



County Offices  
Newland  
Lincoln  
LN1 1YL

9 May 2019

**Council**

A meeting of the Council will be held on **Friday, 17 May 2019 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 cursive script that reads 'Debbie Barnes'.

Debbie Barnes OBE  
Head of Paid Service

**Membership of the Council**  
**(70 Members of the Council)**

Councillors C R Oxby (Chairman), T Bridges (Vice-Chairman), B Adams, W J Aron, T R Ashton, Mrs A M Austin, M D Boles, Mrs W Bowkett, Mrs P A Bradwell OBE, D Brailsford, C J T H Brewis, Mrs J Brockway, M Brookes, R D Butroid, L A Cawrey, K J Clarke, Mrs K Cook, Mrs P Cooper, P E Coupland, G E Cullen, C J Davie, R G Davies, B M Dobson, M T Fido, I G Fleetwood, R L Foulkes, M A Griggs, R Grocock, A G Hagues, M J Hill OBE, R J Kendrick, P M Key, Mrs J E Killey, S R Kirk, Mrs C J Lawton, C S Macey, C E H Marfleet, C Matthews, A P Maughan, D McNally, Mrs A M Newton, Mrs M J Overton MBE, R B Parker, S R Parkin, N H Pepper, Clio Perraton-Williams, E J Poll, Mrs S Rawlins, C E Reid, R P H Reid, R A Renshaw, S P Roe, P A Skinner, Mrs E J Sneath, A J Spencer, H Spratt, A N Stokes, M J Storer, C L Strange, E W Strengiel, Mrs C A Talbot, Dr M E Thompson, R H Trollope-Bellew, A H Turner MBE JP, M A Whittington, Mrs S Woolley, L Wootten, R Wootten, C N Worth and B Young



**COUNCIL AGENDA  
FRIDAY, 17 MAY 2019**

| <b>Item</b> | <b>Title</b>  | <b>Pages</b> |
|-------------|---|--------------|
| 1           | To elect the Chairman of the County Council for the ensuing year  |              |
| 2           | To elect the Vice-Chairman of the County Council for the ensuing year   |              |
| 3           | Apologies for Absence   |              |
| 4           | Declarations of Councillors' Interests  |              |
| 5           | Minutes of the meeting of the Council held on 22 February 2019  | 5 - 14       |
| 6           | Chairman's Announcements  |              |
| 7           | The Leader to report on Executive Portfolios and appointments to the Executive and appointments of Executive Support Councillors  |              |
| 8           | Statements/Announcements by the Leader and Members of the Executive   | 15 - 56      |
| 9           | Questions to the Chairman, the Leader, Executive Councillors, Chairman of Committees and Sub-Committees   |              |
| 10          | Political balance on committees and sub-committees and allocation of places to political groups   | 57 - 62      |
| 11          | Appointment of Chairmen and Vice-Chairmen of Committees and Sub-Committees (Except the Lincolnshire Health and wellbeing Board, Health Scrutiny Committee for Lincolnshire and Bourne Town Hall Trust Management Committee) | 63 - 66      |
| 12          | Calendar of Meetings 2019/20  | 67 - 72      |
| 13          | Overview and Scrutiny Annual Report 2018 - 19   | 73 - 98      |
| 14          | Changes to the Council's Contract Regulations   | 99 - 108     |
| 15          | Changes to the Constitution   | 109 - 200    |
| 16          | Motions on Notice Submitted in accordance with the Council's Constitution   |              |

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

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

Contact details set out above.

**Please note:** This meeting will be broadcast live on the internet and access can be sought by accessing <http://www.lincolnshire.gov.uk/local-democracy/council-webcasts/>

All papers for council meetings are available on:  
[www.lincolnshire.gov.uk/committeerecords](http://www.lincolnshire.gov.uk/committeerecords)



**COUNCIL  
22 FEBRUARY 2019**

**PRESENT: COUNCILLOR C R OXBY (CHAIRMAN)**

Councillors T Bridges (Vice-Chairman), B Adams, W J Aron, T R Ashton, Mrs A M Austin, M D Boles, Mrs W Bowkett, Mrs P A Bradwell OBE, D Brailsford, C J T H Brewis, M Brookes, R D Butroid, L A Cawrey, K J Clarke, Mrs K Cook, Mrs P Cooper, P E Coupland, G E Cullen, C J Davie, R G Davies, B M Dobson, M T Fido, I G Fleetwood, M A Griggs, R Grocock, A G Hagues, M J Hill OBE, P M Key, Mrs J E Killey, S R Kirk, Mrs C J Lawton, C S Macey, C E H Marfleet, C Matthews, A P Maughan, D McNally, Mrs A M Newton, Mrs M J Overton MBE, R B Parker, N H Pepper, Clio Perraton-Williams, Mrs S Rawlins, C E Reid, R P H Reid, R A Renshaw, S P Roe, P A Skinner, Mrs E J Sneath, A J Spencer, H Spratt, A N Stokes, M J Storer, C L Strange, E W Strengiel, Dr M E Thompson, R H Trollope-Bellew, M A Whittington, Mrs S Woolley, L Wootten, R Wootten, C N Worth and B Young

42 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs J Brockway, R L Foulkes, R J Kendrick, S R Parkin, E J Poll, Mrs C A Talbot and A H Turner MBE JP.

43 DECLARATIONS OF COUNCILLORS' INTERESTS

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

44 MINUTES OF THE MEETING OF THE COUNCIL HELD ON 14 DECEMBER 2018

RESOLVED

That the minutes of the previous meeting held on 14 December 2018 be signed by the Chairman as a correct record.

45 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reported that since the last meeting of the County Council he had continued to carry out his civic engagements with pride, representing the Council by visiting places and meeting people and organisations from all around the County.

He was delighted to have welcomed politics students from the University of Lincoln

when they undertook a model UN debate in the Council Chamber over two days in January. It was heartening to see the enthusiasm from the students and potential future politicians.

On a sadder note, the Chairman reported the deaths of former County Councillor Mrs Moira Morgan who represented the Mablethorpe electoral divisions from May 1997 until May 2001 and Malcolm Ashman, who was Director of Social Services at the County Council from 1986 to 1998.

The Chairman also reported that he had attended the funeral of serving Lincoln City Sheriff, Roy South which was held the previous day at Lincolnshire Cathedral.

The Chairman informed members that a complete itinerary of civic engagements since the last meeting were available from the Civic Officer on request.

46 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) T R Ashton      | R G Davies           | Speed reduction in Bolingbrook   |
| b) Mrs J Killey    | R G Davies           | Reduction of emissions in Lincoln  |
| c) A N Stokes      | C N Worth            | Consultation on the future of the heritage service                         |
| d) K J Clarke      | C N Worth            | Update on the development of South Park Headquarters                       |
| e) Mrs A M Austin  | C J Davie            | Employment and skills in Boston  |
| f) P A Skinner     | Mrs P A Bradwell OBE | Falls Prevention Service   |
| g) G E Cullen      | R G Davies           | Availability of public transport for students attending college in Grimsby |

|                        |                      |   |
|------------------------|----------------------|---|
| h) M D Boles           | R G Davies           | Consideration for a speed reduction                       |
| i) Mrs M J Overton MBE | R G Davies           | Pothole repair timescales                                 |
| j) R D Butroid         | R G Davies           | Speed reduction in Torksey Lock                           |
| k) R B Parker          | R G Davies           | Process for Traffic Regulation Orders                     |
| l) Mrs A M Newton      | R G Davies           | Notification of residents in relation to highways schemes |
| m) A P Maughan         | Mrs P A Bradwell OBE | Key Stage 2 results                                       |
| n) P M Key             | R G Davies           | Street Lights   |
| o) S R Kirk            | R G Davies           | Update on coastal highway                                 |
| p) R A Renshaw         | R G Davies           | Improvements to air quality                               |
| q) I G Fleetwood       | R G Davies           | Delivery of the Lincoln Eastern Bypass                    |

47     COUNCIL BUDGET 2019/20

A report by the Executive Director for Finance and Public Protection had been circulated together with a separate document entitled 'Council Budget 2018/19' which described the Executive's Budget and council tax proposals.

RESOLVED

- (1) That there be one debate;
- (2) That Councillor M J Hill OBE, Leader of the Council, in introducing and moving the budget and in responding to issues raised during the debate be allowed to speak without limit of time;
- (3) That proposers of the amendments each be allowed to speak without limit of time;
- (4) That Councillors seconding the motions each be allowed to speak for six minutes;

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**22 FEBRUARY 2019**

- (5) That other speakers be allowed to speak for three minutes; and
- (6) That no further substantial amendments be moved

It was moved and seconded that:

That the Council:

1. Has due regard to the responses to the consultation on the Council's budget proposals as contained in the appended Budget Book (Appendix D – Budget Consultation Feedback);
2. Has due regard to the Section 151 Officers Statement on the Robustness of the Budget and the Adequacy of Reserves as set out in the appended Budget Book (Section 11 – Section 151 Officer's Statement on the Robustness of the Budget and Adequacy of Reserves);
3. Has due regard to the Impact Analysis relating to increasing the Council tax by 4.95% in 2019/20 set out in the appended 'Budget Book' (Appendix C – Impact Analysis relating to increasing the Council Tax by 4.95% in 2019/20);
4. Approves:
  - 4.1 The service revenue budgets for 2019/20 contained in the appended Budget Book (Table 3 – net Service Revenue Budget 2019/20);
  - 4.2 The capital programme and its funding contained in the appended Budget Book (Section 8 – Capital programme) and (Appendix O – Capital programme);
  - 4.3 The County Council element of the council tax for a Band D property at £1,292.40 for 2019/20 (Appendix B – County Precept for 2019/20)

As being the Council's Budget.
5. Approves the Council's Financial Strategy contained in the appended Budget Book (Appendix E – Financial Strategy);
6. Approves the Council's Capital Strategy 2019/20 contained in the appended Budget Book (Appendix N – Capital Strategy 2019/20);
7. Approves the Council's Flexible Use of Capital Receipts Strategy contained in the appended Budget Book (Appendix G – Flexible Use of Capital Receipts);
8. Approves the prudential targets for capital finance and notes the prudential indicators contained in the appended Budget Book (Appendix M – Prudential Indicators);

9. Approves that the minimum revenue provision (MRP) be based on the asset life method, charged on an annuity basis, over the estimated life of the assets acquired through borrowing as set out in the appended Budget Book (Section 10 – Minimum revenue Provision).
  
10. Approves the establishment of a Business Rates Volatility earmarked reserves for the County Council's share of the 2019/20 collective surplus of the Business rates Collection Funds operated by the Districts Council's in Lincolnshire.

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

The Labour Group's alternative budget recognises that our residents look to the County Council to provide important services and opportunities to protect and promote their interests. This is particularly true at a time when the Council Tax is being increased by the maximum possible figure of 4.95% and the County Council projects that it will hold a reserve of £46.080m as at 31 March 2019 (Financial Volatility) and, under this budget, expects to expand reserves to £51.980m (Financial Volatility and Business Rates Volatility).

