets in the normal way. However, in the judgment of the service the amounts involved are not required and this enables them to be used to manage the wider financial challenges facing the Council by supplementing reserves.

In relation to the treatment of overspends and underspends above 1.0% as set out in paragraph 1.77, there are a number of different ways these could be used. The proposed mix of funding service expenditure and transfers to reserves is considered to be the most prudent and appropriate approach for the Council.

#### **Reasons for Recommendation:**

Financial governance requires that the Executive reviews the financial performance of each year. This report facilitates this.

The treatment of underspends and overspends are considered appropriate and prudent for managing the financial challenges facing the Council.

## **1. Background**

1.1 The County Council set its spending plans for 2015/16 against a backdrop continued uncertainty in local government funding brought about by a general election in May 2015 and the promise of a new Comprehensive Spending Review which would affect local government funding to the end of the decade. In developing the financial plan for 2015/16, the Council has undertaken a fundamental review of priorities and related budgets to identify how to close the gap between current spending levels and the amount of funding available to local government going forward. The Council plan was a mixed approach to match spending to current levels of government funding. This included delivering savings identified

through the fundamental budget review plus the one off use of reserves and a 1.90% increase in Council Tax.

### Revenue spending

1.2 The Council spent £941.360m in 2015/16 on providing public services – £1,283.91 for every person in Lincolnshire.

1.3 The Council has had to deal with a number of unavoidable cost pressures, amounting to £30.580m in budgetary terms. These include: increasing population (in particular, the impact on the Council's adult care budgets of increasing numbers of older people) and general inflationary pressures. Some of these were accommodated within existing budgets but some external pressures have added to the Council's costs and required additional savings to be delivered. These cost pressures in 2015/16 were balanced against a savings target of £30.733m; made up of savings including: improved contract arrangements and additional income for Adult Care responsibilities through the Better Care Fund (BCF).

1.4 In addition to saving targets, when the Council set its budget for 2015/16 the financial strategy included the use of £22.171m from reserves to bridge the gap between funding and expenditure levels (£21.871m from the Council's Financial Volatility Reserve and £0.300m released from the General Fund balance). Use of reserves only offers a one off contribution towards the budget shortfall, but, it is expected that the reduction in funding levels will be permanent. The Council continues to explore further opportunities to bridge the gap between the funding values to the Council and levels of expenditure.

1.5 The general level of expenditure in 2015/16 indicates that during the year the Council has been able to secure the cash efficiency savings required in the budget and deliver an underspend against the budget.

### Revenue Income

1.6 Revenue spending, excluding the use of reserves, was funded by:

• Revenue Support Grant	£94.7m	10.3%
• Business Rates	£103.7m	11.3%
• Dedicated Schools Grant	£248.8m	27.1%
• Other grants and contributions	£169.5m	18.5%
• Local council tax payers	£237.6m	25.9%
• Charges and other income	£63.2m	6.9%

1.7 The Council's main sources of general funding come from Revenue Support Grant (RSG) and Business Rates (part of which is retained from business rates collected in Lincolnshire and part from central government as a 'top up' to the element collected locally). Funding from RSG received in 2015/16, on a like for like basis showed a reduction of £32.661m or 25.65% from the grant received in 2014/15. Business Rates showed a small growth of £1.600m or 1.57%.

1.8 In addition to RSG the Council also receives specific government grants. The most significant of these was £248.8m of Dedicated Schools Grant which is used for funding education in Lincolnshire.

1.9 In 2015/16 the Council increased Council Tax by 1.90% and also saw growth of 1.85% on the number of band D equivalent properties in Lincolnshire which generated an additional £6.945m. The Council Tax element of the collection funds in Lincolnshire also generated a further £4.254m for the County Council.

#### Capital spending and funding

1.10 The Council spent £107.105m on the county's assets, in particular on:

- Maintenance of roads, bridges, safety fencing, street lighting, signs and lines, and traffic signals;
- Integrated Transport Schemes across the Council including: minor capital improvements, rights of way, road safety, public transport and town/village enhancements;
- Construction of two new road schemes, one in Lincoln and another in Grantham;
- The Broadband Programme which is installing high speed internet infrastructure in communities and businesses, particularly in rural areas; and
- Programme of modernisation to meet the statutory responsibility for provision of educational places and a programme to improve the condition of school buildings.

1.11 This investment was funded through:

• Government Grants and other external contributions	£78.3m	72.8%
• Borrowing	£20.7m	19.7%
• Capital Receipts	£2.8m	2.6%
• Revenue Funding and Use of Earmarked Reserves	£5.3m	4.9%

1.12 The Council used grants from central government to fund: maintenance work on roads; modernisation and improvement of condition of school buildings; and provision of education places.

1.13 The Council sets itself a limit on its total borrowing to ensure that it remains prudent and affordable. The Council's target is to ensure that annual minimum revenue provision (MRP) plus interest are no more than 10.0% of the Council's annual income. The figure for 2015/16 was 5.75%. MRP is the amount required to be set aside as a provision for debt repayment, and in accordance with Regulation, this amount should be prudent to ensure debt is repaid over a period reasonably commensurate with the period over which the capital expenditure funded by borrowing provides benefits. The Council's current policy is to apply the average life method to calculate the MRP and use the MRP in full to repay debt annually.

## The Council's financial standing

1.14 The Council's revenue budget remains under pressure from reduced funding and service cost pressures. For 2015/16 and again in 2016/17 the Council has only set a one year budget, rather than the normal three year plans. This was due to the uncertainty associated with local government funding in the medium to long term and the continuation of growing costs pressures.

1.15 In developing the financial plan for 2016/17, the Council has considered all areas of current spending, levels of income and council tax plus use of one off funding to set a balanced budget. The Council plans to use a mixed approach, funding unavoidable cost pressures and reducing service spending where savings were identified. The Council has also set a Council Tax increase in 2016/17 of 3.95%, 1.95% plus a further 2.00% for Adult Care responsibilities (including demographic pressure and the impact of the national living wage) and using £20.965m from reserves (£20.165m from the Financial Volatility Reserve and £0.800m which can be released from the general fund).

1.16 The Council also maintains a general reserve as a contingency against unexpected events or emergencies. The Council sets itself a target, based on a financial risk assessment, of maintaining these reserves within a range of 2.5% to 3.5% of its total budget. The Council's general reserves at 31 March 2016, as proposed in this report, would be £15.600m or 3.5% of the Council's total budget.

1.17 In addition to the general reserve and Financial Volatility Reserve the Council maintains a number of other reserves earmarked for specific purposes (details of these are set out in **TABLE D**).

1.18 The mixed approach to meeting the current financial challenges will ensure the Council can withstand the immediate pressures in local government funding, whilst implementing the arrangements for delivering services at the reduced level of government funding.

## Key Financial Performance Measures: Financial Health and Performance

1.19 The County Council has identified a number of key indicators to monitor its Financial Health and Performance. **TABLE A** reports the actual position for 2015/16 on these key indicators.

**TABLE A – Key Financial Performance Measures: Financial Health and Performance**

REF	PERFORMANCE INDICATOR	MEDIUM TERM TARGET	2015/16 Estimate	2015/16 Actual
1	Council tax compared with other counties	In lowest quartile of all English county councils (out of 27 county councils)	Yes	Yes 25th
2	Government grants	Lobby for annual increases in general government grants to be above the county average.	Yes	Yes
3	Capital receipts	At least £15m over four years 2011/12 to 2014/15.	£2.000m	£2.768m
4	Minimum Revenue Provision and Interest	MRP and Interest repayments not to exceed 10% of net income	6.24%	5.75%
5	Accounting	Unqualified external audit opinion.	Yes	Not Yet Available
6	General Reserves	Maintained within the range of 2.5% to 3.5% of the annual budget requirement net of Dedicated Schools Grant	Within range 3.5%	Within range 3.5%
7	Internal control	None of the processes audited receive a low assurance" opinion from internal audit	Yes	Low Assurance opinion given on Financial Control Environment
8	Expenditure - prompt payment	At least 90% of undisputed invoices paid within 30 days	85.00%	87.70%
9	Treasury management	Risk adjusted return comparison	Weighted Benchmark	Weighted Benchmark 0.73%

## Revenue Budget Outturn

1.20 The revenue outturn for 2015/16 is summarised below:

- Total service revenue spending, excluding schools, was under spent by £11.329m or 2.64% (previously £11.252m or 2.62%).
- Schools were underspent by £16.801 or 6.75% (previously £18.802m or 7.04%) of the schools budget. ~~Please note due to the problems experienced with the new financial system and the impact this has had on the Council's ability to close the financial year 2015/16 the outturn position on school budgets and spend is not complete. This outturn position may change, however, all schools budget under or over spendings are carried forward to be used by schools in future years.~~
- There was an underspend of £10.828m or 15.72% (previously £11.925m or 17.32%) on other budgets.
- The Council received £2.789m or 0.61% less general funding income than originally budgeted for.
- The Council transferred £0.273m from earmarked reserves into the capital programme.
- This give the Council an overall underspend of £36.440m (previously £39.190m). ~~Subject to confirmation of the final schools outturn position there may be an increase in total costs for the Council, this would reduce the underspend for the year.~~

1.21 The revenue outturn position for 2015/16 is shown in **TABLE B** (over page).

**TABLE B – Revenue Budget Final Outturn 2015/16 (updated table)**

	Revised Net Revenue Budget	Expenditure	Under or Over Spending	Percentage Under or Over Spent
	£'000	£'000	£'000	%
<b>COMMISSIONING STRATEGIES</b>				
Readiness for School	8,287	7,654	(633)	-7.64%
Learn & Achieve	35,658	35,764	106	0.30%
Readiness for Adult Life	6,452	5,634	(818)	-12.68%
Children are Safe and Healthy	54,072	54,281	209	0.39%
Adult Safeguarding	3,020	3,009	(11)	-0.36%
Adult Frailty & Long Term Conditions	96,272	95,853	(419)	-0.44%
Carers	1,673	1,538	(135)	-8.07%
Adult Specialities	45,837	44,941	(896)	-1.95%
Community Resilience & Assets	13,598	13,941	343	2.52%
Wellbeing	37,072	35,932	(1,140)	-3.08%
Sustaining & Developing Prosperity Through Infrastructure	60,677	57,040	(3,637)	-5.99%
Protecting & Sustaining the Environment	22,465	23,610	1,145	5.10%
Sustaining & Growing Business & the Economy	1,885	1,206	(679)	-36.02%
Protecting The Public	24,980	24,712	(268)	-1.07%
How We Do Our Business	8,455	8,235	(220)	-2.60%
Enablers & Support To Council's Outcomes	39,415	35,139	(4,276)	-10.85%
Public Health Grant Income	(30,723)	(30,723)	0	0.00%
<b>TOTAL COMMISSIONING STRATEGIES</b>	<b>429,095</b>	<b>417,766</b>	<b>(11,329)</b>	<b>-2.64%</b>
<b>OTHER BUDGETS</b>				
Capital Financing Charges	52,589	44,441	(8,148)	-15.49%
Contingency	3,038	0	(3,038)	-100.00%
Other Budgets	13,239	13,599	360	2.72%
<b>TOTAL OTHER BUDGETS</b>	<b>68,866</b>	<b>58,040</b>	<b>(10,826)</b>	<b>-15.72%</b>
<b>SCHOOL BUDGETS</b>				
Schools (DSB)	246,462	232,151	(14,311)	-5.81%
Schools Related Expenditure (DSB)	22,974	20,838	(2,136)	-9.30%
Dedicated Schools Grant	(248,801)	(248,801)	0	0.00%
Schools Budgets (Other Funding)	(7,275)	(7,629)	(354)	4.87%
<b>TOTAL SCHOOL BUDGETS</b>	<b>13,360</b>	<b>(3,441)</b>	<b>(16,801)</b>	<b>-125.76%</b>
<b>TOTAL EXPENDITURE</b>	<b>511,321</b>	<b>472,365</b>	<b>(38,956)</b>	<b>-7.62%</b>
<b>INCOME</b>				
Revenue Support Grant	(94,670)	(94,670)	0	0.00%
Business Rates	(106,057)	(103,711)	2,346	-2.21%
Council Tax	(237,253)	(237,561)	(308)	0.13%
Other Non Specific Grants	(17,646)	(16,895)	751	-4.26%
<b>TOTAL INCOME</b>	<b>(455,626)</b>	<b>(452,837)</b>	<b>2,789</b>	<b>-0.61%</b>
<b>USE OF BALANCES</b>				
Use of Balances - Earmarked Reserves	(55,395)	(55,668)	(273)	0.49%
Use of Balances - General Reserves	(300)	(300)	0	0.00%
<b>TOTAL USE OF RESERVES</b>	<b>(55,695)</b>	<b>(55,968)</b>	<b>(273)</b>	<b>0.49%</b>
<b>TOTAL</b>	<b>0</b>	<b>(36,440)</b>	<b>(36,440)</b>	



**Children's Services** – (£1.136m – previously £1.060m under budget)

1.22 Over the four commissioning strategies, Children's Services underspent by £1.060m (or 1.1%).

**Readiness for School** - (£0.633m previously £0.557m under budget)

1.23 Readiness for School commissioning strategy underspent by £0.557m (6.72%). This is due to a number of commissioned services being de-commissioned earlier than originally planned (£0.274m), children's centre running cost underspends, including staffing costs, following the recent locality restructuring and non-staffing costs (£0.262m).

**Learn and Achieve** – (£0.106m over budget)

1.24 Learn and Achieve commissioning strategy overspent by £0.106m (0.30%). The main areas of variance relate to: the Children with Disability Section 17 which overspent (£0.301m), offset by there being one less transport day for Home to School/College Transport in 2015/16 (£0.123m) and receipt of an additional Music Services grant midyear (£0.221m).

**Readiness for Adult Life** – (£0.818m under budget)

1.25 Readiness for Adult Life commissioning strategy underspent by £0.818m (12.68%). This includes underspends on the following areas: the early adoption of the Careers Service (£0.319m) restructuring and saving on the Customer Services Centre contract being brought back in-house; Positive Activities for Young People (£0.314m) following the early restructuring of localities and the move to encourage communities to run youth centres; Youth Housing Contracts (£0.245m), and additional income generated by the Lincolnshire Secure Unit (£0.158m). There has, however, been a pressure on the Leaving Care Service regarding the accommodation costs for young people with complex and high needs leading to an overspend on this area (£0.262m).

**Children are Safe and Healthy** – (£0.209m over budget)

1.26 Children are Safe and Healthy commissioning strategy overspent by £0.209m (0.39%). There continues to be growing pressures within children's social care as a result of the increase in the number of Looked After Children and Children in Need. The most significant pressures have been on out of county residential placements, and accommodation and support costs for Looked After Children aged 16-18 (£1.251m), and remand costs (£0.221m). These pressures have been mitigated this year by a one-off funding from the Legal Shared Service (£0.309m) plus a permanent savings achieved through the Family Support Contract insourcing and the restructuring arising from it. Such savings contribute towards those identified for 2016/17.

**Adult Care** – (£1.461m under budget)

1.27 The Adult Care outturn is £145.341m, an underspend of £1.460m against a budget of £146.802m. This is as a result of higher than anticipated death rates and a reduction in Domiciliary Care placements due to implementation of the new Prime Provider contract for home based care services. This was partially offset by an increase in short term care residential placement activity and lower than anticipated income receipts. However this is set against an environment of increasing placement costs in all services following the introduction of the National Living Wage (NLW) and additional legislative burdens placed on providers in respect of pension obligations.

1.28 The service produced savings of £3.138m in 2015/16 from a number of successful projects including:

- Staff savings as a result of the recent senior management review;
- Maximising income recovery; and
- Review and renegotiation of provider contracts.

**Adult Safeguarding** – (£0.011m under budget)

1.29 The Safeguarding Adults commissioning strategy aims to protect an adult's right to live in safety, free from abuse and neglect. The service works both with people and organisations to prevent and stop both the risks and experience of abuse and neglect ensuring that adult's wellbeing is being promoted.

1.30 This area also encompasses the Deprivation of Liberty Safeguards (DOLS). This has seen a significant increase in activity as a result of the 'Cheshire West' legal judgement in March 2015.

1.31 The service had a small underspend £0.011m against a budget in 2015/16 of £3.020m.

**Adult Frailty, Long Term Conditions and Physical Disability** – (£0.419m under budget)

1.32 The Adult Frailty and Long Term Conditions commissioning strategy brings together Older People, Physical Disability and Adult Care Infrastructure and aims to ensure that eligible individuals receive appropriate care and support that enables them to feel safe and live independently.

1.33 The final outturn for Adult Frailties was £95.853m, an underspend of £0.419m on a budget of £96.272m.

1.34 Changes have recently been made to homecare contracts with the implementation of a new "Prime" provider contract. A consequence of the change to "Prime" providers was the significant increase in the number of service users choosing to take their care in the form of a Direct Payment as they sought to keep services that were delivered by outgoing providers. The resulting boost saw Direct Payments as a proportion of total long term packages increase.

1.35 The service also saw a change in Reablement provider, reducing costs, and increases in the number of direct payment audits completed along with a subsequent increase in direct payment refunds.

**Carers – (£0.135m under budget)**

1.36 The Carers commissioning strategy aims to prevent or delay ongoing care needs by supporting adult carers so they are able to sustain their caring role, reducing the need for costly services in primary and acute care, and long term social care.

1.37 The service ended 2015/16 with an underspend of £0.135m against a budget of £1.673m.

1.38 Throughout the year there was a lower than anticipated take up of Carer's Personal Budget in 2015/16. It is thought that this is due to changes in the eligibility criteria set out in the Care Act 2014, however it is anticipated that take up will increase in 2016/17.