The Labour Group position is that there is no financial argument for the creation of a Business Rates Volatility Reserve of £5.900 million to be created for 2019/20 as the risk of there being a shortfall in 2019/20 is minimal. If a shortfall did occur it is argued that there are sufficient funds available in the Financial Volatility Reserve to meet any deficit. Accordingly £5.900m should be released of which £3.050m is to be used on service developments in 2019/20 and the remaining £2.850m should be added to the Financial Volatility Reserve.

It is proposed that the following amendments are made to the circulated 'Council Budget 2019/20' report:

**Extra Capital Spending 2019/20**

|    |   |                 |
|----|---|-----------------|
| 1. | Park and Ride Scheme Lincoln<br>(Appendix O, page 102 add extra line under "Environment & Economy")             | £10.000m        |
| 2. | Heritage Services: enhancement of assets<br>(Appendix O, page 102 add extra line under "Environment & Economy") | £0.250m         |
|    | <b>Total Extra Capital Spending</b>   | <b>£10.250m</b> |

**Extra Revenue Spending 2019/20**

|    |  |         |
|----|--|---------|
| 1. | Extended Children Centre Provision:<br><br>Extend opening hours to increase numbers of families who are able to use the provision<br>(Appendix Q, page 107 add line 3.1) | £0.207m |
|----|--|---------|

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|   |  |                               |
|---|--|-------------------------------|
| 2a.   | Social Mobility Task Force:<br><br>Two year project aimed at improving school and pupil performance<br>(Appendix Q, page 108 add line 3.2)   | £0.425m per annum for 2 years |
| 2b.   | Small Schools Project:<br><br>Two year project aimed at improving outcomes for all pupils, especially those who are disadvantaged and vulnerable, in the County's smallest schools.<br>(Appendix Q, page 108 add line 3.3) | £0.700m per annum for 2 years |
| 3.  | Citizens Advice Bureaux:<br><br>Reinstate funding for welfare benefits advice<br>(Appendix Q, page 123 add line 3.5)   | £0.352m                       |
| 4.  | Park and Ride Scheme:<br><br>Revenue running costs £1,200k<br>Capital financing charges £150k year 1, £600k year 2<br>(Appendix Q, page 125 add line 3.8)  | £1.350m yr.<br>1              |
| 5.  | Heritage Services: enhancement of assets:<br><br>Capital financing charges<br>(Appendix Q, page 125 add line 3.9)  | £0.016m                       |
| <b>Total Extra Revenue Spending 2019/20</b> |  | <b>£3.050m</b>                |

**Funding of the Extra Spending 2019/20**

The proposal is that the Business Rates Volatility Reserve is not established and instead the Business Rates Collection Fund surplus is added to the Financial Volatility reserve. The additional £3.050m to meet the extra revenue spending commitments outlined above to be taken from the Financial Volatility Reserve. Under these proposals, that reserve account will have an estimated balance of £48.930m at 31/03/2019 of which £3.087m is already spoken for in the Conservative led council budget leaving the reserve at £45.843m after allowing for the additional £3.050m revenue spending.

Revenue proposals numbered 2a and 2b are time-limited and will impact on the budget in 2019/20 and 2020/21 only. Revenue proposal numbered 4 will have a total cost in 2020/21 of £1.800m and this is on-going.

The additional capital spending of £10.250m will be funded by borrowing. The revenue cost of this borrowing has been included in the additional revenue spending.

The Executive Director Finance & Public Protection has confirmed that these proposals are compliant with the existing Financial Strategy of the Council and represent a balanced budget for 2019/20. Subject to the outcome of the Government's Fairer Funding Review of local government funding the Council is potentially facing an ongoing budget deficit over the medium term and substantial

savings or other actions could be needed in the period beyond April 2020 to deliver a balanced budget. These proposals change the funding available to assist in balancing future budgets from the Financial Volatility Reserve to £45.843m.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote was held for the amendment and, upon it being put to the vote, the amendment was lost.

Details of the recorded vote taken:

Those voting for the amendment:

K J Clarke, Mrs K Cook, G E Cullen, P M Key, Mrs J E Killey, Mrs M J Overton MBE, R B Parker, R A Renshaw.

Those voting **FOR – 8**

Those voting against the amendment:

B Adams, W J Aron, T R Ashton, Mrs A M Austin, M D Boles, Mrs W Bowkett, Mrs P A Bradwell OBE, D Brailsford, C J T H Brewis, T Bridges, M Brookes, R D Butroid, L A Cawrey, Mrs P Cooper, P E Coupland, C J Davie, R G Davies, B M Dobson, M T Fido, I G Fleetwood, M A Griggs, R Grocock, A G Hagues, M J Hill OBE, S R Kirk, Mrs C J Lawton, C S Macey, C E H Marfleet, C Matthews, A P Maughan, D McNally, Mrs A M Newton, C R Oxby, N H Pepper, C L Perraton-Williams, Mrs S Rawlins, C E Reid, R P H Reid, P A Skinner, Mrs E J Sneath, A J Spencer, H Spratt, A N Stokes, M J Storer, C L Strange, E W Strengiel, Dr M E Thompson, R H Trollope-Bellew, M A Whittington, Mrs S Woolley, L Wootten, R Wootten, C N Worth, B Young.

Those voting **AGAINST – 54**

#### **ABSTENTIONS - 0**

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote on the motion was taken. Upon being put to the vote, the motion was carried.

Details of the recorded vote taken:

Those voting for the motion:

B Adams, W J Aron, T R Ashton, Mrs A M Austin, Mrs W Bowkett, Mrs P A Bradwell

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OBE, D Brailsford, C J T H Brewis, T Bridges, M Brookes, R D Butroid, L A Cawrey, Mrs K Cook, Mrs P Cooper, P E Coupland, C J Davie, R G Davies, B M Dobson, M T Fido, I G Fleetwood, M A Griggs, R Grocock, A G Hagues, M J Hill OBE, S R Kirk, Mrs C J Lawton, C S Macey, C E H Marfleet, C Matthews, A P Maughan, D McNally, Mrs A M Newton, C R Oxby, N H Pepper, C L Perraton-Williams, Mrs S Rawlins, C E Reid, R P H Reid, P Skinner, Mrs E J Sneath, A J Spencer, H Spratt, A N Stokes, M J Storer, C L Strange, E W Strengiel, Dr M E Thompson, R H Trollope-Bellew, M A Whittington, Mrs S Woolley, L Wootten, R Wootten, C N Worth and B Young.

Those voting **FOR – 54**

Those voting against the motion:

M D Boles, K J Clarke, G E Cullen, P M Key, Mrs J E Killey, Mrs M J Overton MBE, R B Parker, R A Renshaw.

Those voting **AGAINST – 8**

**ABSTENTIONS - 0**

RESOLVED

That the Council:

1. Has due regard to the responses to the consultation on the Council's budget proposals as contained in the appended Budget Book (Appendix D – Budget Consultation Feedback);
2. Has due regard to the Section 151 Officers Statement on the Robustness of the Budget and the Adequacy of Reserves as set out in the appended Budget Book (Section 11 – Section 151 Officer's Statement on the Robustness of the Budget and Adequacy of Reserves);
3. Has due regard to the Impact Analysis relating to increasing the Council tax by 4.95% in 2019/20 set out in the appended 'Budget Book' (Appendix C – Impact Analysis relating to increasing the Council Tax by 4.95% in 2019/20);
4. Approves:
  - 4.4 The service revenue budgets for 2019/20 contained in the appended Budget Book (Table 3 – net Service Revenue Budget 2019/20);
  - 4.5 The capital programme and its funding contained in the appended Budget Book (Section 8 – Capital programme) and (Appendix O – Capital programme);

4.6 The County Council element of the council tax for a Band D property at £1,292.40 for 2019/20 (Appendix B – County Precept for 2019/20)

As being the Council's Budget.

5. Approves the Council's Financial Strategy contained in the appended Budget Book (Appendix E – Financial Strategy);
6. Approves the Council's Capital Strategy 2019/20 contained in the appended Budget Book (Appendix N – Capital Strategy 2019/20);
7. Approves the Council's Flexible Use of Capital Receipts Strategy contained in the appended Budget Book (Appendix G – Flexible Use of Capital Receipts);
8. Approves the prudential targets for capital finance and notes the prudential indicators contained in the appended Budget Book (Appendix M – Prudential Indicators);
9. Approves that the minimum revenue provision (MRP) be based on the asset life method, charged on an annuity basis, over the estimated life of the assets acquired through borrowing as set out in the appended Budget Book (Section 10 – Minimum revenue Provision).
10. Approves the establishment of a Business Rates Volatility earmarked reserves for the County Council's share of the 2019/20 collective surplus of the Business Rates Collection Funds operated by the Districts Council's in Lincolnshire.

48     COUNCIL BUSINESS PLAN 2019 - 2020

A report by the Head of Paid Service had been circulated.

It was moved, seconded and

**RESOLVED**

That Council:

1. Approves the Council Business Plan 2019 – 2020 in the form attached in Appendix A to the report; and
2. Delegates to the Head of Paid Service in consultation with the Leader of the Council and relevant Executive Councillors authority to:-
  - a) Finalise or amend any measure in the light of 2018 – 2019 outturns; and
  - b) Approve amendments to the Council Business Plan in year to reflect changes in circumstances including changes in the wider economy; the nature of demand; and the consequences of any service changes.

49 PAY POLICY STATEMENT & GENDER PAY GAP ANALYSIS

A report by the Head of Paid Service had been circulated.

It was moved, seconded and

RESOLVED

That the Council approves the Pay Policy Statement at Appendix A to the report and notes the Gender Pay Gap Analysis attached at Appendix B to the report.

50 MEMBERS' ALLOWANCES SCHEME 2019/20

A report by the Head of Paid service had been circulated.

It was moved, seconded and

RESOLVED

1. That the recommendations from the Independent Remuneration Panel be noted.
2. That the Scheme of Members' Allowances for 2019/20 be the same as the Scheme of Members' Allowances for 2018/19 subject only to indexation in accordance with the Scheme.

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

No motions were received.

The meeting closed at 12.30 pm

## **COUNTY COUNCIL MEETING – 17 MAY 2019**

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

### **CHILDREN'S SERVICES**

#### **Early Years Level 3 SENCo Award Project**

Lincolnshire is pleased to be one of twenty-three Local Authorities selected to deliver this accredited course for Early Years Practitioners in the identification and support of young children with SEND in a wide range of Private, Voluntary and Independent (PVI) settings across England. Latest government statistics show that over 70% of PVI providers are likely to have children with SEND in their setting. With increased confidence, knowledge and skills in the early identification and personalised provision for young children with SEND, practitioners in PVI settings will be empowered to make a real difference in the lives of these children and their families. Carol Moore is an Early Years and Childcare Improvement Adviser who will be delivering this training to practitioners.

#### **School admissions**

This year has yet again seen the vast majority of parents getting a school of their choice through school admissions. For parents whose children will start school for the very first time, 99% have been offered a school place of their choosing and, for those transferring to secondary school, it is 98%. This is a fantastic success for Lincolnshire, being well ahead of national comparisons. This year saw the introduction of a new education system to handle school admissions, free school meals and school governor services. The implementation has been a resounding success, delivered on time, in budget and with no issues. This new system, called Synergy, will enable us to offer a better experience for parents when applying for a school place – this year just under 96% of parents applied online, which is a further increase on last year.

#### **Home to School/College Transport**

Home to school or college transport applications have been processed for approximately 2,000 children and young learners in Lincolnshire since March 2019, who are set to join new schools or colleges in September, and the Council continues to place a great emphasis on safety and security of children and young people on their school/college journeys. The Council, through its transport offer, has developed an accredited course for young people with additional needs and/or disabilities who access the independent travel training support on offer. The first students who have completed this course will be awarded their certificates this summer. The promotion of road safety awareness, sustainable travel and autism awareness continues to form a crucial part of the Council's service delivery. The post 16 policy of providing supported transport to young learners ensures that all young learners aged over 16

can continue to access education and training, which ensures that the 'September guarantee' of a place can be taken up by all our young people.

### **Emotional Wellbeing and Mental Health**

A recent review of Lincolnshire's Child and Adolescent Mental Health Service (CAMHS) has found that Lincolnshire continues to provide 'outstanding' services, as rated by the Care Quality Commission, to support our children and young people's mental health; in fact Lincolnshire has one of the highest performing CAMHS in the country. Preventative services commissioned by Children's Services such as Healthy Minds Lincolnshire (HML) and KOOH online counselling are reducing referral rates to CAMHS (6% decrease in 2018/19 compared to 2017/18) whereas nationally referral rates are sharply increasing. 80% of children who completed treatment with HML recorded improved outcomes. Lincolnshire children and young people are waiting far less to access CAMHS compared to other areas. The statutory national waiting time target is 18 weeks from referral to assessment and a further 18 weeks from assessment to treatment. The average waiting time from referral to assessment in Lincolnshire is 2.6 weeks (national average 9 weeks). The average waiting time from referral to treatment in Lincolnshire is 8.4 weeks (national average 13 weeks). Outcomes from the interventions are good, and better than the national baseline target, and re-referral rates are low, meaning that children and young people are appropriately discharged and able to manage their concerns without needing specialist help. Since the Crisis and Home Treatment Service was introduced in 2016, children and young people in crisis are in contact with a professional really quickly and this is reducing admissions to hospitals (53% reduction) and inpatient facilities (11% reduction). A Lincolnshire Emotional Wellbeing and Mental Health Strategy for children and young people is currently being developed that will bring more joined up thinking with the aim that "everyone works together to support all children, young people and families to be happy, healthy, safe and the best they can be in a 'mentally healthy' Lincolnshire".

### **Lincolnshire Music Service**

The Lincolnshire Music Education Hub is made up of twenty-two organisations, united to provide high quality music opportunities to the children and young people of Lincolnshire and is led by our music service. Very recently, it has won a national award from the Music Education Council. In presenting the award, MEC Trustee and Awards Panel Chair, Lincoln Abbott said: "The MEC Music Education Major Award aims to highlight and share the very best practice in delivering music education. As ever, the awards panel had a very difficult job considering the reports of the great work detailed in the award submissions. Lincolnshire's was an application that exuded music and energy from a Hub that has demonstrated strong leadership and real resilience. The Panel noted the innovate digital work that is taking place as well as specific projects including Samba-City and Singsation as well as the thinking around progression routes through World Music." This is a really stunning achievement.

## **School Standards and School Improvement April 2019**

Head teacher briefings and governor briefings have been delivered throughout the county this term and have been well attended by maintained schools and academies, with very positive feedback.

The Lincolnshire Learning Partnership (LLP) Annual Conference was held on 7 and 8 March at Belton Woods Hotel. The conference was proudly sponsored by Inspire+ who are a Lincolnshire based charity that support schools to develop PE, school sport, physical activity and leadership in young people. The event was attended by 160 head teachers and senior leaders within schools, along with attendance from LCC officers and Lincolnshire's Teaching Schools. Inspirational speakers tackled issues such as developing education that was underpinned by an understanding of neuroscience, how authentic inclusion could benefit learners, how Ofsted and the Regional Schools Commissioner could support and how leadership should provide a 'living legacy'. Planning for the 2020 Annual Conference is already underway after receiving such positive feedback.

## **ADULT CARE & COMMUNITY WELLBEING**

### **Operational Teams**

I am pleased to say that our Area teams are continuing to perform well against a range of business plan measures. For example, the number of reviews undertaken between April 2018 and March 2019 is 93.5%. This is an improvement on last year where we achieved 86.2% from the older person's service. I am also pleased to inform members that Adult Care and Community Wellbeing has, for the first time ever, supported more than 10,000 carers in 2018/19. This is important because the better able we are to support residents, the more likely it is that people will be able to stay in their own homes and in their local communities.

Many members will know that the NHS Long Term Plan has been released this year with a heavy focus on personalisation. Local Government has been delivering personalised services for a considerable amount of time and continues to do so. Area teams are implementing a strengths-based approach in partnership with Health, voluntary and private sector colleagues to deliver personalised care and support in Lincolnshire. This approach continues to place the people who use services at the centre of their care and support needs.

### **Integrated Accelerator Pilot**

Members may recall that in March 2018, Lincolnshire was named by the then Secretary of State as one of three Local Authorities to pilot for two years integrated health and care assessments. I am pleased to report that there are a number of initiatives being undertaken across the county to progress integrated approaches:

- In Boston, social workers are co-locating with primary care staff, district nurses, therapists, mental health workers, social prescribing, the wellbeing service, St. Barnabas nurses and other voluntary sector staff to undertake joined up initial

conversations (triage) and mobilise an integrated response. This has reduced the number of referrals that lead to a full Care Act assessment being required.

- In Grantham, social workers in Grantham hospital are working with hospital staff to identify people who are frail and would benefit from a joined up community response on return home. Once home, the community social workers are working with the wider community health team to produce an integrated and personalised care plan which focuses on a strengths-based approach. Early indications are that this approach is reducing readmissions and the need for formal packages of care.
- There are a number of other approaches being trialled in Gainsborough, Stamford, Lincoln North and Mablethorpe.

### **Hospital Teams**

Delayed Transfer of Care (DTC) performance in Lincolnshire attributable to Social Care continues to perform very well against national comparators and is now regularly below the national benchmark of 3%. In the last quarter, Adult Care received 4,507 referrals across the hospital sites and supported 3,496 discharges from hospitals. Compared to 2017/18, delays at hospital for the same period in 2018/19 are down 13.3%. Some of you will be aware that our reablement provider changed in December 2018 due to the collapse of Allied Healthcare at a national level. Due to quick decision making and good teamwork between the senior team within Adult Care and Community Wellbeing and the Commercial Unit we were able to commission a local Lincolnshire provider to take on the contract. This has been extremely successful, the transition was a smooth one, and we were able to maintain a continuous service for people receiving the service.

### **Additional Winter Funding**

Lincolnshire County Council received £3.368m from a national allocation of additional funding of £240m which was provided in October 2018. We have worked closely with NHS colleagues to concentrate the additional investment where it would achieve the greatest impact over the winter period. These schemes reduced the number of days that people stayed in hospital and ensured that when service users left hospital they received the right support to help them stay independent at home. This also helps to reduce unnecessary admissions into hospital in the future. With regards to home support, 98% of cases restarted within 0-1 day of request. As a result of the extension to home care provision on admission to hospital 1100 hours of additional homecare were delivered to local people. This overall impact is estimated to reduce the length of stay in hospital by two days per person.

Further examples of the additional investment are: support to help social care providers recruit new people into the sector with a payment, accessible to support new carers to take-up vital training. This has resulted in an increased number of new employees being engaged by providers across the county.

Money was also made available to fund a home from hospital service which increased capacity around the county by 50%, delivering home support services to

766 people. 27% of these people were supported to remain in their home and avoid an admission to hospital with the rest being supported to leave hospital early.

### **Safeguarding Adults**

Activity related to safeguarding adults continues to rise. Initial figures for 2018/19 suggest a 13% increase in the number of concerns referred to Adult Care, a 75% increase in the number of enquiries commenced and an 81% increase in the number completed when compared to 2017/18.

This increase in referrals suggests that safeguarding is Everyone's Business and residents and partners are making referrals into our safeguarding teams.

The Safeguarding Ambassadors role has supported awareness of safeguarding for care providers. This joint initiative between LinCA, CCGs and LCC aimed to recruit and train at least one person from each care provider to ensure that the principles of safeguarding are integral within everyday practice. This has been hugely successful and a number of ambassadors have now been trained.

To support the early intervention and prevention agenda, work is underway to develop a pilot 'team around the adult' approach with the aim of ensuring appropriate support is provided at the right time, targeting resources more effectively, avoiding duplication, and delaying or preventing an increase in support needs. This will form part of the wider Early Intervention and Prevention strategy currently being developed by the Lincolnshire Safeguarding Adults Board

### **Other Areas of Work**

I had the pleasure of attending the launch of the Lincolnshire Dementia strategy in February. The launch event was well attended and well received. The speech by Wendy Marshall, an author of a major publication on living with dementia, provided a powerful and real backdrop to the day. The frailty 100 day challenge commenced on 1 April 2019, with an emphasis on working in collaboration with partners to support people identified as frail to wrap support around them.

These, and other areas of work, have taken place against a background of an improving picture of recruitment and retention of social work, occupational therapy and nursing staff. Despite this, some areas continue to be hard to recruit into and we continue to work with colleagues in HR to identify and implement strategies to overcome this based on their successful work with Children's Services.

Adult Care's "Grow your own" programme for social workers has proved successful with the first cohort due to complete their social work degree in July 2019. This first group of community care officers who were supported to complete their social work training will provide us with ten additional social workers across adult care. A further cohort of twelve is nearing the end of its first year. We continue to explore apprenticeships in social work, working collaboratively with our academic partners.

The final meeting of the apprenticeship trailblazer group was held on 6 March 2019. Both Sheffield Hallam and Coventry Universities are seeking final approval from the

Royal College Occupational Therapy for their courses. Sheffield Hallam University will be running their first cohort in April 2019 and Coventry in September 2019. The Practice Lead for Occupational Therapy is working with the County Managers to support the OT apprenticeships in Adult Care from January 2020.

### **24/7 Mental Health Hub**

As a key stakeholder of the Mental Health Crisis Care Concordat, Adult Care and Community Wellbeing is supporting the design and development of a 24/7 mental health hub for Lincolnshire, which is due to open its doors in March 2020. The proposal is to create a mental wellbeing hub and spoke model providing a range of activities, advice, information and support. It will use a navigation and enabling approach, to empower people to stay well in their community and at home, and a peer-support approach rather than a strictly professional environment.