**Adult Specialities – (£0.896m under budget)**

1.39 This commissioning strategy aims to ensure that eligible Adults with Learning Disability, Autism and/or Mental Health needs receive appropriate care and support that enables them to feel safe and live independently. Services for Learning Disabilities are administered via a Section 75 agreement between the Council and NHS commissioners in Lincolnshire in addition to a small in-house element that sits outside the Section 75. The Mental Health service is run on behalf of the Council by the Lincolnshire Partnership Foundation Trust, also by way of a Section 75 agreement.

1.40 Specialist Adult Services finished 2015/16 with an under-spend of £0.896m against a budget of £45.837m.

1.41 The service has seen growth in Supported Living and Direct Payments costs. This being a combination of high cost discharges from in-patient provision and school/college leavers requiring packages of care. This has been mitigated somewhat by in year residential placements being lower than expected this year and service user income has increased due to direct payment audit income and the successful conclusion a number of long standing legal disputes in respect out of county placements by other Local Authorities within the County. The Mental Health service delivered a balanced budget.

**Community Resilience and Assets – (£0.343m over budget)**

1.42 This commissioning strategy has overspent by £0.343m in 2015/16. The main elements of this include: an overspend on Chance to Share Sports Centre costs due to timing of charges received (£0.325m); and an overspend on the Customer Service Centre due to increased volume of activity and timing of savings requirements from channel shift (£0.549m). This was offset by an underspending

on the Library Service as the Council moves to the new model of service delivery (£0.320m).

**Wellbeing – (£1.140m under budget)**

1.43 This commissioning strategy has underspent by £1.141m in 2015/16. The main element of this relates to the redesign and procurement of the Wellbeing and Housing Related Support activities planned savings being brought forward. There was an overspending on the Coroners services (£0.255m) which has been partly offset by additional income from the Registration and Celebratory Services (£0.123m).

1.44 In addition there is an underspend on activities funded from the Public Health ring-fenced grant (£1.459m). The underspend from the grant is required to be added to an earmarked reserve, to be used in accordance with the grant conditions at a future time. This underspend relates to Health Improvement Contracts which are activity based, the re-procurement of the smoking cessation contract (and related prescribing costs) and staff vacancies being held to assist with the delivery of future budget and grant reductions. There has been an increase in the costs of demand led out of county sexual health services and prescribing costs which has offset an element of this underspend.

**Sustaining and Developing Prosperity Through Infrastructure - (£3.637m under budget)**

1.45 This commissioning strategy has underspent by £3.637m in 2015/16. Much of this variance is attributable to the high level of staff vacancies the Environment and Economy Service which have been maintained to assist with meeting budget reductions in 2016/17 and beyond, and the subsequent impact of service delivery. The difficulty with accessing reliable financial information during the year, had also caused managers to be cautious when committing expenditure as has the knowledge that there were anticipated overspends elsewhere in the service that needed to be met (i.e. waste disposal).

1.46 There has also been underspends on:

- The Heritage Service (£0.809m) relating to additional income generated from the success of the Castle Revealed events over the summer of 2015;
- Spending on transportation has also been cautious during the year, which has led to an underspend of £0.838m; and
- The winter maintenance budget due to the mild winter (£0.751m).

**Protecting and Sustaining the Environment – (£1.145m over budget)**

1.47 The overspend on this commissioning strategy in 2015/16 (£1.145m) relates to waste management and waste disposal and unavoidable increases in prices and volumes relating to these activities.

### **Sustaining and Growing Business and the Economy – (£0.679m under budget)**

1.48 This commissioning strategy has underspent by £0.678m in 2015/16, this is attributable to income being generated additional to the budgeted expectations on the Council's business centres and cautious management of expenditure on lobbying, support to businesses and tourism.

### **Protecting the Public – (£0.268m under budget)**

1.49 This commissioning strategy has underspent by £0.268m in 2015/16. This relates mainly to an underspend in the Fire and Rescue Service due to less than anticipated activity for retained firefighters (£0.160m) and an underspend on Emergency Planning activity costs (£0.048m).

### **How We Do Our Business – (£0.220m under budget)**

1.50 The How We Do Our Business strategy provides the corporate governance, risk and standards framework and the democratic machinery for the whole Council. The budget and policy strategies/frameworks and the Council's constitution provide the context for this and the way that the Council works. It also encompasses the corporate, statutory roles of the Head of Paid Service, Monitoring Officer and the Section 151 Officer as part of the framework.

1.51 The service budgets are:

- Budget and Policy Framework (Finance and Audit);
- Precept – Eastern Inshore Fisheries and Conservation Authority;
- Corporate Standards (including Chief Executive's Office); and
- Decision-making, including the Democratic Process (including Members Allowances).

1.52 Budget and Policy Framework – Finance and Audit underspent by £0.077m. There are a number of over and under spendings which make up the final position. These include: additional costs of £0.283m were incurred by the Finance team due to problems experienced with the implementation of the new financial system, Agresso. These costs were offset by underspends: on the finance element of the Support Service Contract (£0.192m); vacancies and delays in recruitment within the Audit function (£0.085m); a delay in the replacement of Audit Software (£0.040m) and a reduction in the external audit fee (£0.028m).

1.53 There are a number of other small underspendings within How We Do Our Business. These are due to: staff vacancies, the Chairman's Fund and tight management of spending on supplies and services.

## **Enablers and Support to Council Outcomes – (£4.276m under budget)**

1.54 The Enablers and Support to the Council's Outcomes cover the budgets and activities that support the Council both as a corporate organisation and facilitate the work to achieve the Council's main commissioning outcomes. The service budgets are: ICT Strategy and Support, Property Strategy and Support (including County Farms), People Strategy and Support, Legal Services, Commissioning, Business Support and Strategic Communication.

- The Commissioning Service budget underspent by £1.381m. This is largely due to service credits applied for underperformance on the Support Service Contract (£1.205m). Further underspends relates to staffing vacancies within the Commissioning Team (£0.176m).
- Property Strategy and Support underspent by £1.376m. The main variances are due to:
  - The Council vacating buildings early during 2015/16, where a full year of rent was originally budgeted for these properties (£0.494m);
  - Additional rental income being received above the original budget (£0.415m); and
  - An underspend on the Property Services contract of £0.576m (including Estates Management, Energy and Records Management). The contract price is based on a target cost for staffing, however there were a number of vacancies held by the contractor which reduced the cost of the contract during 2015/16.
- Business Support underspent by £0.604m. This is due to additional savings being achieved over and above those originally required in 2015/16. This has been achieved through vacancy management and reallocating work to make better use of existing resources. These additional savings are from the services base budget and will help the service deliver savings targets set for future financial periods.
- The underspend of £0.538m is due to Legal Services achieving a surplus on income within the year.
- People Strategy and Support budgets underspent by £0.230m (5.61%). The main areas of underspend include: Occupational Health (£0.078m) where the budget for additional activity for physiotherapy has not been required this year; the Disclosure and Barring Service (£0.077m) and the Corporate Leadership and Management Development Programme (£0.072m).

## **Schools – (£16.801m – previously £18.802m under budget)**

1.55 Under government regulations, schools carry forward automatically their under and over spendings to the next financial year. Due to the problems experienced with the new financial system and the impact this has had on the Council's ability to close the financial year 2015/16 the outturn position on school budgets and spend is not complete. This outturn position may change, however,

all schools budget under or over spendings are carried forward to be used by schools in future years.

**Other Budgets – (£10.826m – previously £11.925m under budget)**

1.56 The Council's capital financing charges were £8.107m under budget. There has been slippage of the capital programme during 2015/16 which reduced the need to borrow. This has had an effect on the interest payable on borrowing and the amount required to be set aside to finance borrowing costs in the future, both being lower than budgeted. Savings were also made due to the Council using a mix of external borrowing and utilising internal balances to finance the capital programme. Slippage in both capital and revenue budget underspends has also led to excess balances being available for investment over 2015/16, and so interest generated from investments was also in excess of budget by £0.032m.

1.57 The Council has a contingency budget, set aside for emerging pressures which may arise during the financial year. At the year-end £3.038m remained, and was not required in 2015/16.

~~1.58 Other budgets were under budget by £0.739m. This comprises a number of under and over spends, the most significant being:~~

- ~~• Council Tax Support Schemes underspent by £0.200m. At the beginning of 2015/16 the County Council set aside £0.200m in case any of the Lincolnshire District's required additional funding for the administration of their new Council Tax Schemes. There was no call on this funding during 2015/16.~~
- ~~• The Council received an additional £0.432m grant in 2015/16. This was utilised at year end.~~
- ~~• The Council's insurance budget showed a surplus of £0.175m. The insurance fund is designed to enable the Council to 'self-insure' its insurable risks over the long term. The operating surplus this year has arisen mainly due to a reduction in claims payments and very few risk management bids, plus the contract re-tender has delivered significant savings for 2015/16.~~

~~1.58 Other budgets were over budget by £0.360m. This comprises a number of under and over spends, the most significant being a number of payroll costs which could not be directly attributable to the service accounts.~~

**Council's General Funding – (£2.789m less than the income budget)**

1.59 The Council's general funding was £2.789m less than the revenue budget approved at full Council in February 2015. The most significant reasons for this reduction in funding are as follows:

- New Homes Bonus Returned Funding - £0.329m (more than was budgeted for). At the time of budget setting, the Council had not been notified that we would be receiving this funding in 2015/16. This is funding that was originally allocated from the Local Government Finance Settlement to fund New Homes Bonus with a commitment from the Government that any unused funding would be returned to local authorities.
- Council Tax - £0.307m (more than was budgeted for). For 2015/16 City of Lincoln Council only included the distribution of the estimated surplus for 2014/15 and did not include the distribution of an accumulated surplus from previous years resulting in additional £0.307m due to us.
- Section 31 Grant for Business Rates - £0.112m (less than was budgeted for). The income we have received is £0.013m more than originally anticipated. However the Council had to refund £0.124m back to DCLG for the Retention Grant reconciliation for 2014/15.
- Business Rates - £0.647m (less than was budgeted for). City of Lincoln Council originally declared a surplus of £0.464m on the business rate element of the collection fund which was later revised to a deficit of £0.183m.
- Education Services Grant - £1.094m (less than was budgeted for). Due to a reduction in the funding rate allocated per pupil, we have received less income than originally anticipated. The grant is adjusted throughout the financial year as schools convert to Academies.
- Business Rates Pooling - £1.585m (less than was budgeted for). Income relating to business rates pooling in 2014/15 was £0.573m less than originally anticipated. The figure received for 2015/16 is £1.012m less than budgeted. Also for 2016/17 we are expecting to receive £0.104m which is a significant reduction from previous years.

## Capital Programme Outturn

1.60 The capital outturn for 2015/16 is summarised below:

- Net capital expenditure was £42.701m; and
- There was an under spending of £52.042m or 54.9%.

1.61 The capital budget outturn is shown in **TABLE C** over page. The reasons for significant capital budget over or underspendings are explained in the following paragraphs.



**Table C – Net Capital Outturn 2015/16**

Capital Programme	Revised budget £	Net Expenditure		
		Actuals £	Variance £	Variance %
Other Readiness for School	585	440	(145)	-24.8%
<b>Readiness for School</b>	<b>585</b>	<b>440</b>	<b>(145)</b>	<b>-24.8%</b>
Devolved Capital	1,264	1,264	0	0.0%
Provision of School Places (Basic Need)	8,496	8,496	0	0.0%
School Condition / Maintenance Capital	1,217	1,217	0	0.0%
Other Academies	1,376	94	(1,282)	-93.2%
Other Learn & Achieve	1,527	174	(1,353)	-88.6%
<b>Learn &amp; Achieve</b>	<b>13,880</b>	<b>11,245</b>	<b>(2,635)</b>	<b>-19.0%</b>
Other Readiness for Adult Life	(4)	30	34	-850.0%
<b>Readiness for Adult Life</b>	<b>(4)</b>	<b>30</b>	<b>34</b>	<b>-850.0%</b>
Universal Infant Free School Meals Capital	2,157	2,157	0	0.0%
Other Children are Safe & Healthy	605	217	(388)	-64.1%
<b>Children are Safe &amp; Healthy</b>	<b>2,762</b>	<b>2,374</b>	<b>(388)</b>	<b>-14.0%</b>
<b>Childrens Services - Commissioning</b>	<b>17,223</b>	<b>14,089</b>	<b>(3,134)</b>	<b>-18.2%</b>
Adult Care	471	263	(208)	-44.2%
Better Care Fund - Disabled Facility Grants	0	0	0	0.0%
<b>Adult Frailty &amp; Long Term Conditions</b>	<b>471</b>	<b>263</b>	<b>(208)</b>	<b>-44.2%</b>
<b>Adult Care - Commissioning</b>	<b>471</b>	<b>263</b>	<b>(208)</b>	<b>-44.2%</b>
Libraries	1,095	261	(834)	-76.2%
Other Community Wellbeing & Public Health	0	0	0	100.0%
<b>Community Wellbeing &amp; Public Health - Commissioning</b>	<b>1,095</b>	<b>261</b>	<b>(834)</b>	<b>-76.2%</b>
Highways Asset Protection	2,117	1,660	(457)	-21.6%
Integrated Transport	3,923	(395)	(4,318)	-110.1%
Lincoln Eastern Bypass	2,000	320	(1,680)	-84.0%
Lincoln East-West Link	10,375	2,182	(8,193)	-79.0%
Grantham Southern Relief Road	137	2	(135)	-98.5%
Street Lighting Transformation	400	445	45	11.3%
A16/A1073 Spalding to Eye Road Improvement	191	350	159	83.2%
Grantham Growth Point	2,264	0	(2,264)	-100.0%
Lincolnshire Waterways	993	297	(696)	-70.1%
Skegness Countryside Business Park	1,073	371	(702)	-65.4%
Historic Lincoln	(1,143)	464	1,607	-140.6%
Other Sustaining & Developing Prosperity	143	582	439	307.0%
<b>Sustaining &amp; Developing Prosperity Through Infrastructure</b>	<b>22,473</b>	<b>6,278</b>	<b>(16,195)</b>	<b>-72.1%</b>
Flood Defence	6,000	3,800	(2,200)	-36.7%
Energy from Waste	113	1	(112)	-99.1%
Other Protecting & Sustaining the Environment	4,490	1,829	(2,661)	-59.3%
<b>Protecting &amp; Sustaining the Environment</b>	<b>10,603</b>	<b>5,630</b>	<b>(4,973)</b>	<b>-46.9%</b>
Other Sustaining and Growing Business & the Economy	245	21	(224)	-91.4%
<b>Sustaining &amp; Growing Business &amp; the Economy</b>	<b>245</b>	<b>21</b>	<b>(224)</b>	<b>-91.4%</b>
<b>Environment &amp; Economy - Commissioning</b>	<b>33,321</b>	<b>11,929</b>	<b>(21,392)</b>	<b>-64.2%</b>
Protecting The Public Thrh Trading Stds	23	23	0	0.0%
Youth Offending	3	0	(3)	-100.0%
Fire & Rescue and Emergency Planning	3,043	1,798	(1,245)	-40.9%
Fire Fleet Vehicles and Associated Equipment	1,183	955	(228)	-19.3%
<b>Protecting The Public</b>	<b>4,252</b>	<b>2,776</b>	<b>(1,476)</b>	<b>-34.7%</b>
Broadband	13,409	3,714	(9,695)	-72.3%
Infrastructure and Refresh Programme	2,601	349	(2,252)	-86.6%
Replacement ERP Finance System	2,964	737	(2,227)	-75.1%
Care Management System (CMPP)	1,866	1,705	(161)	-8.6%
IMP Development	38	19	(19)	-50.0%
ICT Development Fund	2,690	0	(2,690)	-100.0%
Property	7,172	5,156	(2,016)	-28.1%
Property Rationalisation Programme	5,991	1,703	(4,288)	-71.6%
<b>Enablers &amp; Support To Council's Outcomes</b>	<b>36,731</b>	<b>13,383</b>	<b>(23,348)</b>	<b>-63.6%</b>
<b>Finance &amp; Public Protection - Commissioning</b>	<b>40,983</b>	<b>16,159</b>	<b>(24,824)</b>	<b>-60.6%</b>
New Developments Capital Contingency Fund	1,650	0	(1,650)	-100.0%
<b>Other Capital Programmes</b>	<b>1,650</b>	<b>0</b>	<b>(1,650)</b>	<b>-100.0%</b>
<b>Other Programmes</b>	<b>1,650</b>	<b>0</b>	<b>(1,650)</b>	<b>-100.0%</b>
<b>Total Capital Programme 2015/2016</b>	<b>94,743</b>	<b>42,701</b>	<b>(52,042)</b>	<b>-54.9%</b>

1.62 The capital programme comprises a series of schemes/projects which often span a number of years. Hence over/underspends cannot be related to time periods such as this financial year. Where a scheme/project is known to be exhibiting a material variance to its spending profile this will be described in the narrative associated with that Commissioning area.

**Children's Services – (£3.134m under budget)**

1.63 The net underspend of Children's capital is due to the slippage of some costs, such as the final payments on the major rebuilding programme at Grantham Ruskin Academy, and the prudential use of government grants for major programmes prior to spending LCC net capital. All of the capital underspend is earmarked for significant major investment in the education estate over the next three years.

**Adult Care – (£0.208m under budget)**

1.64 Adult Care spent a total of £0.263m against a net budget of £0.471m. Expenditure included ongoing pre-development costs for the Council's Extra Care Housing Scheme and additional investment in Lincolnshire Telecare services. Telecare has seen continuing growth in the number of people using telecare which is seen as a low-cost preventative service.

**Community Wellbeing and Public Health – (£0.834m under budget)**

1.65 This budget was specifically made available for bids from Community Groups to support the move to the Community Hub service delivery model. Although this budget has underspent by £0.834m in 2015/16, community groups have four years to make requests from this budget.