## **PUBLIC HEALTH**

### **Wellbeing Service**

The new Wellbeing Service (WBS) celebrated its first anniversary on 1 April 2019. The service, which supports adults to live independently, has seen a gradual increase in the number of referrals, with 6,400 people supported over the last year. I am also pleased to report that we are now seeing an increase in referrals from South Holland and South Kesteven, demonstrating that this is a service covering the whole of Lincolnshire.

Since November 2018, an average of 30 referrals per day are being made for wellbeing support, which is above the original projections of 23 referrals per day. Overall, countywide referrals into the new service have increased by 29% compared to 2017/18. This highlights the excellent work the service is undertaking to develop referral pathways with a wide range of service providers, including Lincolnshire United Hospital Trust, GPs and primary care providers, integrated neighbourhood teams, adult social care, the Community Trust, housing providers, district councils and the third sector.

Work is currently underway with Lincolnshire West Clinical Commissioning Group to look at how the hospital in-reach component of the service can be used more effectively to help further reduce DTOC and enable people to gain better access to the resettlement service. The proposal is for the Wellbeing Service to act as a case management service for those people assessed as needing a lower level of support to help them return to their home after a stay in hospital or a care home. By completing the assessment and resettlement in the person's own home, the WBS would be able to identify any issues and put appropriate support in place.

I am also pleased to report that Wellbeing Lincs was shortlisted for the recent Local Government Chronicle Awards. Although unsuccessful, the nomination highlights the positive contribution a district partnership can bring to local service delivery.

## **Falls Response Partnership**

On 7 November 2018, at a meeting attended by organisations across the county, a statement of intent was agreed which signalled a shared commitment between the County Council, East Midlands Ambulance Service, LIVES and other partners to help deliver an improved ambulance service in Lincolnshire. As part of this commitment, it was announced that £300,000 of the money allocated to the Council to help alleviate winter pressures would be used to fund a falls response project.

Falls constitute a large proportion of ambulance attendances and delays in responding can lead to the worsening of a patient's conditions, increasing the risk of being transported to hospital and the possibility of the patient falling again in the future. All of these facts can result in further pressure being added to emergency, hospital and care services in Lincolnshire. Therefore, the aim of the Falls Project is to reduce the length of time people have to wait for help following a 999 call and to reduce the number of people being taken to hospital following a fall. In the four months between December 2018 and early March 2019, over 160 people have been supported by the project with the following outcomes:

- 70% of people were seen within 45 minutes of calling 999; and
- 73% (102 patients) were supported and discharged at the scene - meaning they did not need to go to hospital and could remain in their own home.

An evaluation of the project is being undertaken by the University of Lincoln and this will help to determine how the scheme has worked and how it could be developed into the future.

## **Integrated Lifestyle Service**

The commissioning process for the new Integrated Lifestyle Service (ILS) is nearing completion, with the new contract commencing on 1 July 2019. I am pleased to announce that Thrive Tribe has been awarded the contract. We were fortunate to have a number of very strong bids, but Thrive Tribe stood out as an organisation which has delivered innovative and high quality services in other parts of the country, and I am confident they will do the same for the people of Lincolnshire. The new service, which aims to engage 16,000 people per annum, will provide interventions and advice to help people make positive lifestyle change by supporting them to stop smoking, take more exercise, manage their weight and reduce alcohol consumption. Priority for the service will be given to people with an existing long term condition such as diabetes, cardio vascular disease or heart disease, or people identified at risk of developing these conditions following a health check.

## **Health Protection**

Protecting people's health from disease and environmental dangers is a critical part of the Council's role as a public health authority. I am pleased to be able to say that despite a busy winter, our health protection team, along with colleagues from other agencies, have been successful in protecting people's health on a number of fronts, including:

- Increased cases of influenza in our hospitals
- Mumps outbreak amongst the students at the University of Lincoln
- Bacterial infections in HMP Lincoln

All of these outbreaks have required a response from the health protection system in Lincolnshire. I am sure you will join me in commending their efforts and their work going forward to make Lincolnshire an ever safer place by encouraging people to take advantage of services aimed at preventing disease and illness, including taking up immunisations and listening to advice from healthcare professionals about the safe use of antibiotics.

### **Substance Misuse training for Children's Services staff**

Over the last six months a training package commissioned by Public Health has been running with front line Children's Services staff on hidden harm where children are put at increased risk by parental and sibling substance misuse. The training was delivered by one of the country's top substance misuse trainers and a total of 544 people attended across the county.

### **ADULT SKILLS & FAMILY LEARNING**

There continues to be high demand for the varied Adult Learning programmes delivered via the Adult Skills and Family Learning Service and promoted on the 2Aspire website ([www.2aspire.org.uk](http://www.2aspire.org.uk)). So far in the 2018/19 academic year we have worked with over 4,500 learners, delivering 555 qualifications ranging from GCSE English and maths to bookkeeping, accountancy and retail qualifications to develop learner skills and help our local employers recruit the talented employees they need.

Good partnership working between our providers and local employers continues to pay dividends for the learners involved. For example, 3 Counties Accounts Training Services met with Autocraft Drivetrain Solutions, a large employer based in Grantham, at a LEP event last year where they discussed the training offered and how the workshop delivery allows learning differentiation enabling learners to work at their own pace. Subsequently, 3 Counties Accounts Training Services were contacted by Autocraft with a request for training for a member of their staff working in their HR department who unfortunately didn't have any payroll qualifications. The member of staff was concerned that, whilst she could run payroll, she didn't have any knowledge of the underlying legislation and systems. Joining the course in March 2018, and despite having to interrupt her studies for medical treatment, the member of staff successfully completed her Level 1 in February 2019. She and Autocraft recognised the confidence and value that her success gave her in her work and 3 Counties Accounts Training Service were delighted to welcome her back in March this year for her Level 2 Certificate course.

Strong partnership working between Boston College, the Department for Work and Pensions and ourselves has led to a range of employability courses specifically designed to help those being made redundant from Marks & Spencer in Boston to

find other work. We are very mindful that, for some of these learners, this is their first foray into the job market for over 25 years and the range of employability provision has been tailored to include confidence building to help develop job interview skills and awareness of the current job market.

Our Family Learning programme continues to positively impact on the learners involved. As well as gaining skills to help their children the programme also supports learners to develop social skills and gain confidence to join local family groups.

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## **COUNTY COUNCIL MEETING – 17 MAY 2019**

**Statement from: Councillor C J Davie, Executive Councillor for Economy and Place**

### **Grantham Housing Infrastructure Fund (HIF)**

Grantham has a growing economy, excellent schools, and is set in attractive countryside. Forthcoming investment in retail and leisure, coupled with easy access to the A1, East Coast Mainline and routes to the Midlands, means that Grantham is increasingly becoming a place that people will want to live. The local authority has allocated substantial amounts of housing, and a garden village has been proposed.

The HIF is a fund to unlock and accelerate housing sites that are constrained by lack of infrastructure. Lincolnshire County Council and South Kesteven District Council submitted an expression of interest in September 2017 and the full bid was submitted to Homes England on 22 March 2019. Homes England will start to consider the bid in June 2019 and the results are expected towards the end of the year.

#### **What the HIF Investment will Deliver:**

- The £71m HIF requested by the authorities will be invested in Phase 3 of the Grantham Southern Relief Road (GSRR) along with utility infrastructure.
- All of the agreements and funding are already in place for the GSRR. Detailed design has been completed and a preferred contractor selected. The main construction of phase 3 of the GSRR will start in January 2020, with completion in March 2023.
- Phase 3 of the GSRR provides direct access to Spitalgate and the PWOg Barracks sites.
- The councils will work with landowners to deliver a Garden Village on a site receiving capacity funding and also apply these principles to the Prince William of Gloucester (PWOg) Barracks, which is currently being promoted through the local plan. The delivery of the PWOg Barracks is covered by the Homes England/DIO partnership.
- HIF will also fund electrical capacity which will enable the two strategic sites to be occupied. Feasibility studies into delivering the utilities are underway.
- The HIF programme will deliver 11,523 new homes in Grantham between 2019 and 2047. This is 8,400 more homes than the usual growth rate and can be considered as additional and directly linked to the £71m investment. The investment represents a benefit cost ration of 3:1 and very good value for money.
- Although the £71m investment will be focused on the road it will enable a full range of infrastructure to be delivered including utilities, schools and health facilities.

#### **Current Market and Market Issues**

The market issues justifying intervention relate to the scale of the town's strategic development sites and the cost of off-site infrastructure and the timing of when infrastructure is required. The landowners and developers of the sites do not have the ability to fund this infrastructure.

## The Role of the Delivery Partners

- The role of the delivery partners, including Lincolnshire, is to co-ordinate the programme, help fund and finance the infrastructure and to help to attract the right developers.
- LCC will build the GRSS using the Midland Highways Alliance Medium Schemes Framework 3 (MSF3).
- LCC will manage the funding cash flow and underwrite the funding gaps in the road, utilities and schools.
- The councils will continue to work with landowners, reaching an agreement regarding the housing promotion and delivery timescales. They will work with the HE/DIO partnership to bring forward the PWoG Barracks. On both sites Garden Village principles will be promoted.
- The councils will also promote and undertake market-making activities investing their own resources.

## Market Evidence

The evidence demonstrates the potential of the Grantham market to deliver a greater number of new homes. However, because of current land values it is difficult for housing developers to achieve viability. In turn, this leads to supply falling significantly below need and currently new build values in Grantham are relatively low. Grantham's housing market is in a prime position to benefit from the economic strength of the area.

By incorporating Garden Village and other quality principles, the evidence suggests that the main HIF sites will also benefit from a 'quality premium'.

This approach requires market-making actions by the councils, these include;

- Working with landowners on the joint promotion of sites
- Selection of developers capable of funding site wide infrastructure
- Specifying and delivering a wider range of house types and tenures
- Directly investing in sites using HRA and other resources.

## Governance and Affordability

The established board, which includes the councils and the main landowners, will drive the delivery of the HIF, however a programme team will be established to support the board. This programme team will co-ordinate the programme, and manage programme risks (the risk register reflects two key risks, (failure to deliver housing targets and failure to collect assumed s106 contributions). In its role as underwriter of the programme, LCC considers its investment to be affordable and to represent value for money.

## Strategic Infrastructure Delivery Plan (SIDP)

The 2016 Greater Lincolnshire Strategic Infrastructure Delivery Plan (SIDP) was prepared by the consultant Mott MacDonald, working to an officer group representing the ten Greater Lincolnshire authorities. Representatives of key utilities organisations also took part. The SIDP seeks to prioritise projects

within the following key strategic infrastructure sectors supporting the economic, social and environmental needs of Greater Lincolnshire:

- Roads
- Rail
- Flood defence and waterways
- Employment lands enabling infrastructure
- Electricity and gas distribution
- Water and waste water
- Communications infrastructure
- Education
- Healthcare

A call for new additional strategic projects (£5 m+) and smaller exceptional schemes which can deliver significant amounts of growth, was circulated in August 2018. A guidance note was attached to assist respondents in providing the necessary information for assessing the suitability of proposed projects. In addition, District Housing Network officers are compiling a list of strategic housing schemes that have stalled or are experiencing blockages and which could be accelerated through targeted intervention.

The projects are mainly road-related or involve improving flood defences. A total of 43 proformas have been received from the following sponsors by sector:

- Local authority – 33
- Environment Agency – 6
- Higher Education – 2
- Utilities – 2

The amount and quality of information included in the proformas varied significantly and has resulted in the need for follow up questions. In particular, further detail was required which specifically emphasises what the projects will deliver and their long term benefits, both directly and indirectly. Additionally, more detail regarding funding was needed, especially differentiating which projects have match-funding secured and those which do not.

The officer working group requested updates on existing projects and new proposals from partner authorities and agencies. Progress on the work is reported regularly to the Housing and Infrastructure Group (HIG) which comprises representation from all parts of Greater Lincolnshire. Local Partnerships have been contracted to provide technical expertise in the area of economic analysis. This will provide headline quantifiable outputs regarding housing unlocked directly by infrastructure, economic benefits, and impact on Gross Value Added, productivity and skills. This work overlaps with the stage 4 Opportunities for Additional Growth required for the Greater Lincolnshire Planning for Growth bid and will be paid for from the Planning Delivery Fund.

The projects have been scored and prioritised according to an agreed method which emphasises the amount of housing and jobs enabled by the infrastructure. The top 10 schemes have been included in the Greater Lincolnshire LEP's Pipeline list of deliverable projects. The deadline for completing the revised SIDP is 10 June 2019 when it will be reported to HIG for approval.

## **Skills and Employment**

I continue to work with my colleague Councillor Mrs Patricia Bradwell OBE on skills and employment issues.

In my previous statement to full Council I highlighted the work that we are doing with the Greater Lincolnshire LEP on raising young people's awareness of local career opportunities. We host a Careers and Enterprise Co-ordinator who works with several schools in the county. Since the last full Council meeting I am pleased that between the LEP and LCC we have been able to find the funding to recruit two additional co-ordinators so that the whole of the county will be covered by this important initiative.

In my previous statement I also described the challenge of seasonal employment on the coast, and in particular how that makes it very difficult for employers to provide structured training to their staff. I am very happy to announce that we have been awarded £367,000 from the Coastal Communities Fund to tackle that problem. We will work with businesses, colleges, and indeed young people themselves in this project.

## **Flood Risk Management**

The Council continues to engage with our partners on strategic initiatives to secure Lincolnshire's resilience to both flood risk and water shortage. The Environment Agency will open a public consultation in June on its approach to managing the East Coast, and the County Council will play a major part in shaping and developing these proposals.

The Council will itself be consulting on its draft Flood Risk and Water Management Strategy from this month. First approved in 2012, this was one of the first developed in England, and our new version will take this agenda forward by aligning flood risk management with the longer term potential for managing and storing water for agriculture and the environment. We would encourage all members to look through the consultation draft when it is released and feed back any comments to officers.

Looking regionally, the council has been engaged with a project called Water Resources East, originally led by Anglian Water and designed to ensure the reliability of water supplies to business and the public in the future. This is now being established as an independent public interest company, and Lincolnshire County Council has been offered a seat at the table as a founding member, along with other local authorities, water companies and sector representation from across the region. As well as driving strategic priorities for water management across the region, this provides a powerful tool to support delivery of a truly joined up flood and water agenda across Lincolnshire in co-operation with neighbouring authorities.

## **Investment**

It has been a very busy time on the investment front since the last Full Council meeting. We have followed up significant investment opportunities including a major food distributor who is seeking a well located site for a new business venture, and several enquiries about property that could be used for hotel accommodation.

I led the Team Lincolnshire presence at MIPIM, the international property conference and my colleague Councillor Mrs Patricia Bradwell OBE hosted our annual business networking event at the Belton Horse Trials. My fellow Executive Councillors Richard Davies and Nick Worth hosted tables at our event at Belton. Just over 150 investors attended our Lincolnshire brunch at MIPIM, and close to 100 businesses attended the event at Belton. We are now following up around 60 strong investment contacts that were made at the two events.

The 90-plus Team Lincolnshire members tell us that they want to support our efforts to promote Government investment in Lincolnshire, and that they want to collaborate with us on important issues like energy infrastructure, skills, and water management. We are now starting to adapt Team Lincolnshire to take advantage of that positive offer from local businesses.

### **Supporting Businesses**

The Leader of the Council, Councillor Martin Hill OBE, welcomed Mr Xu Dazhe, Governor of Hunan province, China, to Lincolnshire. Mr Xu's visit cements the economic partnership that we have been developing between the two regions and Mr Xu tells me that he was very impressed by the positive welcome that he received from Councillor Hill, as well as from the Chairman of the Council, Councillor Ron Oxy, and his Vice-Chairman, Councillor Tony Bridges.

Hunan sees Lincolnshire as the gateway to England's Midlands. Councillor Hill, Mr Xu, and I have agreed that we will focus strongly on a small number of priorities. The focus will be on technology within food manufacture and advanced engineering, both of which are sectors that Lincolnshire excels in, and that are prevalent within the East and West Midlands.

In addition to these strategic priorities, our relationship with Hunan has given Lincolnshire businesses a platform to meet and trade with Chinese counterparts. During the visit of the Governor of Hunan, Hortifeeds Limited from West Lindsey have signed a collaboration agreement with ISKY of Hunan. We also visited Dynex who have received a further substantial investment from their Hunan parent company, CRRC Times Electric Limited.

In addition to the international trade work with Hunan, we have held three major events for business. Our manufacturing and visitor economy conferences were held in late March. Both events were attended by roughly 100 businesses and focused on future technologies and promotional strategies. We also held a popular event on 2 April 2019 for all of the county's tourism businesses to learn about our heritage coast. Familiarisation events like these are a good way of promoting tourism opportunities to the county's visitors.

In line with our manifesto commitment to support the agricultural sector during Brexit, we held a meeting of the Lincolnshire Forum for Agriculture and Horticulture with lead policy officers from the Department for the Environment, Food, and Rural Affairs. The event gave us the opportunity to explain about Lincolnshire's priorities for the implementation of the Government's food bill and was attended by Councillors Barry Dobson and Lewis Strange. Later in March officers met with the civil servant responsible for writing DEFRA's food strategy and gave him the opportunity to see

how local authorities, the LEP and private business are collaborating to achieve a strong future for the sector.

### **Lincoln City Football Club**

Firstly, may I take the opportunity to congratulate Lincoln City Football Club on becoming champions of league two. Lincoln City are a proud member of Team Lincolnshire, and their promotion will see them playing in front of larger crowds, attracting more people to the county, and getting Lincolnshire's name known widely across the country.

### **Environment Team**

The Environment Team has recently concluded the protracted lease renewal arrangements with the Lincolnshire Wildlife Trust, Crown Estates and the Duchy of Lancaster to safeguard the management regimes of the National Nature Reserve at Gibraltar Point. This important site is a key component in the quality of the coastal tourism offer alongside the development of the Coastal Country Park and the on-going work with Natural England to establish the English Coast Path.

## **COUNTY COUNCIL MEETING – 17 MAY 2019**

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

### **HIGHWAYS AND TRANSPORT**

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

2018 saw a 9.5% reduction in the number of Killed and Seriously Injured casualties (KSI) on Lincolnshire roads. This included an 81% reduction in high powered motorcycle KSI casualties, a 21% reduction in KSI collisions involving young drivers, and a 17.5% reduction in KSI collisions involving a driver over 60 years old.

However, the number of fatalities in 2018 increased to 56 from 49 in 2017. The following table displays courses completed in 2018, compared with 2017.

|                           | 2017   | 2018   | Difference |
|---------------------------|--------|--------|------------|
| Speed Awareness           | 14,833 | 15,545 | +712       |
| Driver Alertness          | 303    | 190    | -113       |
| What's Driving Us         | 269    | 275    | +6         |
| Motorway                  | 8      | 478    | +470       |
| Driving 4 Change          | 2      | 6      | +4         |
| Ride                      | 8      | 6      | -2         |
| Safe & Considerate Driver | NA     | 31     | +31        |
| Overall                   |        |        | +1,208     |

Home Office Type approval has now been received for Lincolnshire's upgraded digital speed camera sites. The following sites will now become live:

- Site 1: A151 Whaplode:
- Site 2: A153 Tattershall:
- Site 3: A1073 Cowbit:
- Site 4: A153 Anwick:
- Site 5: A15 Bunkers Hill Lincoln:
- Site 6: Lincoln Road North Hykeham:
- Site 7: Holbeach Road Spalding:
- Site 8: Cross O' Cliff Hill Lincoln

The expansion of the Community Speed Watch scheme now means that 233 communities are involved. In addition, the number of trained locally-based volunteers has increased to 225, undertaking high visibility operations to raise awareness of speeding and educate drivers. So far, 745 warning letters have been sent to drivers observed exceeding the speed limit by community volunteers.

Successful bids to central government's "Safer Roads Fund" will see an additional £2 million being spent on the County's roads next year.

The partnership has collaborated closely with the police and the tasking of the Lincolnshire Police Safer Roads Team is now better informed by community concerns.

## **Major Projects/Advanced Design Block**

### **Lincoln Eastern Bypass (LEB)**

This is the County Council's largest Highway scheme with a budget of £124m, which includes a Department for Transport (DfT) grant of £49.95m. Following the liquidation of Carillion, Galliford Try were awarded the construction works package.

The main works on site are currently focussed on continuing the bulk earthworks excavation and removing the material toward Greetwell Road and filling the adjacent quarry. This is being enabled by the newly completed Lincoln to Spalding Rail Line Underbridge, the completed Lincoln to Market Rasen Rail Line Overbridge and the completed temporary bridge over the River Witham.

On the 15 January 2019 Galliford Try's earthworks sub-contractor, Hawk announced that they were going into liquidation. Alternative prices have been gained from prospective sub-contractors and due diligence is now taking place before an order is placed. Until then Galliford Try will continue to provide critical elements of the earthworks programme through self-delivery operations on site.

Heighington Road continues to be closed and shall remain so until the end of 2019 to allow a 16m deep excavation for the LEB and then constructing the 33m long overbridge to maintain the Heighington Road route.

The land adjacent to Hawthorn Road has been excavated to allow the foundations for the Hawthorn Road footbridge to commence.

### **Grantham Southern Relief Road**

This scheme is a 3.5 km road with a five span viaduct carrying the road over the East Coast Mainline railway and has a current budget of c£100m and consists of three phases. The works will be funded from SLGF grant from the LEP, HCA grant and developer contributions with LCC forward funding this.