**Environment and Economy**

Sustaining and Developing Prosperity Through Infrastructure – (£16.195m under budget)

1.66 The capital programme for this commissioning strategy has an underspend of £16.544m in 2015/16. This is mainly due to slippage of major schemes (e.g. Grantham Southern Relief Road and Skegness Countryside Business Park), and the use of external funding to ensure the maximisation of monies available to the authority.

Protecting and Sustaining the Environment – (£4.973m under budget)

1.67 The capital programme for this commissioning strategy has an underspend of £4.973m in 2015/16. This is mainly due to some slippage on the Louth and Horncastle Flood schemes which are now underway and the timing of government grants received.

## **Finance and Public Protection**

### Protecting the Public – (£1.476m under budget)

1.68 The capital programme relating to this commissioning strategy relates to the Fire and Rescue service and has underspent by £1.476m in 2015/17. In the non-fleet programme this relates to delays in the delivery until 2016/17 of the regional control and the new station build at Sleaford and some slippage of station maintenance spend.

### Enablers and Support to Council's Outcomes – (£23.348m under budget)

1.69 The Broadband capital programme underspent by £9.695m. This is due to project efficiencies through more cost effective technology, achieved during the first phase of the project. These underspendings will be reallocated to the second phase of the programme which is now underway.

1.70 Underspendings on other elements of the IMT capital programme include:

- £2.252m on the Infrastructure and Refresh Programme. Infrastructure and End-User Refresh programmes were put on hold due to contractor capacity to deliver enabling projects in 2015/16. It is anticipated that the 2015/16 underspend will be used on refresh during 2016/17;
- £2.690m on the ICT Development Fund. Due to delays in contractor delivery new 'invest to save' initiatives were stalled during 2015/16. Potential spend is now being allocated to schemes to be undertaken in 2016/17; and
- £2.227m on the Replacement ERP Finance System (Agresso). Work to complete the ERP replacement is still required due to issues with the implementation. It is anticipated that these costs will be incurred in future financial years.

1.71 The Property capital programme underspent by £2.016m in 2015/16. This was due to:

- Slippage in the repairs and maintenance programme (£1.484m) due to planning consents, contractor availability and fitting work in around school holidays;
- Slippage of £0.297m on county farms capital schemes, again due to planning consents; and
- £0.235m on asbestos works, due to the reduced number of buildings and schools becoming academies.

1.72 The Property Rationalisation Programme underspent by £4.288m, this is due to slippage in the delivery of the new fire station and office accommodation building in Sleaford.

## **Other Programmes**

### New Developments Capital Contingency Fund – (£1.650m under budget)

1.73 For 2015/16 the Council set aside £15.000m in a New Developments Capital Contingency Fund. During the financial year £13.350m was allocated from this reserve. This has been utilised to fund the following schemes:

- Foster Care Capital Schemes (£0.500m);
- Bourne Waste Recycling Centre (£1.450m);
- Flood and Water Risk Management Schemes (£0.650m);
- Canwick Road Highways Scheme (£1.500m);
- Transforming Street Lighting in Lincolnshire (£6.400m);
- Boston Household Recycling Centre (£1.500m);
- Heritage Lottery – Castle Funding (£1.000m); and
- Fire Mobilising System (£0.350m).

## **Carry forward of over and under spendings**

1.74 The Council's policy as set out in its Financial Strategy is that:

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

### Transfers to and from reserves

1.75 The Council has a number of reserves earmarked for specific purposes. Transfers are made to or from these earmarked reserves at each year end dependent on actual expenditure and income during the year. It is proposed that the transfers are made in the normal way.

1.76 The carry forward of over and underspendings relating to Executive Directors revenue spending is shown in the table below. This includes:

- Up to 1% carry forward on service budgets. Note Information and Commissioning do not require their 1.0% underspend to be carried forward

into 2016/17. This is subject to recommendation 1. Subject to the decision of the Council, excluding Information and Commissioning, the carry forward of other underspends up to 1.0% is £4.295m. Details of how the 1% carryforwards will be utilised is set out at **APPENDIX A**.

<b>Executive Director</b>	<b>Final Proposal £'000</b>
Executive Director - Children's Services	1,011
Executive Director - Adult Care	1,460
Executive Director - Community Wellbeing and Public Health	282
Executive Director - Environment and Economy	764
Executive Director - Finance and Public Protection	778
Chief Information and Commissioning Officer	-
<b>TOTAL</b>	<b>4,295</b>

- The full carry forward of underspends relating to schools (£16.446 – previously £18.801m) and shared services (£0.538m). Note the final schools outturn has not yet been confirmed due to ongoing issues with the payroll information from Agresso. The reported underspend here may change in light of this work.
- Transfers to earmarked reserves linked to revenue budgets where spend is of an uneven nature (£0.521m previously £0.166m). Made up of:
  - A transfer to the Schools Sickness Fund of £0.355m, for the underspend on the scheme;
  - A transfer of £0.175m for the underspend on the Insurance Fund; and
  - A transfer of £0.009m from the reserve for an utilisation of the Museum Exhibits Reserve.

1.77 In addition to this other proposed allocations of amounts resulting from overspends and underspends above the 1.0%, supplemented by the Information and Commissioning underspend referred to in paragraph 1.76 above, are:

- A year end transfer of £12.154m (previously £13.175m) into the financial volatility reserves. £20.165m is required for the planned contribution to Council's revenue budgets in 2016/17. The balance of £23.623m (previously £24.644m) will be available to fund future uncertainties in local government funding in 2017/18 and beyond. ~~Note the final schools outturn may result in further costs being incurred by Council. This would reduce that amount of funds available to go into the Financial Volatility Reserve at the end of the financial year;~~
- Additions to existing reserves for:

- Civil Parking Enforcement (£0.498m) and Fixed Penalty Notices (£0.052m);
  - Flood and Water Risk Management (£0.127m);
  - Local Welfare Provision (£0.015m); and
  - Health and Wellbeing (£0.014m).
- Creation of new reserves for:
    - Waste Management (£1.000m) to meet the cost of anticipated waste volumes and disposal costs in 2016/17;
    - Heritage Service (£0.880m) to contribute towards the cost of service developments to minimise future dependence of Council funding; and
    - Street Lighting (£0.100m) to fund the cost of re-programming street lamps.

1.78 A variety of other transfers to or from other earmarked reserves reflecting actual expenditure and income in 2015/16 are shown in **TABLE D** over the page.

**TABLE D – Transfers to and from reserves (updated table)**

<b>EARMARKED RESERVES</b>	<b>Balance at 31 March 2015 £'000</b>	<b>Used in Year £'000</b>	<b>Additional in Year £'000</b>	<b>Balance at 31 March 2016 £'000</b>
Schools Carryforward	-32,141	21,340	-16,587	-27,388
Prime Account Loan Reserve Adjustment	573	214	0	787
<b>Balances held by Schools under a scheme of delegation</b>	<b>-31,568</b>	<b>21,554</b>	<b>-16,587</b>	<b>-26,601</b>
Other Services	-2,167	2,167	-4,295	-4,295
Adverse Weather	-1,000	0	0	-1,000
Insurances	-6,220	0	-175	-6,395
Schools Sickness Insurance Scheme	-788	0	-355	-1,143
Museum Exhibits	-144	9	0	-135
Development - Economic Development Reserve	-443	20	0	-423
Health and Wellbeing	-2,177	1,036	-14	-1,155
Development - Lincs Coastal Country Park	-373	5	0	-368
Legal	-1,967	1,098	-538	-1,407
Procurement	-825	37	0	-788
Salix Carbon Management	-166	38	-120	-248
Safer Communities Development Fund	-833	0	0	-833
Community Safety Development Fund	-473	473	0	0
Co-Responders Services	-150	0	0	-150
Financial Volatility Reserve - Budget Shortfall	-21,871	21,871	-20,165	-20,165
Financial Volatility Reserve	-31,634	20,165	-12,154	-23,623
Teal Park	-50	0	0	-50
Youth Service Positive Activities Development Fund	-107	87	0	-20
Corby Glen/South Lincolnshire Sports Fund	-171	0	0	-171
Youth Offending Service	-363	0	-150	-513
Domestic Homicide Reviews	-100	0	0	-100
Civil Parking Enforcement and Fixed Penalty Notices	-313	0	-551	-864
Support Service Contract Reserve (FDSS)	-2,632	922	0	-1,710
Roads Maintenance Reserve	-2,203	2,115	0	-88
New Salt Dome Willingham	-200	200	0	0
Planning Appeals Reserve	-80	80	0	0
Adoption Reform Reserve	-600	408	0	-192
Community Advisors Reserve	-156	0	0	-156
Local Welfare Provision Reserve	-416	0	-125	-541
Property Management	-250	0	0	-250
Energy from Waste Lifecycles	-1,286	0	-1,286	-2,572
Broadband Project	-135	0	0	-135
Broadband Clawback	-157	0	0	-157
Flood and Water Risk Management	-431	0	-127	-558
Young People in Lincolnshire	-334	0	0	-334
Members Big Society	-8	0	0	-8
Lincoln Eastern Bypass (LEB)	-500	0	0	-500
Unsuitable Transport Routes	-100	0	0	-100
Families Working Together	-611	12	0	-599
Enterprise Schemes	-191	0	0	-191
Asbestos Pressure	-50	0	0	-50
DAAT Pooled Budget	-265	18	0	-247
Waste Management	0	0	-1,000	-1,000
Heritage Services	0	0	-880	-880
Street Lighting	0	0	-100	-100
<b>Earmarked Reserves</b>	<b>-82,940</b>	<b>50,761</b>	<b>-42,035</b>	<b>-74,214</b>
<b>Revenue Grants and Contributions</b>	<b>-55,317</b>	<b>34,427</b>	<b>-28,406</b>	<b>-49,296</b>
<b>TOTAL RESERVES</b>	<b>-169,825</b>	<b>106,742</b>	<b>-87,028</b>	<b>-150,111</b>

## General Reserve

1.79 The Council's policy on general reserves is that they will be maintained within a range of 2.5% to 3.5% of its annual budget requirement. When setting its budget for 2015/16 the Council had planned to reduce the balance in the General Fund by £0.300m. After considering the impact of actual expenditure and income in 2015/16 and the proposals on the carry forward of over and under spendings it is not proposed to make any further additions or reductions to the general fund at the year end. The general reserves at 31 March 2016 are £15.600m or 3.5% of annual budget requirement (**TABLE E**).

**TABLE E – General Reserves**

<b>GENERAL RESERVES</b>		<b>Balance at 31 March 2016 £'000</b>
Balance at 1 April 2015		-15,900
Planned contribution to / use in year		300
Proposed contribution to / use of reserves		0
<b>Balance as at 31 March 2016</b>		<b>-15,600</b>
Balance as a percentage of total budget		3.50%

## Prudential indicators

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

1.81 In complying with the Code the indicators for 2015/16 were approved by County Council on 20 February 2015 along with the budget and council tax for that year. In accordance with the Code, the Executive Director has been monitoring the actual performance against the targets set and would have reported any issues of concern to members had there been a need to. The County Council should also be informed of the actual position compared with that estimated for any given year after the year end. **APPENDIX B** provides details of this comparison for 2014/15. It shows that Prudential Indicators have not been exceeded during the year and there have been no breach of limits set by the Authority.



## **Equality Act 2010**

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

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

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

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

- a. Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b. Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
- c. Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

1.84 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

1.85 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

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

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

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

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

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

## **2. Conclusion**

2.1 The report provides details of the council's financial performance for 2015/16. Net revenue spending amounted to £475.806m (previously £474.785m), excluding Schools Budgets. Net capital spending totalled £42.701m.

2.2 Existing policies allow all over and underspendings on capital, schools budgets and shared services to be automatically carried forward. The carry forwards and transfers to and from earmarked reserves have been proposed in accordance with existing policy. General reserves stand at £15.600m with a further £100.815m (previously £106.527m) in earmarked reserves.

### **2. Legal Comments:**

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

With regard to recommendation 2, Council's Financial Regulations provide that the use of all underspending on service budgets in excess of 1% will be considered by the Executive and decided by the full Council. The means of funding all overspendings on service budgets in excess of 1% will be considered by the Executive and decided by the full Council.

With regard to recommendation 4, under Section 3 of the Local Government Act 2003 the Authority must determine and keep under review how much money it can afford to borrow. Reporting on the Prudential Indicators assists the Council in discharging this function.

The recommendations are lawful in accordance with the Constitution and the Policy Framework and within the remit of the Executive.

The Leader has the power to confirm the Outturn amount and the amount recommended for transfer to the Financial Volatility Reserve in accordance with recommendation 5

### **3. Resource Comments:**

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

### **4. Consultation**

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

n/a

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

Yes

#### **c) Scrutiny Comments**

On 28 July 2016, the Overview and Scrutiny Management Committee considered the report on Financial Performance 2015/16.

#### **Overall Conclusions of the Overview and Scrutiny Management Committee**

The Overview and Scrutiny Management Committee agreed to support the four recommendations in the report to the Executive. Councillors P M Dilks and R B Parker requested that their vote against supporting the recommendations was recorded.

The Committee also concluded that it would like to see more information on budget monitoring considered by overview and scrutiny committees during the course of the year, including consideration by the Overview and Scrutiny Management Committee.

The Committee also recorded that it would look forward to improved financial information in the current year to enable underspends to be identified sooner, rather than being reported after the end of the financial year.

#### **Points of Clarification**

The following points of clarification were made during the meeting:

- With the exception of the items listed in paragraph 1.77 of the report

[proposed transfer of funds to reserves], no executive directors had submitted any bids to carry forward underspends in excess of 1%, on the basis that executive directors understood the overall financial challenges facing the County Council and they had not identified any special circumstances, other than those items in paragraph 1.77, to merit making a bid for funding over and above the 1% limit.

- In relation to the allocation of funds from underspends up to 1% (paragraph 1.76 of the report), it was a matter for each executive director, in consultation with the relevant Executive Councillor, to determine how these funds would be allocated.
- In relation to the proposal to add £0.498 million to reserves for Civil Parking Enforcement (paragraph 1.77 of the report), it was understood that these reserve funds would be used to provide closed circuit television to support parking enforcement activity, and could not be used for other activities, but further clarification would be required on whether under the relevant legislation, the bid for a street lighting reserve of £100,000 (paragraph 1.77 of the report) could be funded from it.
- The impact of business rate appeals could be a significant risk, but business rate income was a complex topic and would merit consideration in its own right.
- Approximately £4.5 million had been raised by the Council Tax increase of 1.9% for 2015/16.
- Disability Facilities Grant (DFG) had been passed to the County Council as part of the Better Care Fund since 2015/16. The responsibility for the approval of the Better Care Fund rested with the Health and Wellbeing Board. In 2015/16, the full Better Care Fund identification of allocated DFG had been transferred to district councils. A higher element of DFG had been identified in the Better Care Fund for 2016/17, but no district council had received a lower level of DFG funding than under the previous system.
- The reported underspend of £18.802 million on the schools budgets was a cumulative total, meaning it was inclusive of previous year underspends, and did not solely relate to the 2015/16 financial year.
- Executive directors actively monitored budgets. For example, one executive director had taken action during 2015/16 to manage a potential overspend, by reallocating funds within the directorate. Executive directors continued to monitor budgets, and data from the in-year monitoring of the 2016/17 budget was a factor in setting the budget for 2017/18.

#### Comments of Individual Members of the Committee

Individual members of the Committee also made the following comments, which the Committee agreed would be passed to the Executive: -

- The capital programme underspend on broadband was a concern and there a risk that broadband would not be delivered to an adequate level

and might require additional funding in the future. The Overview and Scrutiny Management Committee would consider progress with broadband as part of its next regular update on the topic.

- If certain information technology systems in the capital programme had been implemented sooner, the County Council could have achieved savings.
- Prior to the setting of the 2015/16 budget, it was widely reported that it would be a challenging year. However, an underspend of £20 million (County Council budget, net of school budget) occurred. Improved budget monitoring during the course of 2015/16 would have enabled the Council to use identified underspends to deliver improved services.
- More information should have been included in the report to the Executive on how the underspends of up to 1%, representing £4.295 million (referred to in paragraph 1.76 of the report) had been allocated.
- An underspend of £20 million (County Council budget, net of school budget) in 2015/16 might be a relatively small percentage of the County Council's budget. However, for a district council, this sum would be substantial. The County Council needed to ensure that appropriate explanations were given to the public for this level of underspend.
- An overall underspend of 3% of the Council's total budget was not excessive, and the Executive and executive directors should be congratulated for managing the budget in challenging circumstances. The overall budgetary position of the County Council was good.
- The Council's overall budget strategy was on course and there was no need for the County Council to change its approach.

#### **d) Policy Proofing Actions Required**

n/a

### **5. Appendices**

These are listed below and attached at the back of the report	
Appendix A	Use of Service 1% Carryforwards
Appendix B	Prudential Indicators 2015/16

### **6. Background Papers**

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

Document title	Where the document can be viewed
Financial Strategy	Executive Director of Finance and Public Protection

This report was written by David Forbes, who can be contacted on 01522 553642 or [david.forbes@lincolnshire.gov.uk](mailto:david.forbes@lincolnshire.gov.uk).

## Appendix A – Use of Service 1% Carryforwards

Directorate		Children's Services			Up to 1% Carry Forward	1,010,763
Rank (please rank in order of priority)	Service Area	Planned use of Carry Forward (please provide a short explanation)	Required for one off scheme/pressure, on-going pressure.	For on-going budget pressures how does the service plan on resolving these beyond this funding?	Amount (£)	
1	Regulated Services	Recruitment Team for foster carers. Team manager, 3 x Social Workers and 2 x business support staff to provide a dedicated immediate response to all fostering and adoption enquirers for a 2 year project. The aim is to increase the number of registered foster carers and adopters to provide sufficient resource in order to minimise the numbers of looked after children being placed in expensive external placements.	One Off	N/A	278,850	
2	Regulated Services	Barnardo's Supported Lodgings worker initially a two year contract now a permanent arrangement. This is to enable us to achieve the range of accommodation options identified within the Youth Housing Strategy.	On going pressure	The service plans to meet this pressure internally through a thorough review of budgets and priorities, but require time to facilitate this process.	39,000	
3	Music Service	Agreement for the service to carry forward their underspend to support the creation of a fully sustained trading unit within LCC. Arts Council grant funding has been fully utilised to maximise income to Lincolnshire.	One Off	N/A	208,160	
4	Positive Activities for Young People	Grant given to Lincolnshire YMCA to help fund the cost of running The Showroom.	One Off	N/A	17,000	
5	Social Care	Complaint Investigator costs. This budget was taken over from the Customer Services Centre during 2013-2014. Costs have continued to exceed the budget that was transferred and in 2015-2016 the budget overspent by £51,000. Temporary monies will allow the service time to address the situation for future years.	One Off	N/A	50,000	
6	Social Care	Funding for Signs of Safety post. To fund a post for 12 months for Signs of Safety to support child protection casework and risks of child sexual exploitation.	One Off	N/A	86,274	
7	LSCB	Funding of temporary posts. A service review is taking place. LSCB has some temporary posts and at the board meeting (Debbie Barnes attended) it has been agreed to fund these, which has increased the contributions for all partners. The additional contribution for LCC is £13,000. The review will consider provider contributions.	One Off	N/A	13,000	
8	School Improvement Service	Education Endowment Fund project. A jointly funded LCC and Lincolnshire Learning Partnership project for Teaching Assistants led by Teaching Schools.	One Off	N/A	49,000	

Rank (please rank in order of priority)	Service Area	Planned use of Carry Forward (please provide a short explanation)	Required for one off scheme/pressure, on-going pressure.	For on-going budget pressures how does the service plan on resolving these beyond this funding?	Amount (£)
9	School Improvement Service	Leadership Programme. An LCC funded project led by Teaching Schools.	One Off	N/A	28,600
10	School Improvement Service	CfBT Contract and new service delivery. Dual running of the new service with the CfBT contract that will end in August 2016. The new service will achieve a savings target of £2m by 2017/18.	One Off	N/A	90,963
11	Commissioning	Funding to support a Senior Commissioning Officer to work on the Commercial Offer to Schools to make a concerted effort for the project to succeed. The intention it will be pump primed for 12 months.	One Off	N/A	44,326
		<b>Total Children's Services</b>			<b>905,173</b>
12	People Management	To fund an Employment Officer post that will support the apprenticeship work with the intention of reducing the levy imposed on certain size organisations when it is implemented.	One Off	N/A	42,640
13	People Management	Funding for a Workforce Change Co-ordinator until 31st March 2017 to work on projects for engagement.	One Off	N/A	62,950
		<b>Total People Management</b>			<b>105,590</b>
		<b>TOTAL</b>			<b>1,010,763</b>



Rank (please rank in order of priority)	Service Area	Planned use of Carry Forward (please provide a short explanation)	Required for one off scheme/pressure, on-going pressure.	For on-going budget pressures how does the service plan on resolving these beyond this funding?	Amount (£)
1	Adult Safeguarding	Deprivation of Liberty Safeguards (DoLs) - Funding required to support increase in DoLs assessments and reviews. Costs are expected to be short term ahead of an expected review of appropriate legislation following Cheshire West Judgement in 2014	One off	N/A	500,000
2	Adult Frailty and Long Term Conditions	Scheme to support the delivery of Homecare in Lincolnshire ensuring its sustainability and deliverability.	One off	N/A	254,800
3	Carers	Carers Service to Hospitals - Funding required to provide hospital dementia support service in addition to support already provided in the community. This reduces the need for clinical staff in supporting dementia specific needs, enabling the person with dementia to engage whilst in an acute setting	One off	N/A	101,900
4	Adult Frailty and Long Term Conditions and Adult Specialities	Flexible Mobile Working - Funding required to purchase specialist IT equipment and licenses needed to allow front line staff (Adults and Children) to have full access to Mosaic whilst out in the field.	One off	N/A	255,000
5	Adult Frailty and Long Term Conditions and Adult Specialities	Maintenance of existing establishment to support Mosaic Implementation - Funding required to support temporary staff to backfill key specialists staff seconded to CMPP project.	One off	N/A	51,000
6	Adult Frailty and Long Term Conditions	Balance of 1%. It is proposed to set this aside for emerging pressures during the financial year.	One off	N/A	297,014
		<b>TOTAL</b>			<b>1,459,714</b>

Rank (please rank in order of priority)	Service Area	Planned use of Carry Forward (please provide a short explanation)	Required for one off scheme/pressure, on-going pressure.	For on-going budget pressures how does the service plan on resolving these beyond this funding?	Amount (£)
1	Wellbeing - Registration, Celebratory & Coroners	Use of carry forward to meet cost pressures in the Coroners Service until new model of service is implemented	One-off (until model of delivery is changed)	N/A	100,000
2	Communities - Customer Service Centre	Use of carry forward to meet cost pressures in the CSC due to increased volumes of activity, and timing of channel shift savings	One-off (until model of delivery is changed)	N/A	181,973
		<b>TOTAL</b>			<b>281,973</b>

Rank (please rank in order of priority)	Service Area	Planned use of Carry Forward (please provide a short explanation)	Required for one off scheme/pressure, on-going pressure.	For on-going budget pressures how does the service plan on resolving these beyond this funding?	Amount (£)
1	Sustaining & Developing Prosperity via infrastructure	<p>Greater Lincoln Transport Model - the resulting model would be capable of fulfilling all of the County Council's requirements for a minimum of five years and with the possibility of extending this further with limited refinement in the future.</p> <p>The anticipated uses of the GLTM in the future, and changes in guidance, will dictate the necessary functionality of the model and this in turn will determine the details of any model update. These are technical issues to be discussed in due course, and information regarding data collection, programme and costs will be refined. They are based on an assumption that an updated model would have broadly the same functionality as the current model (for example no explicit public transport or parking allocation modelling) but would incorporate the most up to date guidance on model building.</p>	One off production of the model but recurring use/ benefit in relation to modelling transport/ highway matters for Lincoln	Ongoing support/ use and updates funded through individual schemes/ projects	400,000
2	Protecting & Sustaining the Environment	To undertake its statutory function of determining planning applications Planning Services uses an applications software package. The current provider of this package is no longer supporting planning applications and has given notice to the Council that it will no longer support the software. It is therefore necessary for an alternative software provider to be appointed to provide this service. In addition the software is used to receive and distribute planning applications consultations received from the District Councils to Development Management Officers to provide responses on highways and SuDS matters.	One off	This is a one off scheme and we are seeking a 5 year contract with further 2 year extension option. Existing licensing/ running costs are expected to be similar to existing budget	175,000
3	Sustaining & Developing Prosperity via infrastructure	Implementation of Highways Asset Management and Scheme Prioritisation Software.	One off	n/a	50,000
4	Sustaining & Developing Prosperity via infrastructure	Oak House Business Centre - to replace phone system, CCTV system, boilers, automatic doors and car park surfacing at Oak House Business centre in order to maintain tenant appeal	One off activity	N/A	50,000

Rank (please rank in order of priority)	Service Area	Planned use of Carry Forward (please provide a short explanation)	Required for one off scheme/pressure, on-going pressure.	For on-going budget pressures how does the service plan on resolving these beyond this funding?	Amount (£)
5	Sustaining & Developing Prosperity via infrastructure	Project Feasibility - to develop economic infrastructure project feasibility to planning application stage in order to create a stock of viable and ready to implement projects / bids for future Growth Deal	One off activity	N/A	68,501
6	Sustaining & Developing Prosperity via infrastructure	Team Lincolnshire Collateral - The development of materials and collateral to help build Team Lincolnshire and enable it to become the vehicle through which investment in Lincolnshire is promoted.	One off activity	N/A	20,000
		<b>TOTAL</b>			<b>763,501</b>

Rank (please rank in order of priority)	Service Area	Planned use of Carry Forward (please provide a short explanation)	Required for one off scheme/pressure, on-going pressure.	For on-going budget pressures how does the service plan on resolving these beyond this funding?	Amount (£)
1	Budget and Policy Framework - Finance and Audit	Audit. The audit budget for 2015/16 included £42k to upgrade the Council's Audit Software. Due to problems with SERCO availability this upgrade was not completed during 2015/16. It is requested that this budget is carried forward into 2016/17 to undertake this work.	One-Off	N/A	42,000
2	Property Strategy and Support	Wainfleet Library. £72k was allocated for works at this property in 2015/16. Due to the specific nature of the repairs required and it being a Scheduled Ancient Monument the works could not be carried out over the winter period and therefore the original budget could not be utilised during last financial year.	One-Off	N/A	72,000
3	Business Support	To cover the budget shortfall for offsite storage of records management with Restore.	On going	This has been covered by underspends in past but can no longer be sustained.	80,000
4	Preventing and Tackling Fires and Emergencies	Retained Duty Staff Public Holiday Drill - Night Payment. It was discovered during the later stages of last year that Spitfire had been configured incorrectly so RDS staff were only being paid single time on public holidays since 2012. £21k is required to resolve this.	One-Off	N/A	21,000
5	Preventing and Tackling Fires and Emergencies	Retained Duty Staff/CM Backdated Pay. Currently Lincolnshire Fire and Rescue pay all WDS personnel competent pay on promotion. This hasn't been applied to RDS at crew and watch manager level due to a clerical omission. This issue has occurred since 2012 and this figure is the cost to the service of resolving this back pay issue.	One-Off	N/A	50,000
6	Preventing and Tackling Fires and Emergencies	Project Officer. The service would like to employ and additional WM within the CFS team to undertake a 9 month project to progress with the development and implementation of a Community Risk Intervention Team to support the health agenda.	One-Off	N/A	36,000
7	Protecting the Public - Safer Communities	Scams. Vulnerable victims, through a national project we have been made aware of at least 1,800 victims of mail scams. Each victim poses a safeguarding risk from financial abuse. There is a need to visit each victim to do a safeguarding check.	On going	Work nationally and locally to protect potential victims. List is a back log reflecting newly recognised risk that will hopefully decrease in total numbers.	50,000

Rank (please rank in order of priority)	Service Area	Planned use of Carry Forward (please provide a short explanation)	Required for one off scheme/pressure, on-going pressure.	For on-going budget pressures how does the service plan on resolving these beyond this funding?	Amount (£)
8	Protecting the Public - Safer Communities	Bid to support the Youth Offending Service Early Intervention and Preventative Strategy Work, which aims to keep young people out of the criminal justice system. This work has been reduced to ensure no overspends would occur, (£0.200m underspend this year as a result). YOS has experienced an increase in YP coming into criminal justice this year, the first rise in the last five years. This impacts significantly on the community and service and creates increased cost as a consequence.	One-Off (this work will cease when the funding stops)	N/A	90,000
9	Budget and Policy Framework - Finance and Audit	Balance of 1%. It is proposed to set this aside for emerging pressures during the financial year.	One-Off	N/A	72,496
		<b>TOTAL</b>			<b>513,496</b>

Directorate

Information and Commissioning

Up to 1% Carry Forward	140,583
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Rank (please rank in order of priority)	Service Area	Planned use of Carry Forward (please provide a short explanation)	Required for one off scheme/pressure, on-going pressure.	For on-going budget pressures how does the service plan on resolving these beyond this funding?	Amount (£)
1					
2					
		TOTAL			-

## Appendix B – Prudential Indicators 2015/16

PRUDENTIAL INDICATORS ACTUAL COMPARED TO ESTIMATED 2015/2016			
Original Estimate	2015/16 £000	Actuals	2015/16 £000
Capital Expenditure Net	80,362	Actual Capital Expenditure (Excl Sch RCCO & Leasing)	28,768
Capital Financing Requirement 31/3/2016	630,292	Actual Capital Financing Requirement 31/3/2016	559,558
Capital Financing Requirement Estimate at 31/3/2018	665,617	Capital Financing Requirement Estimate 31/3/2018	594,942
Gross External Borrowing	513,440	Actual Gross External Borrowing	481,747
Borrowing in Advance of Need Limit	8,831	Actual Borrowing in Advance of Need Taken	0
Incremental Impact of Borrowing Plans on Council Tax '-Band D	£8.36	Actual Incremental Impact of Borrowing Plans on 'Council Tax -Band D	-£5.10
MRP & Interest Repayments not to exceed 10% of Net Revenue Stream Estimate	6.24%	MRP & Interest Repayments not to exceed 10% of Net Revenue Stream Actual	5.75%
Ratio of Financing Costs To Net Revenue Stream	6.14%	Actual Ratio of Financing Costs To Net Revenue Stream	5.68%
<b>External Debt:</b>			
<u>Authorised limit for external debt -</u>		<b>Actual external debt at 31/3/16</b>	
borrowing	592,052	Borrowing	481,747
other long term liabilities	15,083	Other long term liabilities(Credit Arrangements)	12,193
TOTAL	607,135	<b>TOTAL</b>	493,940
<u>Operational boundary -</u>			
borrowing	568,052		
other long term liabilities	13,083		
TOTAL	581,135		
<b>Treasury Management:</b>			
<u>Upper limit for fixed interest rate exposure</u>		<b>Actual exposure fixed interest</b>	
Net principal re fixed rate borrowing less investments	665,617	Net Principal	311,933
<u>Upper limit for variable rate exposure</u>		<b>Actual exposure variable interest</b>	
Net principal re variable rate borrowing less investments	199,685	Net Principal	-46,204
<u>Upper limit for total principal sums invested for over 364 days (per maturity date)</u>	40,000	<b>Actual sums invested &gt; 364 Day</b>	214
<b>Maturity structure of fixed rate borrowing during 2015/16</b>	upper limit	<b>Actual maturity structure as at 31 March 2016</b>	
under 12 months	25%	under 12 months	3.20%
12 months and within 24 months	25%	12 months and within 24 months	3.20%
24 months and within 5 years	50%	24 months and within 5 years	15.50%
5 years and within 10 years	75%	5 years and within 10 years	9.30%
10 years and above	100%	10 years and above	68.70%



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

Report to:	<b>County Council</b>
Date:	<b>16 September 2016</b>
Subject:	<b>Budget Update – Efficiency Strategy and Plan plus Flexible Use of Capital Receipts</b>

**Summary:**

The provisional Local Government Settlement announced on 17 December 2015 has given local authorities the opportunity to sign up to a four year funding deal (from 2016/17 to 2019/20). There are also new flexibilities around the use of capital receipts, which, from 1 April 2016 can be used to fund transformational work for a three year period.

In order to qualify for the four year funding commitment the Council must publish an Efficiency Plan and to use capital receipts flexibility the Council must develop a Flexible Use of Capital Receipts Strategy. The two can be combined in one document

In the Council's Budget for 2016/17, approved by County Council on 19 February, the Council set out its intention to use £4.500m under the new flexible use of capital receipts in 2016/17. This paper provides additional information on the Council's Efficiency Plan and Flexible Use of Capital Receipts Strategy for 2016/17 plus an outline for future years and details of a proposal to sign up to the four year funding commitment.

The Executive resolved to make the recommendations contained in this Report to full Council at its meeting on 6 September 2016.

**Recommendation(s):**

It is recommended that the Council:

(1) approves adoption and publication of the Efficiency Plan attached at **Appendix A** as the Council's Efficiency Plan for the purposes of applying for a four year settlement and the Council's Flexible Use of Capital Receipts Strategy for 2016/17;

(2) notes the effect of the above Flexible Use of Capital Receipts Strategy on the Council's Prudential Indicators for the period 2016/17 to 2019/20 as set out in **Appendix A**; and

(3) approves acceptance of the offer of a four year funding settlement from Government (for the period 2016/17 to 2019/20).

**Alternatives Considered:**

1. The Council does not prepare an Efficiency Plan and does not accept the four year funding deal from central Government for the period 2016/17 to 2019/20. In this case funding from central government would be notified to the Council on an annual basis as part of the annual local government settlement for these financial years and the Council would continue to lack the certainty for longer term financial planning. There would be the risk that those Councils which had not signed up to the deal could be disadvantaged if deeper cuts in funding are required by the Government.
2. The Council does not prepare a Flexible Use of Capital Receipts Strategy. This would place the Council in breach of statutory guidance in the fulfilment of its obligations in relation to the treatment of capital receipts.

**Reasons for Recommendation:**

Development of an Efficiency Plan allows the Council the option of accepting the four year funding deal. Development of a Flexible Use of Capital Receipts Strategy is a requirement of statutory guidance governing flexibilities in the use of capital receipts generated in the three years starting from 1 April 2016.

The recommended option is proposed because it provides the Council with some certainty about levels of funding to be received over the period 2016/17 to 2019/20. This will allow the Council to develop robust financial plans through to the end of the decade based on confirmed funding.

The flexibility to use capital receipts on transformational and money saving schemes will allow the Council to fund schemes to make further savings in future years.

**1. Background**

1.1 By way of a letter dated 10 March 2016, the Secretary of State for Communities and Local Government offered local authorities the greater certainty and confidence of a four year budget settlement. In order to accept this offer, local authorities must notify the Secretary of State not later than 14 October 2016 and provide a link to an Efficiency Plan published by the Council.

1.2 Regulation 23 of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 made under section 11 of the Local Government Act 2003, specify the purposes for which capital receipts may be used. The main permitted purpose is to meet capital expenditure together with other specified types

of payment. Permitted purposes do not include use to support revenue expenditure.

1.3 Under section 16(2)(b) of the 2003 Act the Secretary of State is empowered to issue directions providing that expenditure of local authorities shall be treated as capital expenditure for the purpose of Part 1 of the 2003 Act. Where such a direction is made the expenditure specified in the Direction is from that point on capital expenditure which can be met from capital receipts under the Regulations.