The King 31 Phase 1 from the B1174 running towards the A1 is already complete. The completed design for King 31 Phase 2 has received technical approval from Highways England in December 2017.

The design for Phase 3 the Southern Quadrant Link Road is complete. LCC have signed a section 6 agreement with both the DfT and Highways England to enable legal orders for the whole scheme to be published. The orders including the Line Orders for the Trunk Road and compulsory purchase orders for outstanding land required were advertised on 2 March 2018. Objections were received to the advertised orders and a statement of case was served to the DfT on the 12 June 2018 in response to the objections.

The Public Inquiry commenced on the 2 January and closed on the same day. The inspectors report was submitted to central government on the 24 January for approval. The orders were confirmed by the Secretary of State on the 12 March 2019, which ensures the required land can be acquired if mutual agreements cannot be gained and LCC has the authority to change the alignment of the existing highway boundary.

Phase 2 (connection with the A1) is likely to commence May 2019 with Phase 3 commencing early 2020.

LCC have now qualified for the next stage of a bid to Homes England for a forward funding Housing Infrastructure Fund.

### **Spalding Western Relief Road (SWRR)**

Section 1 (Southern Connection) – Financial planning is on-going for the potential phased delivery of the relief road.

Sections 2, 3 and 4 – These sections of the SWRR are having options developed as part of the SWRR delivery strategy. An engagement process is on-going on the route and alignment of sections 2 to 4 in Spalding.

A funding agreement has been reached for £12 m to be awarded from HIF to deliver Section 5.

The planning applications for both Section's 1 and 5 (South and North) were submitted to LCC's planning authority at the end of February and will be considered at the Planning and Regulation Committee in June.

### **North Hykeham Relief Road, Lincoln**

A number of community engagement events were held in June 2018 for updating key stakeholders on progress and ensuring compliance with the DfT funding bid process. A paper was submitted to Highways and Transport Scrutiny Committee and Full Executive Committee, where all the recommendations were approved, which included a bid basis of requesting 70% funding from the DfT and basing the road as a dual carriageway standard. This road will be a key link in the Lincolnshire Coastal Highway from the A1 through to Skegness as well as completing the circulatory around Lincoln.

The Outline Business Case for the project was completed and the bid document was submitted to Midlands Connect in February. This bid will be prioritised by Midlands Connect before submitting to the DfT in July 2019. There is an expectation that the result will be known by the end of the 2019.

### **Lincolnshire Coastal Highway**

Lincolnshire County Council is investigating potential improvements to the A158 across the county from the A1 to the North Sea coast around the Skegness locality, known as the 'Lincolnshire Coastal Highway'. This will look at the options for intervention along the route. In identifying improvements to the Highway, consideration will need to be given to being future-ready, building in capacity to

support growth, investigating options across a range of modes and building in resilience and lower longer term costs for management of infrastructure.

The Council has developed a number of potential projects and initiatives along the route and has also held four engagement events at Skegness, Horncastle, Wragby and Lincoln to gather perceptions, existing challenges and potential solutions from key stakeholders.

The sifting of the long list of projects against assessment was completed and a shortlist of options was developed. A paper went to Informal Executive on 19 June 2018 outlining the proposed shortlisted projects including existing projects like the North Hykeham Relief Road, A46/A15 Nettleham Road Roundabout and A46/A158 Riseholme Road Roundabout. The Executive proposed three additional projects which are also being taken forward, these being: Horncastle Bypass, Skegness Relief Road and Wragby Pedestrian Crossing as well as various safety improvements. The draft Horncastle bypass concept paper has been completed which is being developed further to include an economic appraisal, once complete will be presented to LCC's informal executive meeting. The Wragby concept report will follow shortly after that and then the Skegness Relief Road paper will be later in 2019.

### **National Productivity Investment Fund**

LCC was successful against the NPIF tranche 2 bid for A46 Dunholme/Welton roundabout improvement which has an estimated cost £5.6m. The DfT awarded LCC a £2m grant. Planning approval was granted in February 2018 and work has been progressing on detailed design and land acquisition in parallel with the legal orders process. The legal orders will be published in April 2019 which will likely result in objections, causing a need for a Public Inquiry. It is expected that works will commence in 2020.

### **Single Local Growth Fund 3**

The A46/A15 Nettleham and A46/A158 Riseholme Road Roundabout projects on Lincoln's Western Bypass attracted SLGF to a value of £2.5m. The project entails enlarging the size of both roundabouts and increasing the number of lanes both entering and exiting each leg of both roundabouts. This will reduce congestion at these pinch points and improve journey time reliability. Detailed design is progressing with a focus on acquiring the required land through agreement. It is expected that work may commence in 2020 subject to the possible Public Inquiry result.

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

This is a Network Rail owned and managed project which consists of constructing a new iconic footbridge over the rail line on Brayford Wharf East. Following an appeal process planning permission was granted to Network Rail in January 2018. Morgan Sindall were awarded the tender to design and build the footbridge which commenced on site in October 2018. The bridge was installed in April 2019 and a temporary pontoon has been installed to provide access for pedestrians. The works are expected to be completed in May 2019.

### **Holdingham Roundabout and Rugby Club Junction, Sleaford**

NKDC and LCC have secured £1.5m of funding for the GLLEP towards the development of Holdingham Roundabout and the A17/A153 junction (known as the Rugby Club Junction). In addition, a £2.5m S106 contribution has been agreed for investing into these projects. Holdingham Roundabout currently suffers congestion that is predicted to become worse with significant levels of future development in the town. An options study was completed and partial signalisation was agreed as the most economical option when balancing the required improvements and cost. Detailed design work has commenced with a planned construction in 2020.

The improvements at the Rugby Club Junction are also expected to commence in 2020 with a co-ordinated approach to both the design and construction to limit the disruption to the highway network.

### **Lincoln Transport Strategy**

Work has commenced on the development of a new Lincoln Transport Strategy to support the economic and spatial development of the Lincoln urban area. The current Lincoln Integrated Transport Strategy (LITS) was developed by LCC in 2006 and updated in 2008 with a progress review conducted in 2013. Since the adoption of LITS, LCC has made significant progress in securing funding for and completing a number of major transport schemes, improving public transport and enhancing access for pedestrians and cyclists. Of particular note over recent years has been the completion of the A46 Teal Park Dualling, the East-West Link in the city centres and a number of pinch-point schemes. In delivering this project an objective led and robust process will be followed for identifying potential options that could be taken forward for any future funding bids.

The strategy is being completed in partnership with key stakeholders, CoLC, NKDC and WLDC. The initial engagement exercise was completed in November with the wider stakeholder and public engagement being completed in March 2019. The strategy is programmed to be completed late summer 2019.

### **Boston Distributor Road Scoping Bid**

A project scoping report was produced by LCC and submitted to Matt Warman MP for lobbying to central government for funding to progress a Boston Distributor Road Outline Business Case, which has the potential to lead to funding for the project.

### **Highways 2020**

The Highways 2020 project continues on schedule. This is a strategic commissioning exercise to replace the existing 3 Highways Alliance Contracts which will have reached their full term at the end of March 2020.

We have issued Invitations to Submit Initial Tenders and the evaluation process is underway. The quality and price evaluations are being carried out. Around 30 Consensus Scoring Sessions will be undertaken to hone the eventual marks for each of the tenderers. A decision on the Negotiation stage is expected on the 10 May with a final decision on contract awards to be taken in late September to early October.

## **Passenger Transport Matters**

Over the last quarter the public transport network has seen significant commercial withdrawals and change, especially within the south of the county. Such market volatility has resulted in the need for increased tender activity, greater spend on service subsidies and further work for Transport Connect, the council's teckal company. On a positive note, CallConnect turned 18 in March, and also celebrated a 4.3% increase in annual patronage, having carried in excess of 303k passengers in the last twelve months. The service is set to trial a number of in-cab/telematic solutions aimed at improving driver standards, safety and security and at reducing vehicle operating costs and third party insurance claims.

To increase the number of Concessionary (ENCT) Bus Passes taken out of circulation, when no longer valid, 'hotlisting' of lost/stolen cards has been tested and will now be rolled out to all operators with electronic ticket machines and ENCT has been added to the Tell Us Once service.

Internal and external workshops have been held to inform a cycling and walking network plan linked in with the Access Lincoln project and Lincoln Transport Strategy. Our Fleet and Compliance team have been working closely with service areas on the specification and procurement arrangements for replacing specialist vehicles such as Gritters, Library and LincsLab vehicles.

Following on from the raft of Community Rail Awards won last year, our Community Rail Partnership for the Poacher Line (Nottingham-Skegness) has just received two civic awards for work at local stations including Sleaford, which incorporated mosaics produced by four local primary schools.

## **IT**

### **Lincolnshire Broadband Programme**

Since the last report in December, the Lincolnshire Broadband Programme (OnLincolnshire) has delivered superfast Broadband to a further 1,900 premises county-wide. This puts us on target to achieve the goal of 97% Superfast coverage by December 2019 and gives a current total of 168,484 premises upgraded under this programme. Customer take-up continues to grow well beyond expectations and now 59.3% of all premises are enjoying faster broadband.

In an effort to further increase take-up, OnLincolnshire has recently been awarded £20k by BDUK to try to improve take-up. An advertising campaign on radio, in the press, on social media and on local buses began in week commencing 15 April 2019. Based upon current take-up figures, projected funding of circa £11.6M will come back to the Broadband Programme from the 'clawback agreement' in the contract with BT. It is worth noting that LCC has already received £4.65M of this funding which has been used to expand the original Contract 2.

The position with West Lindsey has improved slightly as a result of on-going negotiations with BT and BDUK. All eligible premises in the District will be included in the Invitation To Tender for Contract 3 which we are looking to launch in May of this year. Contract 3 will use a combination of remaining underspend from Contract

1, some ERDF funding and clawback money to attempt to upgrade as many remaining premises as possible. This will be further supplemented by a contribution from the successful supplier. It is then hoped that Lincolnshire will be able to draw down substantial additional funding from the £200M BDUK fund. Announcements by BDUK as to how we can apply for this funding are likely to be made in late May, but it should be noted that by their own admission, BDUK are still not clear how best to utilise this money. We will keep pressing them on this matter.

### **Governance**

The IMT strategy is now available and positions the IMT Service as an increasingly enabling service during 2019 as it moves from a large program of refresh and risk mitigation work across the technical infrastructure, to a more balanced portfolio of work with a higher payload of business-driven requirements.

The IMT Board has been created and is providing oversight and a decision framework for the IMT service's work. The portfolio of projects is reported and new proposals reviewed, and a strategic business view is applied to balance priorities and the allocation of resources. Oversight of the IMT budgets is provided and is being extended to provide insight into the non-IMT service spend on IMT projects and products. The Board also works on policy change.

### **Support Services**

Serco has recently completed the first phase of a migration to a new help desk system which was achieved with minimal interruption to the day to day support service. This new cloud-based service will provide the foundation to improve the service user experience through an interactive web portal and mobile App, and context aware help or knowledge prompts, to reduce the number of telephone contacts and avoidable tickets raised.

### **Projects**

The IMT Service has had an extremely demanding workload over Quarter 1 with a number of key strategic projects in their build and trial phases at the same time. This continues into Quarter 2.

Large projects in build:

- The upgrade of the Lincoln Campus network
- The replacement of aging "retained" non-network infrastructure
- The corporate wide deployment of Microsoft Office 365
- The on-going corporate upgrade to Windows 10 PCs and Notebooks
- The software upgrade of the corporate telephone systems
- The migration of 32TB of documents to a cloud based electronic documents and records management system

The replacement of the old N3 NHS network connection with a new connection to the Health & Social Care Network has been completed. The project is now designing the upgrade of the corporate Internet connection to take advantage of the

coming Campus network upgrade and to provide the Internet bandwidth the Council needs going forward.

Work is progressing on the new LCC public websites. Our prime contractor Jadu has built the Test, Development and Production environments and is now building the templates to carry the LCC content pages. A second contractor, Methods, is building the services to support our transactional web content.

Capita is building the new network Card Payment capability, initially for the Registrars Service, and the first test transactions have been completed. Further configuration of the Payment Portal to add useful metadata to the transactions will then be completed, with the service and the terminals delivered to the offices allowing payments to be taken. That then leaves the Registrars Service software vendor to integrate this to the Council's financial systems to complete this project, removing the need for manual reconciliation of day books.

### **Information Management**

The goal for 2019/20 is to return the service to an assured status through the mitigation of what will soon be our highest remaining risk. That is the risk of continued use of some legacy servers with an unsupported operating system running old applications.

As the portfolio of projects builds out the critical infrastructure, resources can then be diverted to this program to accelerate the migration of the required applications to new server operating systems. However, this work will take many months and is fraught with significant challenges.

## **COUNTY COUNCIL MEETING – 17 MAY 2019**

**Statement from: Councillor E J Poll, Executive Councillor for Commercial and Environmental Management**

### **ENVIRONMENTAL MANAGEMENT**

#### **Statement of Community Involvement**

The Council's Planning Services team are responsible for producing and maintaining an up to date 'Statement of Community Involvement'. This document outlines how the Council will engage and consult the public and stakeholders when producing planning policy documents associated with the Lincolnshire Minerals and Waste Local Plan, and have their say on the determination of planning applications that the Council receives. We are currently updating the document, and consultation on how the public and other stakeholders want to be consulted on planning matters took place earlier this year. Responses have been received, with nearly half of those received not wishing to make any substantive comments or objection. Officers are in the process of assessing all responses and later this year will prepare a final document for Council approval.

#### **Lincolnshire Waste Partnership (LWP)**

The Joint Municipal Waste Management Strategy has now been formally adopted by all eight councils of the LWP. Over the coming months we will work together on helping residents understand exactly what should and shouldn't go in their recycling, which will hopefully reduce our contamination rates. We will also look to improve the quality of what is recycled, increase the quantity of recycling, find ways of sharing ideas for creating less waste, and reduce our carbon footprint.

#### **Flood Risk and Development Management**

The County Council will continue to work towards its annual target of protecting 100 properties from flooding. This will be done in partnership with other risk management authorities, with local, regional and national bodies, which further demonstrates the Council's commitment to partnership working to benefit our most vulnerable communities. Indeed, in recognition of this, the Council has approved a four-year capital settlement for local flood risk management projects.

The Development Management Team is actively involved in discussions with the District Councils in relation to the eight Sustainable Urban Extensions (SUE's) across the County:

- North East Quadrant, Lincoln
- South East Quadrant (Canwick East), Bracebridge Heath
- Western Growth Corridor in Lincoln
- South West Quadrant (Grange Farm) in North Hykeham
- Southern Neighbourhood in Gainsborough
- Southern Quadrant (Spitalgate Heath), Grantham
- Handley Chase in Sleaford (South); and

- Sleaford (West)

### **Countryside**

Works for the Coastal Country Park area are progressing to plan to ensure that all visitors and residents continue to enjoy the amenities of this special part of our coast.

### **English Coastal Path**

In late February the Council welcomed the opening of its first section of the English Coastal Path. Cllr Davie was joined by Lord Gardiner and the Chief Executive of Natural England to open the path at the North Sea Coastal Observatory, which, for the first time provides a continuous off-road pathway between Chapel St Leonards and Skegness. The route is already proving a popular attraction, especially amongst people with mobility challenges for whom the path opens up stretches of coast previously inaccessible.

## **COUNTY COUNCIL MEETING – 17 MAY 2019**

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

### **NHS LIAISON**

#### **Joint Health and Wellbeing Strategy - Healthy Weight Partnership**

At the first formal meeting of the Joint Health and Wellbeing Strategy Obesity Priority Group in February it was agreed that their focus would be on healthy weight rather than obesity. To reflect this the terms of reference have been updated and the group is now known as the 'Lincolnshire Whole Systems Healthy Weight Partnership'. The partnership consists of County and District Councillors, senior managers and senior clinicians within Clinical Commissioning Groups (CCGs) and 0-19 services, education and schools (including two primary school head teachers) and the University of Lincoln.

The Healthy Weight Partnership had bid to the Local Government Association's 'Childhood Obesity Trailblazer Programme.' Unfortunately the bid was unsuccessful, but 16 organisations got on board with Lincolnshire's expression of interest which demonstrates a high level of enthusiasm for collaborative working in the future.

A Whole Systems Healthy Weight Workshop, arranged by the Health and Wellbeing Board, will be held on 5 June in Woodhall Spa, to which all councillors have recently received an invitation. The workshop will bring together a broad range of interested parties to map the local system and to gain a shared understanding of the local causes and consequences of obesity. This will lead to some key priority actions for the partnership to focus on over the coming months and years as well as developing a wider network of interested stakeholders to support the work.

#### **Single Accountable Officer for the four Lincolnshire Clinical Commissioning Groups (CCGs)**

As you may be aware, at the end of March the four Lincolnshire CCGs confirmed the appointment of John Turner as the Single Accountable Officer, with effect from 1 April 2019.

The new Single Accountable Officer role will work across the four Lincolnshire CCGs – South, South West and East and West – to ensure a joined up approach across the CCGs to commissioning healthcare services for the population of Lincolnshire, and to support the closer integration of health and social care.

John brings a wealth of NHS management and leadership experience to the role and for the last few years he has been the Accountable Officer for South and South West Lincolnshire CCGs, and the Senior Responsible Officer for the Lincolnshire Sustainability and Transformation Partnership. I would like to take this opportunity to congratulate John and I look forward to continuing to work with him in his new role.

## **Healthy Conversation 2019**

The Lincolnshire NHS public engagement exercise 'Healthy Conversation 2019' began in March and is expected to run into the autumn. There will be a wide range of engagement events and discussions across the county with the public, their representatives, our partners and staff. This will be an open engagement exercise which will shape how we take health and the health service forward in Lincolnshire in the years ahead. Further information and details of the engagement events taking place can be found at <https://www.lincolnshire.nhs.uk/healthy-conversation>.

I would encourage colleagues, partners and residents of Lincolnshire to get involved and help shape the future health services in the county.

## **North and North East Lincolnshire**

Derek Ward and I recently met with the Leaders of North and North East Lincolnshire Councils to discuss areas of common interest and explore potential areas for closer working. In particular, we discussed:

- benefits of developing stronger links with the University of Lincoln and specifically the Medical School;
- broader issues around rurality, in particular the mixture of rural and coastal communities and how we can deliver services better and in a more innovative way;
- a number of Public Health specific issues, for example:
  - how we can share resources to produce the Joint Strategic Needs Assessment.
  - standardising our approach to some of the NHS work around commissioning pathways.
  - individual funding requests.

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

An updated BCF Policy Framework was published on 10 April 2019, the purpose of which sets out the funding conditions for access to BCF funds for 2019/20. As expected, the BCF in 2019/20 will retain the same National Conditions as in 2017-19. Areas will be required to set out how the National Conditions will be met in jointly agreed BCF plans to be signed off by local Health & Wellbeing Boards.

An area of significant difference to the BCF in 2017-19 will be the inclusion of Winter Pressures funding within the BCF for the first time. As expected the Government will continue to attach conditions for the use of this funding, specifically requiring councils to use this fund to alleviate pressures on the NHS over winter.

A national review of the BCF is currently being undertaken by Government to establish the parameters of any future funding beyond 31 March 2020, the review is likely to look at:

- The purpose and role of the fund.
- How funding flows can be managed in a way that is clearer and allows more focus on improving outcomes.
- How the fund can be administered with fewer burdens to local systems.

There is still uncertainty about how local engagement will happen and plans are unlikely to be finalised for a number of months. The result of the review is expected to feed into the Spending Review which itself is due in the Autumn.

## **COMMUNITY ENGAGEMENT**

### **LCC Awarded Bronze Level Award for the Defence Employer Recognition Scheme**

LCC has been awarded the Bronze level award of the Defence Employer Recognition Scheme (ERS). The scheme encourages employers to support defence and inspire others to do the same. The scheme encompasses bronze, silver and gold awards for employer organisations that pledge, demonstrate or advocate support to defence and the armed forces community and align their values with the Armed Forces Covenant.

As a Bronze award holder, LCC has pledged to support the armed forces, including existing or prospective employees who are members of the community. We have signed the Armed Forces Covenant and promote being armed forces-friendly and are open to employing reservists, armed forces veterans (including the wounded, injured and sick) and military spouses/partners. The award comes with an electronic certificate and logos to display.

### **Join the Dots – Inspired Communities**

The Community Engagement Team has organised the final Join the Dots legacy event – Inspired Communities – to bring together community groups and organisations that have attended all of the individual events held in each of the seven district council areas over the last two years. Ensuring that there is a legacy to the Community Collaboration project (due to end in March 2020) is going to be important, especially as many positive outcomes have been achieved through grass root groups working together, for the first time in many cases. This event will provide an opportunity for those groups and organisations that have collaborated so well in the creation of locally developed projects, to share and hear about inspirational activities; to network; and to discuss how they will continue to develop after the project ends. Councillors interested in attending the event should contact the Community Engagement Team for more information.

### **Financial Inclusion and Lincolnshire Co-op Community Champions**

Lincolnshire Co-op supports local charities and community groups through the Community Champions scheme. A donation is made every time a member shops in Lincolnshire Co-op stores using their dividend card and further money is raised through fundraising events and proceeds from the carrier bag levy.

The theme for the winter quarter (1 December 2018 to 2 March 2019) was 'Financial Wellbeing' and Lincolnshire Co-op has been fundraising for groups that offer financial inclusion advice and support. Through the Financial Inclusion Partnership, Lincolnshire County Council has been working with the Co-op to help them to navigate the sector, identify beneficiaries and co-ordinate their publicity and awareness campaign.