1.4 The Secretary of State has issued such a Direction which provides that the Council is to treat the following expenditure as capital expenditure:-

*" expenditure on any project that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery to reduce costs and/or transform service delivery in a way that reduces costs or demand for services in future years for any of the public sector delivery partners."*

1.5 In complying with this Direction, the Council is required to have regard to Statutory Guidance issued by the Secretary of State. That Guidance requires relevant authorities (including County Councils) to prepare, publish and maintain a Flexible Use of Capital Receipts Strategy the initial strategy being effective from 1 April 2016. The Flexible Use of Capital Receipts Strategy required by the Statutory Guidance can form part of the Efficiency Plan required by the letter of 10 March 2016 as a condition of accepting a four year settlement.

1.6 Government have not prescribed the form and content of this latter document (the Efficiency Plan) but it should demonstrate how greater funding certainty can bring about opportunities for further savings. It should cover the full four year period and be open and transparent about the benefits it will bring to the Council and its community. The letter indicates that the Council should collaborate with local neighbours and public sector partners and link into devolution where appropriate. The underlying principle is to support local authorities to deliver more efficient and sustainable services by providing certainty around funding and extending the use of capital receipts to support the revenue costs of reform projects.

1.7 According to the Statutory Guidance the Flexible Use of Capital Receipts Strategy should as a minimum list each project that plans to make use of the capital receipts flexibility and on a project by project basis details of the expected savings/service transformation should be provided. The effect this will have on the affordability of Council borrowing (set out in the Council's Prudential Indicators) should be included. The Government definition of expenditure which qualifies to be funded from capital receipts is set out in paragraph 1.4 above. The Statutory Guidance states that within this definition, it is for individual local authorities to decide whether or not a project qualifies for the flexibility.

1.8 **Appendix A** to this report contains the Council's proposed Efficiency Plan effective from 1 April 2016 incorporating the Council's Flexible Use of Capital Receipts Strategy.

1.9 The development of this Efficiency Plan will allow the Council to sign up to the four year funding settlement from Government. The four year settlement will provide certainty and a level of stability allowing the Council to develop robust financial plans for the period up to 2019/20. Increased certainty in levels of funding will allow the Council to refine and develop savings plans which will be required to deliver a balanced budget over this period, while considering cost pressures which must be funded. The Council will continue to use reserves and the flexibility of capital receipts to help deliver savings and smooth their impact over this period. Overall this certainty will strengthen the Council's financial position and ability to deliver balanced budgets to the end of the decade.

1.10 The funding settlement will provide the Council with confirmed funding for Revenue Support Grant, Transitional Grant and Rural Services Delivery Grant, plus top ups from 2016/17 to 2019/20. This represents the following funding for the Council:

<b>Funding Summary</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>
	<b>£'m</b>	<b>£'m</b>	<b>£'m</b>	<b>£'m</b>
Revenue Support Grant	70.351	48.292	33.964	20.139
Transitional Grant	0.011	0.009	0.000	0.000
Rural Service Delivery Grant	6.892	5.565	4.281	5.565
Top Up Grant	82.426	84.047	86.526	89.292
<b>TOTAL</b>	<b>159.680</b>	<b>137.913</b>	<b>124.771</b>	<b>114.996</b>

1.11 In an Annex to the letter of 10 March 2016, central government have said that they will also need to take account of future events such as the transfer of functions to local government, transfers of responsibility for functions between local authorities, mergers between authorities and any other unforeseen events. However, they have provided reassurances that barring exceptional circumstances and subject to the normal statutory consultation process for the local government finance settlement, the Government expects these to be the amounts presented to Parliament each year. New burdens funding during this four year period is in addition to these figures.

1.12 The Efficiency Plan including the Flexible Use of Capital Receipts Strategy will be reviewed annually and in future years this Efficiency Plan will be incorporated fully into the Council's annual Budget and Medium Term Financial Strategy approved by County Council each February. At the end of each financial period outcomes will be reported to County Council as part of the Council's Financial Performance Report each September.

1.13 The Efficiency Plan at Appendix A meets the requirements such as they are laid down by the Government in the letter of 10 March in that it addresses how the certainty of a four year budget settlement will create opportunities for further savings. This is essentially through the ability to plan across the four year period and develop more robust financial plans. It is not possible to identify savings at

this stage. As it becomes more possible to develop robust financial plans further detail will be able to be given. This will be dealt with at the time of the Review of the Plan. At that time also the future financial position of partners, particularly health and the financial implications of any devolution Order will be clearer and these elements of the Efficiency Plan can be further addressed at that time.

1.14 Appendix A addresses the requirements of the Flexible Use of Capital Receipts Strategy. In particular, it sets out the projects that are intended to be covered by the flexibilities and the expected savings and deals with the impact on prudential indicators.

1.15 There are not considered to be any direct implications of this decision on the Council's public sector equality duty, the joint health and wellbeing strategy or crime and disorder. This decision will only impact on the certainty of future funding. It is not expected to impact on the extent of funding available and individual decisions will still need to be made as to how the available funding should be spent. Equalities, health and wellbeing and crime and disorder implications of proposals will be dealt with as they are brought forward.

## **2. Conclusion**

2.1 The report sets out the Council's Efficiency Plan which is effective from 1 April 2016 including the Council's plans for using capital receipts to fund revenue transformation.

2.2 It is recommended that the Council apply for the four year funding settlement offered by the Government in order to obtain certainty and a level of stability allowing the Council to develop robust financial plans for the period up to 2019/20.

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

The legal background to the recommendations is set out in detail in the Report. The production of an Efficiency Plan and a Flexible Use of Capital Receipts Strategy is a condition for acceptance of a four year settlement and the flexible use of capital receipts respectively.

The acceptance of a four year funding settlement and the flexible use of capital receipts each impact on the budget. The statutory guidance relating to the flexible use of capital receipts states that the Flexible Use of Capital Receipts Strategy should be approved by full Council.

The decision is accordingly within the remit of the full Council on the recommendation of the Executive.

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

Preparation of the Efficiency Plan and acceptance of the four year funding settlement will bring stability to the Council in the medium term and reduce the risk of further funding reductions from central government.

The Council's budget for 2016/17, approved in February 2016, built in the impact of capital receipts being diverted from the capital programme into funding transformational costs in revenue.

#### **5. Consultation**

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

n/a

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

The full Executive resolved to make the recommendations contained in this Report to full Council at its meeting on 6 September 2016.

##### **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	Lincolnshire County Council Efficiency Plan effective from 1 April 2016
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#### **7. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

Multi-Year Settlement and Efficiency Plans – Letter dated 10 March 2016 and Annex – Conditions of the Multi Year Settlement	Executive Director of Finance and Public Protection
Statutory Guidance on the Flexible Use of Capital Receipts (updated)	Executive Director of Finance and Public Protection

This report was written by David Forbes, who can be contacted on 01522 553642 or [david.forbes@Lincolnshire.gov.uk](mailto:david.forbes@Lincolnshire.gov.uk).

**Lincolnshire County Council Efficiency Plan, effective from 1 April 2016**

**Background**

The Secretary of State's letter of 10 March 2016 requires relevant authorities (including County Councils) to prepare, publish and maintain an Efficiency Plan in order to apply for a four year funding settlement, the initial Plan to be effective from 1 April 2016. Government have not prescribed the form and content of this document but it should demonstrate how greater certainty can bring about opportunities for further savings.

The Efficiency Plan can also contain the Council's Flexible Use of Capital Receipts Strategy which is a requirement of Statutory Guidance issued under section 15 of the Local government Act 2003. Such a Strategy should:-

- Document how the new flexibilities in the use of capital receipts will be used; and
- Show the effect on Prudential Indicators for the period of capital receipt flexibilities.

**Efficiency Plan**

The efficiency plan for Lincolnshire County Council should be read alongside the Council's Budget for 2016/17 which identifies how the Council will deliver a balanced budget for 2016/17 and details how the Council plans to deliver financial sustainability in the medium term ([www.lincolnshire.gov.uk/budget](http://www.lincolnshire.gov.uk/budget)).

Since 2010 the Council has been delivering savings programmes which have allowed it to focus resources on unavoidable cost pressures, such as demand lead services (such as adult and children's social care), as well as allowing the Council to match the level of spending with the reducing funding coming from central government. In effect this programme has meant the Council has had in place an Efficiency Plan for a number of years already.

Over this period the Council has taken a mixed approach to matching Council spending to the level of funding available. This has been through identifying service cost pressure which must be funded, delivering service and corporate budget savings, modest increases in Council Tax, plus the use of reserves to allow the Council to smooth the effect of introducing savings, and from 2016/17 the flexible use of capital receipts.

Reductions in government funding have and continue to pose significant challenges for the County Council; however, confirmed levels of funding over the period 2016/17 to 2019/20 will allow the development of more robust, sustainable financial plans. Going forward the Council will refine and develop savings plans which will be required to deliver a balanced budget over this period, while considering cost pressures which must be funded. The Council will continue to use reserves and the flexibility of capital receipts to smooth the effect of reducing government funding and



re-engineer service provision to allow further savings to be made, while funding unavoidable cost pressures.

### **Flexible Use of Capital Receipts**

Government has provided a definition of expenditure which qualifies to be funded from capital receipts. This is:

*"Qualifying expenditure is expenditure on any project that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery to reduce costs and/or transform service delivery in a way that reduces costs or demand for services in future years for any of the public sector delivery partners. Within this definition, it is for individual local authorities to decide whether or not a project qualifies for the flexibility."*

The Council's current plans include the following use of capital receipts to fund transformation projects:

	2016/17	2017/18	2018/19
	£'m	£'m	£'m
Planned use of capital receipts	4.500		
Anticipated use of capital receipts		8.000	8.000

In 2016/17 this will fund schemes falling under the following headings:

	2016/17 £'m	
Service changes and reductions (including redundancies)	2.000	The Council tracks the payback period for redundancy costs. It is estimated that for every £1 spent on redundancy costs within a 9 month period the Council saves £1.25.
Property rationalisation	0.500	Savings here relate to reductions in rent and associated property costs. It is estimated that this will release £0.600m per annum going forward. This programme of work will also contribute to the generation of capital receipts.
Efficiencies through contracting and procurement	1.200	Savings here are about reducing contract costs but also keeping future contract costs as low as possible (i.e. ensuring that growth in costs is kept to a minimum). Confirmed savings for 2016/17 already amount to £0.500m per annum, with a further £4.400m p.a. of contract tendering exercises due to conclude in 2016/17.
Transforming information technology	0.600	Improvements and efficiencies here may not easily convert directly into a reduction in spending, however, they will increase capacity and allow other savings to be delivered across other areas of the Council.
Preventing and detecting fraud	0.200	Again it is difficult to convert this work into a cashable saving, however this work protects the Council's finances.
<b>TOTAL</b>	<b>4.500</b>	

### **Impact on Prudential Indicators**

Up to 1 April 2016 it has been the Council's policy to utilise all capital receipts generated in any financial year to fund the capital programme in that financial year (thus allowing the Council to keep the need for borrowing to a minimum). With the change in policy allowing utilisation of capital receipts to fund revenue spending on transformational projects the Council will stop using all capital receipts to fund the capital programme.

Diverting this money away from the capital programme does have a financial impact for the Council. Details on the Council's Prudential Indicators for 2016/17 (and future years) based on the above use of capital receipts to fund revenue transformation (£4.5m in 2016/17 and £8.0m in 2017/18 and 2018/19) rather than spend in the capital programme are set out in the Council's 2016/17 Budget Book at Appendix L ([www.lincolnshire.gov.uk/budget](http://www.lincolnshire.gov.uk/budget)). The Prudential Indicators demonstrate that the capital programme and associated financing remain affordable for the County Council.

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

Report to:	<b>County Council</b>
Date:	<b>16 September 2016</b>
Subject:	<b>Changes to the Constitution</b>

**Summary:**

This Report seeks approval for changes to the Officer delegations set out in the Constitution to reflect realignment of responsibilities following the departure of the Executive Director for Public Health and Community Wellbeing.

**Recommendation(s):**

The Council approves the changes to Part 2 and Part 3 of the Council's Constitution set out in Appendix A and B respectively to take effect from 17 October 2016

## **1. Background**

- 1 Dr Tony Hill, the Council's Executive Director of Community Wellbeing and Public Health will be leaving the Council on 16 October 2016.
- 2 The Chief Executive has accordingly made provision for Dr Hill's management responsibilities to be taken on by other Executive Directors. The arrangements can briefly be described as follows
  - Responsibilities for Registration, Celebratory and Coroner's Services will transfer to the Executive Director of Finance and Public Protection
  - Responsibilities for Community Assets and Resilience including community engagement and development and libraries and heritage and archive services will transfer to the Executive Director for Environment and Economy
  - Responsibilities relating to health and wellbeing will transfer to the Director of Adult Care to be re-designated as Executive Director for Adult Care and Community Wellbeing. It is proposed that this will include line management responsibility for a post of Director of Public Health which would fulfil the role of the statutory Director of Public Health for the purposes of the Council's responsibilities under section 73A of the National Health Service Act 2006. The post of Director of

Public Health would report to the Chief Executive in relation to the fulfilment of the statutory post.

- 3 In addition to the above, the opportunity has been taken to realign management responsibility for the Youth Offending Service from the Executive Director of Finance and Public Protection to the Executive Director of Children's Services.
- 4 Changes need to be made to the exercise of Dr Hill's delegated authority under the Constitution following his departure to ensure the continued efficient operation of the Council. In addition, amendments are needed to reflect the changes set out in paragraph 3 above.
- 5 Amendments have been made to two areas of the Constitution. The first of these is changes to Article 9 in Part 2 which deals with Officers. These changes include amendments to the areas of responsibility of Chief Officers to reflect the changes referred to in paragraphs 2 and 3. These changes are attached at Appendix A to this Report.
- 6 The second set of changes is to Part 3 (Responsibility for Functions). These changes realign the delegated authorities of officers to reflect the management responsibilities referred to in paragraphs 2 and 3 and the changes to the post of Director of Public Health. These changes are attached at Appendix B to this Report.
- 7 The changes are not considered to have any impacts on people with a protected characteristic under the Equality Act 2010. The changes do not impact directly on services although they do ensure continuity of decision-making and therefore the efficiency of the Council's operations. Insofar as the powers covered by the changes impact on child poverty health and wellbeing and reducing crime and disorder the impact of ensuring continuity of decision-making on those matters is considered to be positive.

## **2. Conclusion**

- 1 The Council is asked to approve the changes to the Constitution set out in Appendix A and Appendix B to reflect a realignment of responsibilities among Chief Officers following the departure of the Executive Director of Community Wellbeing and Public Health.

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

The Council has a duty to appoint an individual to be Director of Public Health to have responsibility for the exercise of functions specified in that Act and Regulations made under it.

The decision on changes to the Constitution is reserved to the full Council and the decision is therefore within the remit of the full Council.

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

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

#### **5. Consultation**

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

n/a

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

Yes

##### **c) Scrutiny Comments**

This matter has not been the subject of scrutiny

##### **d) Policy Proofing Actions Required**

See the main body of the Report

#### **6. Appendices**

These are listed below and attached at the back of the report	
Appendix A	Constitution Changes - Part 2 - Articles
Appendix B	Constitution Changes - Part 3 - Responsibility for Functions

#### **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
The Council's Constitution	Democratic Services

This report was written by David Coleman, Chief Legal Officer, who can be contacted on 01522 552134 or david.coleman@lincolnshire.gov.uk.

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## ARTICLE 9 – OFFICERS

### 9.01 Engagement of Staff

#### (a) **General**

The Council through its Head of Paid Service may engage such staff (referred to as Officers) as it considers necessary to carry out its functions.

The recruitment selection and dismissal of employees will comply with the Officer Employment Procedure Rules, Officer Employment Protocol and Councillor Role in Part 4 of this Constitution.

The Council will from time to time determine and publicise a description of the overall departmental structure of the Council showing the management structure. This is set out at Part 7 of this Constitution.

#### (b) **Chief Officers.**

All Chief Officers will:

- contribute to the corporate management of the County Council;
- represent and promote the County Council as a Local Authority concerned to secure high quality services in line with the Council's Business Plan for the people of Lincolnshire;
- develop partnership working.

The persons engaged to fill the following posts will be designated Chief Officers:

<b><i>Post</i></b>	<b><i>Functions and areas of responsibility</i></b>
Chief Executive	<ul style="list-style-type: none"> <li>• Overall corporate management</li> <li>• Overall operational responsibility (including overall management responsibility for all Officers)</li> <li>• Strategic development and performance of the organisation</li> <li>• Provision of professional advice to all parties in the decision making process</li> <li>• Together with the Monitoring Officer, responsibility for a system of record keeping for all the Council's decisions</li> <li>• Representing the Council on partnership and external bodies (as required by statute or the Council)</li> <li>• Corporate Policy, business planning and equalities</li> <li>• Information governance and technology, Media Communications, procurement and Commissioning Support</li> <li>• Management and development of the Council's strategic contract with Serco</li> </ul>
Executive Director of Children's Services	<ul style="list-style-type: none"> <li>• Education</li> <li>• Children's Safeguarding</li> <li>• Early years</li> <li>• Children with Disabilities</li> <li>• Families</li> <li>• Support for Children with SEN</li> <li>• School Support Services</li> <li>• Regulated Services (Children Looked After, secure unit, residential homes, respite homes, adoption and fostering)</li> <li>• <u>People Services (HR)</u></li> <li>• <u>Youth Offending Services</u></li> </ul>
Executive Director for Environment & Economy	<ul style="list-style-type: none"> <li>• Economy (including commissioning of heritage services)</li> <li>• Lead Local Flood Authority</li> <li>• Environmental Protection and Wellbeing</li> <li>• Transport, Highways &amp; Traffic Management</li> <li>• Waste Management</li> </ul>



	<ul style="list-style-type: none"> <li>• Spatial Planning</li> <li>• Legal Services Lincolnshire</li> <li>• Democratic Services</li> <li>• <u>Community Development</u></li> <li>• <u>Libraries and Heritage</u></li> </ul>
Executive Director of Finance and Public Protection	<ul style="list-style-type: none"> <li>• Fire &amp; Rescue</li> <li>• Safer Communities (Including Civil Protection and Trading Standards)</li> <li>• Business Support</li> <li>• Emergency Planning</li> <li>• <del>Youth Offending Services</del></li> <li>• Corporate Audit &amp; Risk Assurance</li> <li>• Property</li> <li>• <u>Finance</u></li> <li>• <u>Registrar and Coroners</u></li> </ul>
<del>Executive Director of Community Wellbeing and Public Health</del>	<ul style="list-style-type: none"> <li>• <del>Community Development</del></li> <li>• <del>Customer Services</del></li> <li>• <del>Libraries and Heritage Operations</del></li> <li>• <del>Registrar and Coroners</del></li> <li>• <del>Public Health</del></li> <li>• <del></del></li> </ul>
<u>Executive</u> Director of Adult Care <u>and Community Wellbeing</u>	<ul style="list-style-type: none"> <li>• Support to Hospitals</li> <li>• Independent Living</li> <li>• Learning Disabilities</li> <li>• Mental Health</li> <li>• Carers</li> <li>• Adults Safeguarding</li> <li>• <u>Older People/Physical Disability</u></li> <li>• <u>Health and Wellbeing</u></li> </ul>

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(c) **Statutory Officers** - Head of Paid Service, Monitoring Officer and Section 151 Officer

The Council will designate the following posts as Statutory Officers:

<b>Post</b>	<b>Designation</b>
Chief Executive	Head of Paid Service under section 4 of the Local Government and Housing Act 1989
Executive Director for Environment & Economy	Monitoring Officer under section 5 of the Local Government and Housing Act 1989
Executive Director Finance and Public Protection	Chief Finance Officer with responsibility for the administration of the financial affairs of the Council under section 151 of the Local Government Act 1972
Executive Director of Children's Services	Director of Children's Services under section 18 of the Children Act 2004
<del>Executive Director of Community Wellbeing and Public Health</del>	<del>Director of Public Health under Section 73A of the National Health Service Act 2006</del>
<u>Executive Director of Adult Care and Community Wellbeing</u>	Director of Adult Social Services under Section 6 of the Local Authorities and Social Services Act 1970

The statutory post of Director of Public Health under Section 73A of the National Health Service Act 2006 shall be fulfilled by the Director of Public Health, being a post line managed by the Executive Director of Adult Care and Community Wellbeing with direct responsibility to the Chief Executive in relation to fulfilment of the statutory role of Director of Public Health

The Head of Paid Service, Monitoring Officer and Chief Finance Officer have functions set out in 9.02 – 9.04 below.

(d) **Structure**

The Council will publicise a description of the overall departmental structure of the Council showing the management structure and deployment of Officers. This is set out at Part 7 of this Constitution.

## **9.02 Functions of the Head of Paid Service**

(a) **Discharge of functions by the Council**

The Head of Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of Officers required for the discharge of functions and the organisation of Officers.

(b) **Restrictions on functions**

The Head of Paid Service may not be the Monitoring Officer but may hold the post of s151 Officer, if a qualified accountant.

**9.03 Functions of the Monitoring Officer**

(a) **Maintaining the Constitution**

The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Councillors, Officers and the public.

(b) **Ensuring lawfulness and fairness of decision making**

After consulting with the Head of Paid Service and Section 151 Officer, the Monitoring Officer will report to the full Council or to the Executive in relation to an Executive function if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

(c) **Standards**

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Audit Committee. The Monitoring Officer will process complaints about breaches of the code of conduct in accordance with the local arrangements. The Monitoring Officer will consider applications in relating to the granting of dispensations in relation to disclosable pecuniary interests

(d) **Proper Officer for access to information**

The Monitoring Officer will ensure that Executive decisions, together with the reasons for those decisions and relevant Officer reports and background papers are made publicly available as soon as possible.

(e) **Advising whether Executive decisions are within the Budget and Policy Framework**

The Monitoring Officer will advise whether decisions of the Executive are in accordance with the Budget and Policy Framework.

(f) **Providing advice**

The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Councillors.

(g) **Restrictions on posts**

The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.

**9.04 Functions of the Chief Finance Officer**

(a) **Ensuring lawfulness and financial prudence of decision making**

After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Finance Officer will report to the full Council or to the Executive in relation to an Executive function and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.

(b) **Administration of financial affairs**

The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council and ensure maintenance of an efficient and effective internal audit function.

(c) **Contributing to corporate management**

The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

(d) **Providing advice**

The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Councillors and will support and advise Councillors and Officers in their respective roles.

(e) **Give financial information**

The Chief Finance Officer will provide financial information to the media, members of the public and the community.

**9.05 Duty to provide sufficient resources to the Monitoring Officer and Section 151 Officer**

The Council will provide the Monitoring Officer and Section 151 Officer with such Officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed in accordance with the provisions of the Local Government and Housing Act 1989 and the Local Government Finance Act 1988.

**9.06 Other Statutory Posts**

The Council is also required to appoint a Statutory Scrutiny Officer. This enables the Council to comply with its obligation under Section 9FB of the Local Government Act 2000 as inserted by Section 21 of the Localism Act 2011.

The Council is also required under Section 17 of the Traffic Management Act 2004 to appoint a Traffic Manager.

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## **DELEGATIONS TO CHIEF EXECUTIVE AND ALL CHIEF OFFICERS**

### **A General**

- 1 The Chief Officers referred to in this section are those set out in Article 9 of the Constitution.
- 2 The Chief Executive and all Chief Officers have the general powers set out in section B (General Powers of the Chief Executive and All Chief Officers).
- 3 Chief Officers are authorised to carry out the specific functions of the Council delegated to them in Section C below (Specific Powers of the Chief Executive and All Chief Officers).
- 4 In addition to the general and specific powers referred to in this Part 3 Chief Officers may also be delegated authority to exercise Executive functions by the Leader of the Council, the Executive, a Committee of the Executive or an individual Executive Councillor pursuant to the Executive Procedure Rules in Part 4 of this Constitution.
- 5 All Chief Officers must exercise both their general and specific powers and authority delegated under the Executive Procedure Rules in accordance with the Conditions set out in Section D below (Conditions applying to all Chief Officer Powers).
- 6 Section C also contains specific delegations to officers who are not Chief Officers to aid the efficient and effective discharge of the Council functions. The conditions in Section D below apply to the exercise of such delegated powers.

### **B General Powers of the Chief Executive and all Chief Officers**

1. Subject to the powers of the Appointments Committee, to undertake the day-to-day management and control of their Directorate/Office, the functions administered by their Directorate/Office and the services for which they are responsible including:
  - (a) the appointment, discipline, termination and management of employees;
  - (b) the management, furnishing and equipping of premises for which they are responsible; and
  - (c) taking and implementing decisions including, in particular, any decision which is concerned with maintaining the operation or effectiveness of those services or with a matter incidental to the discharge of the Council's functions or which falls within the scope of a policy decision taken by the Executive or the Council's policy framework

This general power is in addition to any specific powers which may be given to them.

2. In connection with the functions administered by their Directorate/Office,
  - 2.1 In pursuance of section 222 of the Local Government Act 1972:
    - (a) to prosecute or defend or appear in any legal proceedings and, in the case of civil proceedings, to institute them in the name of the Council; and
    - (b) in the name of the Council to make representations in the interests of the inhabitants at any public inquiry, local inquiry or written representation procedure or hearing held by or on behalf of any Minister or public body under any enactment.
  - 2.2. to exercise the Council's statutory powers to enter upon land and premises for the purposes of inspection, survey, carrying out of any works, investigation of any matter, the taking of samples or for any other purpose for which the Council are so authorised, and to give such notices as may be required in relation thereto.
  - 2.3. to fix fees for services and the use of premises for which fees have not otherwise been fixed.
  - 2.4. to give or refuse consents, issue determinations, apply for permissions, make orders and grant, rescind or refuse all licences, certificates, permits and registrations under any legislation
  - 2.5 to approve redundancies and early retirements in consultation with the Portfolio Holder.
  - 2.6 to obtain particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976.
  - 2.7 to make arrangements for the provisions of supplies and services by and for other local authorities and public bodies (as defined) under the Local Authorities (Goods and Services) Act 1970 or other enabling legislation.
  - 2.8 to issue, serve, receive and act upon notices, and to impose requirements under any legislation.
  - 2.9 to declare land and premises surplus to requirements, after consultation with appropriate Executive Councillor(s) and local Councillor(s).



- 2.10 to accept tenders, place contracts and procure other resources or services within or outside the Council subject to compliance with the Financial Regulations and Contract Regulations
  - 2.11 exercise virement within the financial limits contained in the Financial Regulations
  - 2.12 to sign on behalf of the Council any document to give effect to any decision made by the Council
  - 2.13 to make a formal response on behalf of the County Council to any White Paper, Green Paper, Government Consultation Paper or draft European Union Directive after reference first to the relevant Executive Councillor, or the Leader of the Council or the Chairman of the Regulatory Committee concerned.
- 3 Nothing contained in paragraphs 1 or 2 shall affect or detract from the exercise by a Chief Officer of any function conferred directly on the Chief Officer by any provision of this Constitution.
  - 4. All Chief Officers may authorise in writing any other named Officer or Officers of the Council, either generally or specifically for the purpose, to exercise any or all of the powers authorised to be exercised by them, except for this power. Chief Officers must prepare in writing a scheme authorising any other officers to exercise such powers. Chief Officers shall remain accountable for any action or decisions taken under such authority.
  - 5 In the event of a Chief Officer post being vacant then subject to any arrangements provided for in any scheme of delegation prepared by a Chief Officer under paragraph 3 above that Chief Officer's delegated powers may be exercised by the relevant Assistant Directors within that Directorate so far as permitted by law.

## **C SPECIFIC POWERS OF THE CHIEF EXECUTIVE, CHIEF OFFICERS AND OTHER OFFICERS**

<b>CHIEF EXECUTIVE</b>	
1.	To Act as the Head of Paid Service in pursuance of the Local Government and Housing Act 1989. To have overall Corporate Management and operational responsibility (including overall management responsibility for all staff).
2.	To grant or refuse permission for the display of the Coat of Arms and/or Badge of the County.
3.	To fix fees for copies of documents and extracts of documents requested by the public under the provisions of the Local Government (Access to Information) Act 1985 and Freedom of Information Act 2000.
4.	To exercise the functions of the Council under charities legislation.
5.	To appoint Councillors to Committees and Panels and Sub-Committees and Sub-Panels in accordance with the wishes of Group Leaders, Deputy Group Leaders and Group Whips in accordance with Rule 5 of the Council Procedure Rules in Part 4 of this Constitution and the duty arising under Section 16 of the Local Government and Housing Act 1989.
6.	To progress the strategic development of the Council.
7.	On appointment, to undertake all the functions of the Returning Officer.
8.	To undertake appropriate and necessary action when vacancy in office occurs.
9.	To develop the Council's corporate business plan.
10.	To advise the Council on its Equality and Diversity obligations.
11.	To develop the Corporate IT Policy including digital channel shift and provide general advice thereon.
12.	To operate and deliver IT infrastructure, services, systems and software.
13.	To ensure arrangements are in place across the Council for the effective and secure management of data in accordance with the Council's Data Protection obligations.
14.	To provide corporate communications functions.
15.	To undertake a research function on behalf of Lincolnshire County Council and provide information and analysis of the census.
16.	To manage and develop the Council's Strategic contract with Serco.

17.	To deliver the Council's corporate procurement function including the shared service with the Districts.
18.	Provide commercial advice and support to Commissioners.

#### **EXECUTIVE DIRECTOR OF FINANCE AND PUBLIC PROTECTION**

1.	To undertake all money market transactions associated with the cash flow functions of the Council including the raising and repayment of all loans within the limits determined by the Council from time to time.
2.	To authorise the payment of statutory pensions and allowances, gratuities and compensation.
3.	To make ex-gratia payments for loss or damage to property and to settle claims where there is no legal liability up to the authorised limit of £1,000.
4.	To pay national pay awards.
5.	To effect appropriate insurance cover in respect of Members and Officers of the Council appointed in an official capacity to represent the interests of the Council on the Boards of Limited Companies.
6.	To make loans and advances to outside bodies in accordance with the policies and limits determined by the Council. Details of current policies are shown in Annex A.
7.	To undertake or arrange for all necessary transactions associated with the management of the assets of the Pension Fund.
8.	Subject to subsequent report to the Value for Money Scrutiny Committee, to authorise an increase in the target area budget of that Committee to fund any shortfall in expenditure necessary towards the realisation of a capital receipt and which cannot be capitalised.
9.	To determine a current maximum annual rental for contract hire cars under the modified contract hire car scheme for the Chief Executive, Executive Directors, Director, Heads of Function and other qualifying Officers of the Council.
10.	To act as Chief Finance Officer in pursuance of the Local Government Finance Act 1988.
11.	In connection with the estate management of the County Council's land and premises, in consultation with the local Councillor:
(a)	to acquire land and premises;
(b)	to dispose of land and premises surplus to requirement;
(c)	to dispose of surplus County Farms land and property surplus to requirements subject to discount, in accordance with the County Farms Management Plan and policies approved by the Executive and following consultation with the appropriate Executive Councillor;
(d)	to accept and grant leases of land and premises and such other rights over land and premises as may be deemed necessary or appropriate;
(e)	to manage and let County Farms holdings as may be deemed necessary or appropriate in accordance with the Management Plan approved by the Executive following consultation with the appropriate

Overview and Scrutiny Committee or Panel and (except in cases where the Council's seal must be affixed thereto) to sign agreements to give effect to such acquisitions, disposals, acceptances, grants or lettings, provided that the form of any such agreement has been approved by the Solicitor(s) to the Council.
12.To seek permission for any development referred to in regulation 3 of the Town and Country Planning General Regulations 1992.
13.To determine and serve notices under the terms of any agreement for the use of land or premises.
14.To agree appropriate means of securing external representation on the Pension Committee, in consultation with relevant external bodies.
15.To maintain an adequate and effective internal audit service.
16.To effect all insurance cover in respect of County Council activities and responsibilities, including making appropriate arrangements for the investigation and settlement of claims.
17.To approve allocations from the corporate contingency revenue budget in consultation with the Executive Councillor with responsibility for finance and any other appropriate Executive Councillors.
18.To arrange appropriate banking and related services on behalf of the Council including opening and closing bank accounts.
<b>Fire and Rescue Service</b>
1. To make appropriate arrangements for dealing with matters relating to the discipline and dismissal of uniformed Fire Officers pursuant to the relevant legislation
2. To reduce retaining fees in cases in which attendance is required only during limited periods, and in cases of failure to attend for training, fires and other duties.
3. To review from time to time risk categories and pre-determined attendances.
4. To waive or make nominal charges in respect of special services.
5. To approve or refuse applications from members of the Lincolnshire Fire and Rescue Service ("the Service") to engage in outside employment.
6. To measure the provision of water for firefighting purposes.
7. To make, vary or revoke reinforcement schemes and other arrangements with other Fire and Rescue Authorities for the discharge of the Council's functions as Fire and Rescue Authority.
8. To be directly responsible to the relevant Executive Councillor acting on behalf of the Council in its capacity as Fire and Rescue Authority for the Service as maintained under the Fire and Rescue Service Act 2004 having regard to the Fire and Rescue National Framework.
9. Powers to issue, amend or replace safety certificates (whether general or special) for sports grounds under the Safety of Sports Grounds Act 1975.
10.Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds under Part III of the Fire Safety and Safety of Places of Sport Act 1987.
11.Power to enter into an agreement under Section 39 of the Fire and

Rescue Services Act 2004 with a water undertaker for securing that an adequate supply of water will be available for use in the event of fire.
12. Power to enter into an agreement under Section 41 of the Fire and Rescue Services Act 2004 (a) to secure the use of water under the control of a person other than a water undertaker; (b) to improve access to any such water; or (c) to lay and maintain pipes and to carry out other works in connection with the use of such water.
13. Power to authorise in writing named employees to carry out those actions provided for in sections 44 (Powers of fire-fighters etc in an emergency etc), 45 (Obtaining information and investigating fires) and 46 (Supplementary powers) of the Fire and Rescue Services Act 2004.
14. Power, in consultation with the Chief Legal Officer, to prosecute: (i) those offences falling under the following provisions of the Fire and Rescue Services Act 2004 namely: <ul style="list-style-type: none"> <li>• Section 40 (water undertaker's failure to comply with request regarding emergency supply of water);</li> <li>• Section 42 (improper use of, or damage to, a fire hydrant);</li> <li>• Section 43 (failure to give notice of intended works to a fire hydrant);</li> <li>• Section 44 (obstruction of or interference with officers exercising Section 44 powers);</li> <li>• Section 46 (obstruction of officers exercising section 45 powers or failure to provide information in response to exercise of section 46 powers); and</li> <li>• Section 49 (false alarms of fire); and</li> </ul> (ii) the various offences falling within the provisions of Article 32 of the Regulatory Reform (Fire Safety) Order 2005.
15. To appoint in writing a named Inspector or Inspectors for the purpose of enforcing the provisions of the Regulatory Reform (Fire Safety) Order 2005.
16. Power to issue and serve an alterations notice pursuant to Article 29 of the Regulatory Reform (Fire Safety) Order 2005.
17. Power to issue and serve an enforcement notice pursuant to Article 30 of the Regulatory Reform (Fire Safety) Order 2005.
18. Power to issue and serve a prohibition notice pursuant to Article 31 of the Regulatory Reform (Fire Safety) Order 2005.
<b>Civil Protection</b>
1. To implement any legislation pertinent to Emergency Planning.
2. To act in pursuance of all statutory and other powers relating to services for which the Service is responsible.
3. To implement the Control of Major Accident Hazard Regulations 1999.
<b>Crime and Disorder</b>
1. To lead the County Councils efforts to fulfil its obligations and duties under Sections 5 and 6 of the Crime and Disorder Act 1998 (as amended and extended by Schedule 9 of the Police and Justice Act 2006) by actively engaging as a County Council and Fire Authority at all levels in the Community Safety Partnerships of Lincolnshire.

2. To establish and lead the county-wide Community Safety Board. To develop and implement the County Community Safety Agreement encompassing the priorities for Lincolnshire, as required by the Police and Justice Act 2006.
3. To lead the County Council's efforts to embed the principles of Section 17 of the Crime and Disorder Act 1998 in every aspect of policy development, budget setting and service delivery in line with the statutory duty that the Act imposes.
4. To drive the County Council's commitment to sharing information with partners as allowed by Section 115 of the Crime and Disorder Act 1998.
<del>5. To exercise the functions of the County Council in relation to the Youth Offending Service.</del>
<b>Safer Communities Service – Trading Standards</b>
1. Without prejudice to General Powers, to exercise the functions and duties of the Council as local weights and measures authority, food authority, in connection with legislation relating to standards of trade in the county and for the purposes of the enforcement of animal health and welfare legislation, community safety legislation and licensing functions as part of which, for the correct discharge of these functions, the following direct delegations are made:
<b>Head of Safer Communities</b>
1. To institute/and or appear on behalf of the County Council in any legal proceedings including any preliminary or ancillary applications in the relevant Court or tribunal for the prosecution of offences or institution of civil action and the criminal or civil enforcement and administration of legislation relevant to standards of trade, community safety, food and animal health and welfare, licensing or other functions from time to time conferred upon trading standards or weights and measures authorities by legislation and which the County has either a statutory duty or power to enforce or considers it expedient to enforce for the promotion or protection of the inhabitants of the county by virtue of Section 222 of the Local Government Act 1972.
2. To initiate restraint and/or confiscation proceedings under the Proceeds of Crime Act 2002 or any subsequent related or replacement legislation before the Criminal Courts and to enter into memoranda of understanding with the Police Authority Financial Investigation Units for the purpose of taking such proceedings.
3. Responsibility to ensure that the duties associated with Section 72(1) (a) of the Weights and Measures Act 1985 is discharged within the service.
4. To issue notices with the effect of requiring the marking of, requiring warnings to be issued in respect of, suspending the supply of, requiring the withdrawal from the market of and requiring the recall from the market of products as provided for under legislation which is enforced by the County Council and is relevant to standards of trade, community safety, food and animal health and welfare, or licensing functions or other functions from time to time conferred upon trading standards or weights and measures authorities by legislation.

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5. To act as Inspector/authorised officer or other enforcing officer role as provided in, and to inspect enter and investigate for the purposes of enforcement of, legislation which is enforced by the County Council and is relevant to standards of trade, community safety, food and animal health and welfare, or licensing functions or other functions from time to time conferred upon trading standards or weights and measures authorities by legislation and to authorise in writing officers to act in these capacities.
6. To appoint public analysts and agricultural analysts for the County Council for the purposes of the Food Act 1984, the Food Safety Act 1990 and the Agriculture Act 1970 or other functions from time to time conferred upon trading standards or weights and measures authorities by legislation.
7. To nominate in writing Officers for the purposes of enforcing the Food and Environment Protection Act 1985.
8. To enter into appropriate arrangements with other enforcement authorities for the purpose of the enforcement of any legislation which is enforced by the County Council and is relevant to standards of trade, community safety, food, animal health and welfare and licensing functions or other functions from time to time conferred upon trading standards or weights and measures authorities by legislation.
9. To appoint suitable persons under the Health and Safety at Work etc Act 1974 for the purposes of enforcing the Explosives Acts 1875 to 1976 and subsequent legislation made under the Health and Safety at Work etc Act 1974 and otherwise in respect of the regulation of explosives including the Explosives Regulations 2014 and subsequent amendments.
10. To initiate appeals against the decisions of the relevant Court where, in the Head of Safer Communities professional opinion, it is proper so to do.
11. To initiate and co-ordinate all activities necessary for the Council to discharge its responsibilities under the Animal Health Act 1981 in order to prevent, control or deal with an outbreak of rabies or other animal disease in the county.
12. To conduct hearings and to give assent or otherwise under the Explosives Act 1875 to 1976 and subsequent legislation made under the Health and safety at Work etc Act 1974 and otherwise in respect of the regulation of explosives including the Explosives Regulations 2014 and subsequent amendments in relations to applications for the establishment of new factories or magazines.
13. To discharge the functions of the County Council as a responsible authority under the licensing Act 2003 or any subsequent related or replacement legislation and to appoint other officers of the authority to do so.

<b>Service Manager – Safer Communities</b>
1. In the absence of the Head of Safer Communities, the Service Managers Safer Communities are authorised to exercise the powers delegated to the Head of Safer Communities under 1, 2, 4, 7, 8, 9, 11, 12 and 13 above.
<b>Duly Appointed Officers</b>
1. At all times the duly appointed Officers of the service are, for the purpose of enforcing the relevant legislation, authorised to exercise the powers delegated to the Head of Safer Communities under 1, 2 and 4 above after having, in each case, obtained the permission of the Head of Safer Communities, or, in his absence, a Service Manager – Safer Communities.
<b>Registration and Celebratory Services</b>
<u>1. In respect of the Registration Service:</u>
<u>(a) to approve payments to Registrars, Deputy Registrars of Births, Deaths and Marriages in circumstances justifying payments in excess of the normal allowances to registrars for their services;</u>
<u>(b) to arrange for premises to be leased for the use of Registrars of Births, Deaths and Marriages at rents approved by the Chief Property Officer;</u>
<u>(c) to issue a licence for the approval of premises for the solemnisation of marriages under the Marriage Act 1994 and civil partnerships under Civil Partnership Act 2004;</u>
<u>(d) to issue certificates and arrange citizenship ceremonies under British Nationality Act 1981.</u>
<u>2. To undertake the statutory role of "Proper Officer", ensuring that Registration of Births, Deaths and marriages service is provided in Lincolnshire, including the licensing of approved premises for the solemnisation of marriages, civil partnership and citizenship ceremonies.</u>

## ANNEX A

<b>LOANS AND ADVANCES TO OUTSIDE BODIES</b>
In the event that an organisation from outside the County Council seeks temporary funding from the Council which is repayable to the Council and is for a short period of time, the following rules apply:
1. Where:
(i) the need for the money is related to an established County Council Policy or initiative; and
(ii) the money is expected to be recovered within a 6 month period;
then:
(a) Where the money is less than £20,000 Executive Director of Finance and Public Protection shall have the power to approve such cases;
(b) Where the money lent is greater than £20,000 but less than £50,000, the Executive Director of Finance and Public Protection shall have the power to approve such cases but shall report such instances in writing to the Executive Councillor responsible for finance.
(c) Where the money lent is £50,000 or more, then the Executive Director of



Finance and Public Protection shall consult with the appropriate Executive Councillors before approving and shall report the arrangements made to the first available meeting of the Value for Money Scrutiny Committee.

2. In all cases it is expected that interest at appropriate market rates would be charged. There may, however, be instances where an interest charge would be inappropriate. In that case Executive Director of Finance and Public Protection be given the power to waive the interest element where in his opinion it would be inappropriate. Where the interest involved is significant (over £10,000) then such waiver would be after consultation with the appropriate Executive Councillor responsible for finance.

## **EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES**

**To act as Director of Children's Services in accordance with Section 18 Children Act 2004 and in particular in relation to the following functions:-**

### **Education**

1. To make grants within a framework approved by the Council including:
  - (a) for the establishment, maintenance, staffing or equipment of youth clubs and groups;
  - (b) to support the provision made by voluntary and other organisations where there are educational benefits to the people of Lincolnshire;
2. To make, suspend and reinstate grants and pay tuition or ancillary fees and/or grants to, or in respect of:
  - (a) students attending establishments of higher or further education or taking other approved courses of education and/or training and to authorise transfer between courses;
  - (b) pupils attending boarding schools and independent or direct grant schools and schools not maintained or assisted by the County Council;
  - (c) maintenance, uniform or free school meals;
  - (d) other young people of particular merit.
3. To authorise the attendance of pupils and teachers on courses or activities outside of school.
4. To discharge the statutory duties of the County Council as schools admission authority and to arrange for the admission and allocation of pupils to schools and in the case of grant-maintained schools to direct the admission of a pupil to such schools.
5. To exercise the functions of the Council in relation to home to school and college transport, school attendance, the employment of children and young persons, cleanliness of pupils and the ascertainment of need and

provision for special educational treatment.
6. To appoint lay Members and Local Authority Members to School Admission Appeal Committees, under Section 43 and Schedule 33 of the Education Act 1996.
7. To approve, in circumstances which the Executive Director considers to be exceptional, any change to the admission policy of County and Controlled schools, excluding any change which would constitute a change in character of the school.
8. To make all necessary arrangements to implement the approved Scheme for the Local Management of Schools.
9. To make minor alterations to the "designated areas" associated with County primary and secondary schools.
10. To make all appropriate arrangements to secure the assessment of any pupil's special educational needs as may be required under the terms of the Education Acts.
11. In relation to schools identified as "needing special measures" consequent upon OFSTED inspections to submit to the Secretary of State and HM Chief Inspector, the comments of the County Council as the local education authority on governors' action plans together with a statement of action which the County Council intends to take.
12. Following consultation with the relevant Committee, to issue warning notices under the School Standards and Framework Act 1998, and to appoint such additional governors as seen fit following a governing body's failure to comply with the terms of the notice issued by the Authority.
13. To set the yearly indicative targets for permanent exclusions and unauthorised absence from schools for Lincolnshire, to be included in the Education Development Plan.
14. To take and implement decisions and to exercise statutory powers relating to the health and welfare or school attendance of individual children, and to take all steps in any related statutory process.
<b>Services for Children in Need</b>
1. To exercise the functions of the Council in relation to:
(a) adoption and fostering
(b) admission to all forms of accommodation including secure accommodation;
(c) promotion of the welfare, protection, supervision, care and after care of children and young persons;
(d) Children in need.
2. To act as guarantor in the matter of hire purchase agreements on behalf of children in care.
3. To make grants or incur expenditure:
(a) to prevent or diminish the need to bring children into care or to keep them in care;
(b) in respect of rent and damage guarantees;
(c) to provide any child or young person in care with such equipment considered necessary for their well-being;
(d) in respect of any child or young person in care participating in a holiday either through a school or with foster parents;
(e) in respect of special clothing grants to children in care;

(f) in respect of extra grants to children for special purposes;
(g) in respect of payments to children formerly in care;
(h) in respect of adoption allowances;
(i) in respect of playgroups (Capital and Revenue);
(j) in respect of children in need.
4. To pay enhanced boarding out allowances in exceptional circumstances.
5. To take decisions in respect of the Council's functions acting as Accountable Body in connection with Sure Start.
6. To take decisions in the exercise of the power to licence the employment of children.
7. To approve variations of fees so far as they have been agreed by the "Examining Authority" and for which the Council have accepted responsibility for children, young persons or adults attending or residing in establishments not maintained or assisted by the Council and to approve alterations in charges for the maintenance of such residents.
8. To authorise payment for maintenance of people for whom the Council is financially responsible in homes provided by other local authorities and bodies.
9. To approve, following consultation with the appropriate Executive Councillor, the appointment of replacement visiting members of Social Services establishments.
10. To approve agreements and contracts with or grants to voluntary organisations in undertaking the functions of Children's Social Services and the services for which the Director is responsible.
<b>People Management</b>
1. To be responsible for Human Resources and Organisational Development.
<b>Youth Offending</b>
<u>1 To exercise the functions of the County Council in relation to the Youth Offending Service</u>

## EXECUTIVE DIRECTOR FOR ENVIRONMENT & ECONOMY

### Monitoring Officer & Democratic Services

1. To act as Monitoring Officer under Section 5 of the Local Government and Housing Act 1989. As Monitoring Officer to consider applications for dispensations in respect of disclosable pecuniary interests.
2. To manage support for the Leader and Chairman's Office.
3. To operate Members' Allowances in line with the resolution of the County Council on this matter.

### Complaints

1. To act as the complaints manager under Regulation 22 of the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012 and to make arrangements for dealing with complaints under Regulation 21 of the said Regulations.

### Highways, Construction and Maintenance

1. To act as Engineer in Civil Engineering Contracts where the County Council, Highways Agency, or Lincolnshire's Partners are the Employer.
2. To take the role of Employer in Civil Engineering Contracts where the County Council is the employer in respect of:
  - (i) deduction of liquidated damages;
  - (ii) other matters within the limits imposed by the Financial Regulations.
3. To accept appointments to prepare and supervise civil engineering works on behalf of the Highways Agency and other public bodies, private individuals, firms and other bodies.
4. To provide and maintain cattle grids, fences, boundary posts and road footway lighting systems.
5. To carry out minor maintenance activities under the Highways Act 1980 and the Countryside Act 1968 and make decisions on related payments, land exchanges, gifts, rents, speed regulations and similar accommodations.
6. To determine, after consultation with the local Councillor and Chairman and Vice-Chairman of the Planning and Regulation Committee, applications for pedestrian crossings falling within defined criteria.
7. To object to other authorities' formal traffic proposals where they adversely affect highways in Lincolnshire.
8. To convert lengths of footway into combined footway and cycle tracks, subject to no objections being received.
9. To make changes to the Road Hierarchy.
10. To submit proposals for road classification, re-classification or re-numbering, to the Government Office for the East Midlands.
11. To incur capital expenditure on highway improvement and maintenance schemes subject to:
  - (i) a maximum scheme cost of £100,000, additional expenditure to be contained within the approved total Highways Capital Programme;
  - (ii) prior consultation with the Executive Director of Finance and Public Protection and the appropriate Executive Councillor.
12. In connection with the New Roads and Street Works Act 1991 and any other relevant enabling legislation:
  - (a) to approve the declaration of an existing highway to be a new street;

(b) to settle payments to be made by owners of new buildings in respect of street works;
(c) to make up, vary the width of and adopt after the execution of street works.
13. Following consultation as appropriate, to designate County roads as protected Streets and/or Streets with Special Engineering Difficulty under the New Roads and Street Works Act 1991, and to withdraw such designations as appropriate.
14. To agree with, and for exercise by, the Secretary of State certain functions of the Council in respect of highways affected by the construction, etc, of a trunk road.
15. To comment to the Highways Agency on their proposed Orders, except where formal objection is to be made.
16. Following consultation with the appropriate Executive Councillor, to determine future percentage rates and/or thresholds at which the development road fee could be reduced for certain developments.
17. To carry out the statutory requirements acting on behalf of Lincolnshire County Council as the Enforcement Authority for all aspects of Civil Parking Enforcement and appeals processes as specified in the Traffic Management Act 2004 part 6, the Road Traffic and Regulation Act 1984, the Road Traffic Act 1991, Civil Enforcement of Parking Contraventions (England) General Regulations 2007 and Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007.
<b>Management of Highways</b>
1. To advertise proposals for Road Traffic Regulation Orders and to pursue and progress proposals for the stopping-up of highways which are in accordance with Council policy and which, at preliminary consultation stage, are supported by the Chief Constable and the relevant local Council, and to confirm orders to which no objections are received.
2. To advertise and consult concurrently on all Traffic Regulation Order proposals other than those relating to speed limits.
3. Following consultation with the appropriate Executive Councillor, to proceed to public advertising and consultation of speed limit proposals where the Executive Director considers that appropriate.
4. To make representations to the Highways Agency on draft orders for the stopping-up or diversions of Highways to enable development to be carried out in accordance with planning permission.
5. Under any legislation relating to the functions administered by the Executive Director for Environment & Economy:
(i) to serve or display notices;
(ii) to grant or refuse consents, approvals, licences, authorisations and permissions;
(iii) to impose requirements;
(iv) to exercise any powers preliminary to or subsequent upon (i) to (iii).
Note: Powers under 5(ii) above in respect of the siting of tables and chairs on highways and in pedestrian areas within the highway, are subject to the Planning and Regulation Committee considering adverse comments and objections.
6. To make temporary orders regulating traffic and diverting highways.
7. To assert and protect the rights of the public on highways including the

removal of anything that represents an obstruction, nuisance, danger or interference to any highway.
8. To make observations and lodge formal objections to District Councils in respect of Public Path Orders proposed to be made by them under sections 26, 118 and 119 of the Highways Act 1980 or section 257 of the Town and Country Planning Act 1990.
9. To make and to authorise the making of Orders under the following statutory provisions:
(i) Highways Act 1980, Section 25 (creation of footpaths, bridleways and restricted byways by agreement).
(ii) Highways Act 1980, Section 26 (creation of footpaths, bridleways and restricted byways by order).
(iii) Highways Act 1980, Section 118 (extinguishment of footpaths and bridleways and restricted byways).
(iv) Highways Act 1980, Section 118A (power to make a rail crossing extinguishment order).
(v) Highways Act 1980, Section 118B (power to make special extinguishment orders).
(vi) Highways Act 1980, Section 119 (diversion of footpaths and bridleways).
(vii) Highways Act 1980, Section 119A (power to make a rail crossing diversion order).
(viii) Highways Act 1980, Section 119B (power to make special diversion order).
(ix) Highways Act 1980, Section 135 (power to authorise and make a Diversion Order allowing for the temporary disturbance of a footpath, bridleway or restricted byway).
(x) Highways Act 1980, Section 132 (power to remove items painted, inscribed or affixed to the surface of or tree structure or works on or in the highway).
(xi) Highways Act 1980, Section 134(6) (power to enforce provisions regarding inter alia ploughing).
(xii) Highways Act 1980, Section 134(8) (power to grant an extension).
(xiii) Highways Act 1980, Section 137A (power to enforce the provisions in relation to interference by crops).
(xiv) Highways Act 1980, Section 143 (power to remove structures from highways and to recover costs from the person having control or possession of the structure).
(xv) Highways Act 1980, Section 145 (power to enforce minimum widths for gates across highways).
(xvi) Highways Act 1980, Section 154 (power to require removal of overhanging trees or shrubs).
(xvii) Highways Act 1980, Section 164 (power to require removal of barbed wire).
(xviii) Highways Act 1980, Section 297 (power to require information as to ownership of land).
(xix) Highways Act 1980, Section 300 (right to use appliances and vehicles on footpaths, bridleways and restricted byways).
(xx) Highways Act 1980, Schedule 12A (power to carry out works in relation to interference with highways).
(xxi) Cycle Tracks Act 1984, Section 3 (power to designate footpath as cycle path).
(xxii) Housing Act 1981, Section 294 (power to extinguish public right of way over

land acquired for clearance).
(xxiii) Countryside and Rights of Way Act 2000, Section 35 (power to enter into agreements with respect to means of access).
(xxiv) Countryside and Rights of Way Act 2000, Section 37 (power to provide access in absence of agreement).
(xxv) Wildlife and Countryside Act 1981, Section 57A (power to prepare map and statement by way of consolidation of Definitive Map and Statement).
(xxvi) Town and Country Planning Act 1990, Section 257 (stopping up and diversion of footpaths and bridleways).
(xxvii) Town and Country Planning Act 1980, Section 258 (power to extinguish public rights of way over land held for planning purposes).
(xxviii) Town and Country Planning Act 1990, Section 261 (temporary stopping up of footpaths and bridleways for mineral workings).
and, where appropriate, in the event of no objections being made or any objections made being withdrawn, to confirm the same.
10. To enter into agreements in respect of permissive (or concessionary) paths.
11. To take prosecution action under National Parks and Access to the Countryside Act 1949, Section 57 and to serve notices, to take appropriate default action and/or prosecution action and reclaim full costs under the Highways Act 1980 as amended.
12. Power to act in accordance with any court order made under Section 130B of the Highways Act 1980 including any application to the Court to vary or appeal any order made.
13. To make and authorise the making of Modification Orders to keep the Definitive Map and Statement up-to-date in respect of changes resulting from the events specified in sections 53 and 54 of the Wildlife and Countryside Act 1981 and to determine the relevant date for such Orders pursuant to Section 56(3) of the 1982 Act and in the event of no objections being made or objections being made and being withdrawn, to confirm the same. On the receipt of an objection to submit the Order to the Secretary of State.
14. To make and, where appropriate, waive charges in respect of Public Path Orders.
15. Power to make an application to the Magistrates' Court to authorise the stopping up or diversion of a highway under Section 116 of the Highways Act 1980.
16. For the purpose of assessing priority for Public Rights of Way maintenance, to set, upgrade and downgrade Public Rights of Way within priorities determined.
17. To nominate members of the public to carry out site inspections in relation to non-statutory stages in the implementation of the Highways Act 1980 as amended and the Wildlife and Countryside Act 1981.
18. Power to make byelaws as respects access to land under Countryside and Rights of Way Act 2000, Section 17.
19. Power to appoint wardens as respects access to land under the Countryside and Rights of Way Act 2000, Section 18.
20. Power to erect and maintain notices as respects access to land under the Countryside and Rights of Way Act 2000, Section 19.
21. Power to apply to the Magistrates' Court for an Order to remove an obstruction to access under the Countryside and Rights of Way Act 2000,

Section 39.
22. Duty to establish Local Access Forum including power to establish new forums withdraw from joint forums and merge forums and to publish annual Local Access Forum Report under the Countryside and Rights of Way Act 2000, Section 94 and statutory regulations.
23. To act as Traffic Manager as referred to in the Traffic Management Act 2004 generally through authorisation to the Assistant Director for Highways and Traffic.
<b>Spatial Planning, Conservation and Environment</b>
1. To make grants towards landscape schemes.
2. To maintain the Historic Environment Record.
3. To take the appropriate action in respect of certain functions of the County Council as local planning authority (after consultation with the Chairmen of the appropriate Committees where considered necessary), those functions being:
<ul style="list-style-type: none"> <li>• Tree Preservations Orders and Trees in Conservation Areas;</li> <li>• Forestry Commission Matters;</li> <li>• Regulation 3 of the Town and Country Planning General Regulations 1992;</li> <li>• Plan Briefs and Similar Documents;</li> <li>• Certificate of Lawfulness of Existing Use or Development (CLEUD) (Planning and Compensation Act 1991 (S.191));</li> <li>• Certificate of Lawfulness and Proposed Use or Development (CLOPUD) (Planning and Compensation Act 1991 (S.192));</li> <li>• Planning applications affecting the interests of the County.</li> </ul>
4. To initiate appropriate enforcement action in respect of development carried out without the grant of planning permission or in breach of a condition of planning permission. Also, to take such actions as may be considered appropriate including, if necessary, the issue of enforcement and/or stop-notices under the Town and Country Planning Act 1990 as amended by Planning and Compulsory Purchase Act 2004.
5. To approve matters reserved by a condition of any planning permission in respect of County Council, waste or minerals development.
6. To issue any Direction pursuant to any requirement under Article 7 of the Town and Country Planning (General Permitted Development) Order 1995.
7. To issue any Opinion or Direction pursuant to the Town and Country Planning (Environmental Assessment and Permitted Development) Regulations 1999.
8. To issue Certificates of Conformity/Non-Conformity in respect of local plans under Section 46 of the Town and Country Planning Act 1990.
9. To prescribe improvement building frontage and sight lines.
10. To make grants in respect of Historic Buildings and premises included in Enhancement Schemes.
11. To make observations and recommendations on behalf of the Council as highway authority in reply to consultation by district planning authorities on planning applications of the description in paragraphs (f), (g) and (h) of the table to article 18(1) of the Town and Country Planning General Development Order 1988.
12. To enter into agreements under section 278 of the Highways Act 1980 relative to highway improvement works provided the costs of the works are secured by the agreement and to execute the works.



13. To adopt highways.
14. To comment to the Department for Transport on applications made to Department for grants under S.36 of the Transport Act 1981.
15. To approve all applications for planning permission (including the determination of schemes of conditions submitted under the Environmental Act 1995 Minerals Review), for Hazardous Substances Consent, Listed Building Consents and Conservation Area Consents except where:- <ul style="list-style-type: none"> <li>• Those applications and proposals in accordance with the Development Plan where objections are raised by other local authorities;</li> <li>• Those applications which are Environmental Impact Assessment applications;</li> <li>• Those which are recommended for refusal;</li> <li>• All applications where more than 3 individual representations from separate properties raising planning related objections are received;</li> <li>• Those involving a departure from the Local Plan; and</li> <li>• Those which have been referred to Committee by a Local Member.</li> </ul>
16. To negotiate section 106 agreements in connection with planning applications relating to applications dealt with by district councils concerning infrastructure which the County Council would be responsible for providing.
17. To act under any powers or duties under legislation imposed on the County Council with respect to flood risk management.
<b>Transport Services</b>
1. To enter into agreements providing for subsidies of public passenger transport services under Section 88 of the Transport Act 1985.
2. To make grants to provide, maintain or improve any passenger carrying vehicles, equipment or facilities provided for the purpose of facilitating travel by disabled persons under Section 106 of the Transport Act 1985.
3. To enter into agreements with local bus operators to make quality bus partnerships, quality contract schemes or ticketing schemes under the Transport Act 2000.
4. To enter into agreements with local bus operators for non-statutory quality bus partnerships.
5. To enter into agreements providing for the supply of passenger transport services including those for: <ul style="list-style-type: none"> <li>• mainstream education pupils;</li> <li>• special educational needs pupils;</li> <li>• social services clients.</li> </ul>
6. To make grants to Parish Councils for improvement of bus shelters.
7. To enter into agreements for car contract hire scheme for employees of the Authority fleet services and contract hire arrangements for Specialist vehicles.
8. To take such decisions on the withdrawal of local bus services to remain within budget, subject to consultation with the appropriate Executive Councillor.
<b>Other</b>
1. To determine, following consultation with the appropriate Executive Councillor and Overview and Scrutiny Committee or Panel and the Executive Director of Finance & Public Protection, where there is an immediate threat to a site, requests to the County Council for support towards habitat and environmental site acquisitions.

<b>Economic Development</b>
1. To make grants and loans within a framework approved by the Council including <ul style="list-style-type: none"> <li>(a) Lincolnshire Loan Fund for Business Development</li> <li>(b) Lincolnshire Community Business Development Finance Initiative and</li> <li>(c) Specific initiatives to support rural communities</li> </ul>
2. To develop sites and premises for economic development purposes <ul style="list-style-type: none"> <li>(a) to procure services in accordance with the regulations and established policies and principles of Lincolnshire County Council</li> <li>(b) to work together with public and private sector partners to bring forward new capital projects</li> <li>(c) to agree the sale and letting of sites within the economic development portfolio</li> </ul>
3. To deliver the tourism policy and function for Lincolnshire County Council and to manage any contracts for the delivery of tourism services
4. To ensure that external funding programmes are delivered in accordance with the guidelines set out in offer letters.
5. To implement capital projects which will bring about an improvement in the economic wellbeing of the County and its population
6. To lead an integrated policy and service delivery operation.

<b>Community Assets and Resilience</b>
<u>1. To promote community engagement and development.</u>
<u>2 To make grants within a framework approved by the Council including:</u>
<u>(a) towards the cost of establishing, promoting or holding music, dance, arts or other cultural events and activities, as well as Lincolnshire Communities within the overall policies of the Council;</u>
<u>(b) to support the provision made by voluntary and other organisations where there are educational benefits to the people of Lincolnshire;</u>
<u>3 After consultation with the appropriate Executive Councillor, to approve use of Lincoln Castle for charity events and to determine financial arrangements.</u>
<u>4 To exercise the functions of the Council as library authority and in relation to museums and art galleries under the Public Libraries and Museums Act 1964, and as archive authority under the Local Government Act 1972, s. 224 and the Public Records Act 1958 and 1967 and other enabling legislation.</u>

<b>EXECUTIVE DIRECTOR OF COMMUNITY WELLBEING AND PUBLIC HEALTH</b>	
<del>1. To support delivery of strategic and supported housing.</del>	
<del>2. To promote general health and wellbeing.</del>	
<del>3. To promote community engagement and development.</del>	
<del>To exercise the functions of the County Council in relation to the Drug and Alcohol Action Team.</del>	
<del>4. To produce the Annual Health Report.</del>	Formatted: Indent: Left: 1.27 cm, No bullets or numbering
<del>5. To carry out and publish health needs and health impact assessments</del>	Formatted: Indent: Left: 1.27 cm, No bullets or numbering
<del>6. To contribute to the development of the Joint Strategic Needs Assessment.</del>	Formatted: Indent: Left: 1.27 cm, No bullets or numbering
<del>7. To commission health improvement services.</del>	Formatted: Indent: Left: 1.27 cm, No bullets or numbering
<del>8. To administer the Health and Wellbeing Fund.</del>	Formatted: Indent: Left: 1.27 cm, No bullets or numbering
<del>9. To facilitate the Health and Wellbeing Board.</del>	Formatted: Indent: Left: 1.27 cm, No bullets or numbering
<del>10. To act as Director of Public Health in accordance with Section 73A of the National Health Services Act 2006 and to carry out the functions as set out in that section.</del>	Formatted: Indent: Left: 1.27 cm, No bullets or numbering
<del>11. To take decisions in respect of the Council's functions as Administering Authority in connection with Supporting People.</del>	Formatted: Indent: Left: 1.27 cm, No bullets or numbering
<b>Cultural Services</b>	
<del>1. To make grants within a framework approved by the Council including:</del>	
<del>(a) towards the cost of establishing, promoting or holding music, dance, arts or other cultural events and activities, as well as Lincolnshire Communities within the overall policies of the Council;</del>	
<del>(b) to support the provision made by voluntary and other organisations where there are educational benefits to the people of Lincolnshire;</del>	
<del>2. After consultation with the appropriate Executive Councillor, to approve use of Lincoln Castle for charity events and to determine financial arrangements.</del>	
<del>3. To exercise the functions of the Council as library authority under the Public Libraries and Museums Act 1964 and as archive authority under the Local Government Act 1972, s. 224 and the Public Records Act 1958 and 1967.</del>	
<b>General</b>	
<del>1. In respect of the Registration Service:</del>	
<del>(a) to approve payments to Registrars, Deputy Registrars of Births, Deaths and Marriages in circumstances justifying payments in excess of the normal allowances to registrars for their services;</del>	
<del>(b) to arrange for premises to be leased for the use of Registrars of Births, Deaths and Marriages at rents approved by the Chief Property Officer;</del>	
<del>(c) to issue a licence for the approval of premises for the solemnisation of marriages under the Marriage Act 1994 and civil partnerships under Civil Partnership Act 2004;</del>	
<del>(d) to issue certificates and arrange citizenship ceremonies under British Nationality Act 1981.</del>	
<del>2. To undertake the statutory role of "Proper Officer", ensuring that Registration of Births, Deaths and marriages service is provided in Lincolnshire, including the licensing of approved premises for the solemnisation of marriages, civil partnership and citizenship ceremonies.</del>	

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| <del>3. To undertake the role of Travellers Liaison Officer in consultation with other Directorates in matters of illegal camping and site provision.</del> |
| <del>4. To exercise the function of the Council in relation to the use of badges for display on disabled persons' motor vehicles.</del>                     |

## **EXECUTIVE DIRECTOR OF ADULT SOCIAL SERVICES CARE AND COMMUNITY WELLBEING**

### **Services for Adults and Older People**

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| 1. To accept Guardianship applications under Section 8 of the Mental Health Act 1983  |
| 2. To consent under Section 8(4) of the Mental Health Act 1983 to any amendment of any Guardianship application which has been accepted or any medical recommendation.  |
| 3. To designate Approved Social Workers as Officers for the purposes of the Mental Health Act 1983.   |
| 4. To maintain registers of sensory impaired and disabled persons.  |
| 5. To approve the disposal of assets belonging to deceased residents to persons entitled to them after payment of proper claims on account of funeral expenses and sums due to the Council.   |
| 6. To incur expenditure either directly or via provision of   |
| (a) equipment to persons permanently and substantially disabled;  |
| (b) for special purposes, e.g. recreational, educational and social facilities;   |
| (c) of adaptations to property occupied by persons permanently and substantially disabled.  |
| 7. To approve augmentation for a person on a Blind Homeworker Scheme.   |
| 8. To authorise the admissions and payment of purchases of all forms of residential, day and domiciliary care.  |
| 9. To approve variations of fees so far as they have been agreed by the "Examining Authority" and for which the Council have accepted responsibility for children, young persons or adults attending or residing in establishments not maintained or assisted by the Council and to approve alterations in charges for the maintenance of such residents. |
| 10. To authorise payment for maintenance of people for whom the Council is financially responsible in homes provided by other local authorities and bodies.   |
| 11. To approve expenditure incurred in the protection of movable property or persons and to recover such expenditure where applicable.  |
| 12. To make assessment of contributions by persons provided with services and to approve variation of assessed charges to avoid hardship.   |
| 13. To add additional persons to the list of Independent Chairmen of the Complaints Review Panel established under the National Health Service and Community Care Act 1990.   |
| 14. To approve, following consultation with the appropriate Executive Councillor, the appointment of replacement visiting members of Social Services establishments.  |
| 15. To approve agreements and contracts with or grants to voluntary   |

organisations in undertaking the functions of Social Services Directorate and the services for which the Director is responsible.
16. To authorise under the provisions of the Human Tissue Act 1961 (where the Council is in lawful possession of the body) the removal of parts of the body of a deceased resident in accordance with the wish expressed by the resident during his/her lifetime.
17. To exercise the functions of the Council in relation to adult safeguarding and in particular to
(i) Maintain a clear organisational and operational focus on safeguarding vulnerable adults
(ii) Ensure that relevant statutory requirements and other national standards are met
(iii) Encourage a culture of vigilance against the possibility of adult abuse
(iv) Ensure all services within the remit of the post remain focused appropriately on safeguarding adults; and
(v) Promote equality of opportunity and eliminate discrimination in respect of adult care services

#### **Services in relation to Community Wellbeing**

<u>1. To undertake the role of Travellers Liaison Officer in consultation with other Directorates in matters of illegal camping and site provision.</u>
<u>2. To exercise the function of the Council in relation to the use of badges for display on disabled persons' motor vehicles.</u>
<u>3. To support delivery of strategic and supported housing.</u>
<u>4. To promote general health and wellbeing.</u>
<u>5. To exercise the functions of the County Council in relation to the Drug and Alcohol Action Team.</u>
<u>6. To contribute to the development of the Joint Strategic Needs Assessment.</u>
<u>7. To administer the Health and Wellbeing Fund.</u>
<u>8. To facilitate the Health and Wellbeing Board.</u>

#### **DIRECTOR OF PUBLIC HEALTH**

<u>1. To act as Director of Public Health in accordance with Section 73A of the National Health Services Act 2006 and to carry out the functions as set out in that section and Regulations thereunder.</u>
<u>2. To produce the Annual Health Report.</u>
<u>3. To carry out and publish health needs and health impact assessments</u>

#### **CHIEF LEGAL OFFICER**

1. To act as solicitor to the Council for any purposes and subject to consultation with such of the Executive, Executive Councillor, Committee or Chief Officer as may be appropriate, to exercise discretion whether to issue or defend proceedings on behalf of the County Council in any Court or Tribunal or before any other body with jurisdiction, including arbitration or adjudication, to
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enter into mediation or other alternative dispute resolution processes or otherwise to settle claims disputes and proceedings and to take such other actions as are appropriate for the solicitor to the Council and which are necessary to protect, maintain and fulfil the interests, rights and duties of the Council.