Last week Lincolnshire Co-op announced that the total amount raised was an amazing £147,643. Alongside fundraising, the Co-op has raised awareness of financial wellbeing and advice and support including through videos, online blogs and their internal magazine 'Linc'.

The funding raised will be distributed to beneficiaries in areas where Lincolnshire Co-op has outlets including in Nottinghamshire, Hull, North East Lincolnshire and Yorkshire. Lincolnshire charities are among those to benefit from the money raised including Lincolnshire Credit Union, local Citizens Advice Services and Lincs2Advice.

### **Training for those who work with, Support or Supervise LCC Volunteers**

A successful training programme has been delivered for LCC officers who support and/or supervise volunteers. From November 2018 to March 2019, seven interactive face-to-face workshops were developed and delivered by Voluntary Centre Services (VCS) as follows:

- Working Alongside Volunteers x 2
- Recruiting Volunteers x 2
- Supporting and Supervising Volunteers x 3

All workshops were fully booked, with reserve lists in operation. Feedback from participants was very positive, with high satisfaction ratings and a high proportion of officers reporting an increase in confidence and knowledge.

The strong interest has also identified a need for development of additional modules, such as, 'Involving volunteers with extra support needs' and 'Volunteers and the Law'.

## **COUNTY COUNCIL MEETING – 17 MAY 2019**

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

### **CULTURE**

#### **Libraries**

April saw the start of the fourth year of Greenwich Leisure Limited's (GLL) contract with the Council, for the delivery of the County's Library Service. The five year contract commenced on 1 April 2016 and has the option to be extended for a further five year period until 31 March 2026.

#### **Libraries Performance**

Overall performance remains strong; GLL recognises how important libraries are to their local communities and is committed to ensuring that services reflect the needs and interests of the communities they serve.

In 2018/19, a continued focus on improving library stock saw issues for core, mobile and e-services rise by 3%, breaking the two million issues mark and achieving 12% above the contract KPI target.

GLL has invested intensively in the training of members of library staff, so that they can help customers to expand their reading horizons and to get the most from their library visit. This training also enabled staff to encourage families to share their love of reading and books in GLL's 'Book Bingo Family Reading Challenge'. Nearly 400 families took part in this inter-generational reading scheme across the county, with book token prizes kindly donated by the LCC Family Services Directory.

The level of community use and the number of library events continued to grow, with the annual Summer Reading Challenge seeing a 10% increase in children starting the challenge in core and mobile libraries and an 11% increase in those completing. National Libraries Week was celebrated across the county with nearly 200 events and activities. Linked to the week's theme of 'Wellbeing', activities included drop-in surgeries from Wellbeing Lincs, talks on healthy eating (including a vegan cookery demonstration at Skegness), tai chi and 'stretch and flex' taster sessions, poetry readings, a human library and choirs at Boston, Lincoln and Sleaford, as well as a community wellbeing sing-a-long at Stamford.

GLL's annual customer survey in 2018 saw Lincolnshire libraries maintain their record of 100% of customers rating their overall satisfaction with the library service as good or very good, with staff helpfulness and knowledge rated at 99% and the choice of books at 97%.

GLL's main focus in Year Four is to build upon the successes of previous years, paying particular attention to exploring new IT developments. GLL and LCC are committed to working together; moving forwards to ensure a modern IT offer can be implemented in the near future, ensuring that customer needs are fully met.

## **Community Hubs**

GLL continue to provide support to 36 community hubs through dedicated Library Development Officers. Of these, 34 hubs are community group run. A library provision is provided at Belton Lane Children's Centre and at all three Lincolnshire hospitals; these are managed by the staff at each location but supported by GLL.

Following Learning Communities' voluntary liquidation in May 2018, Ignite Church (Elim Trust) have commenced delivery of both the Birchwood and Boutham Community Hubs. This is proving to be a successful arrangement, with the group expanding upon activities and opportunities at each venue.

The Ermine hub continues to be managed via GLL, however discussions are ongoing with a potential provider to take over the management at this site.

Discussions are also ongoing with two further organisations about the potential of establishing two new Community Hubs in 2019.

## **Lincoln Castle**

Lincoln Castle's season launch has taken inspiration from Lewis Carroll's Alice in Wonderland and links into the City's broader event theme for 2019 – Victoriana. There are lots of events and activities planned including an Easter trail and an opportunity to have tea with the Mad Hatter.

The castle's first official 'late' event took place on the 5 and 6 April. The 'Topsy Tea Party;' took place in the Victorian Prison and was a sell-out event with visitors enjoying an evening of Wonderland inspired cocktails and sweet treats.

A highlight of the season launch has been the display of Alice Through the Looking Glass in the Magna Carta Vault. It is signed and dated from Lewis Carroll to Tennyson, with a date before the printed first edition publish date inside the book. The book forms part of the Tennyson Collection.

## **The Collection**

### **Museum of the Moon - 2<sup>nd</sup> March – 28<sup>th</sup> April**

Museum of the Moon is a new touring artwork by UK artist Luke Jerram. Measuring six metres in diameter, the moon features detailed NASA imagery of the lunar surface. The first six weeks of the exhibition has seen 29,475 visitors.

The Collection is trialling a 'Pay-What-You-Decide' approach, to enable as many people as possible to experience this phenomenal art work and has seen an increase in donations for March 2019 of over £11,000.

The exhibition is supported by a series of events and activities such as Museum of the Moon Late Nights at The Collection, Moonlight Yoga, and Lunchtime Lectures

### **Eclipse Chasers**

Alongside Museum of the Moon, the Courtyard Gallery at The Collection is hosting 'Eclipse Chasers – The Great American Eclipse' a series of photographs by documentary photographer, Keith James.

### Planetarium

The museum hosted an impressive inflatable dome where you can gaze at a projection of the night sky and navigate around the stars and planets in our solar system. The initial run of 400 tickets sold within a couple of weeks, so an additional 100 were added and due to the success of this profit generating activity we are hosting the planetarium again on 27 and 28 April.

### Cover Art for the next Hello Lincoln What's On Guide

Talented students from University of Lincoln created the next front cover of the popular Hello Lincoln What's On Guide. Visitors had a chance to vote for their favourite work at an exhibition of the results of the students' efforts in The Courtyard Gallery from 5 - 22 February 2019.

### Minecraft

In February, the MineVention weekend celebrated the game Minecraft through scheduled activities such as Build Battles, educational talks on Minecraft, tournaments, Q&A sessions, arts and crafts, and on-stage challenges. The event saw a surplus of nearly £3,000 and 1211 people visiting over the three days.

### Learning Team

It has been an exciting few months researching the possibilities for our new Investigate Learning outreach offer.

The existing workshops have been extended to include creative arts workshops that link to our excellent exhibitions and events. In 2018, we became an Artsmark Partner at The Collection Museum with the aim to offer support and build a team to lead the arts sessions.

The Learning Team are also reviewing the extensive number of established loans boxes. These fifty plus boxes are hired out, mainly by schools and some community groups. The Learning Manager has consulted with teachers and other interested visitors to confirm that the availability of new 'outreach kits' would be something that they would be very interested in.

The Learning Team deliver workshops every day on site, however many schools and groups find it difficult to pay the transport costs to visit. Therefore, we are now considering how we may send outreach staff to deliver workshops too. In recent months, we have been researching what outreach is offered at other sites across the country and we also enlisted the help of a group of primary pupils on their Kids in Museums Takeover Day in November 2018 to share their ideas.

## **EMERGENCY PLANNING**

### Fire Response

The last year has been a busy one for Lincolnshire Fire and Rescue (LFR). In 2018, the service had to deal with "The Beast from the East" as well as one of the hottest and driest summers on record. These extremes put a great deal of pressure on our

teams and fire crews – especially when we consider that around 70% of our firefighters are on call staff and have other employment or businesses to run.

Our main activity statistics were:

- 22,752 emergency calls received
- 10,468 incidents broken down as :
  - 20% fires
  - 9% special services such as rescues from height or in water or assisting other agencies
  - 5% road traffic collisions
  - 24% false alarms
  - 42% medical response

The service has also seen some difficult incidents including incidents with multiple casualties in Collingham (LFR supporting Nottinghamshire for Fire Investigation) and Kirton which are still under investigation.

It has also been a difficult year on the roads with some very bad days for fatalities. The worst incident in March was a tragic road collision on Ermine Street, Welton Cliff, near Lincoln - six teenagers were involved in one vehicle which regrettably resulted in the sad loss of three lives. The service continues to reinforce the critical road safety messages across all stations and through an embedded safety advocate within the Lincolnshire Road Safety Partnership.

### **Fire Station Chief Officer Group (COG) Inspections**

LFR is starting this year's round of COG Inspections/audits. Local Divisional Commanders will be extending invites to their local county councillors who are most welcome to attend and observe the evening's activities. The Chief is keen to build closer links between local councillors and their community fire stations.

### **Fire Protection**

Following the catastrophic fire in June 2017 at Grenfell Tower, Dame Judith Hackitt was asked by the Government, to conduct an independent review of building regulations and fire safety. The aim of the review was to make recommendations that will ensure there is a sufficiently robust regulatory system for the future and provide further assurance to residents that the buildings they live in are safe and will remain so.

In March, our protection team attended a national workshop to support the National Fire Chiefs Council, Building Safety Programme. The team have been set up to support the implementation of the recommendations made by the Independent Review of Building Regulations and Fire Safety. LFR Protection team continue to support the findings of the review from a regional and national perspective.

## **Fire Prevention**

In the last quarter, we have recruited two new Community Fire Safety (CFS) advocates to the team. They will support LFR and partners in a number of new initiatives we are carrying out. These include:

- Dementia and Scam Awareness training to WT crews.
- Reviewing the content of our Safe & Well checks. We are working with the Fire Brigades Union to develop an agreed process to support our crews in delivering these improved types of checks aimed at making people safe in their homes – from fire and other dangers in the home.
- Reviewing our safeguarding policy and agreed refresher training to be delivered later this year. All LFR staff are required to receive safeguarding training on an annual basis.

In addition to the initiatives above, we are also looking to increase our Fire Cadet Instructor cadre. There are vacancies at Boston, Lincoln and Spalding. The Fire Cadets at Spalding will see the introduction of a new section and our third team is due to be up and running by early June.

## **Blue Light Collaboration**

Development of the new joint fire, police and ambulance station at the South Park site continues with visible progress currently being made on a weekly basis. Plans for fire and ambulance to occupy the site by July 2019, and police by October 2019, remain on target. Work on the wider estate also continues with the focus on working through opportunities with both police and EMAS to fully understand which sites provide improved value to the public whilst maintaining or improving service delivery.

Following on from the 2018 Blue Light Symposium reported last quarter, there has been key progress in relation to the broader integration activities include sharing of operational incident welfare facilities and potential for a joint fire and police command support capability.

## **Fire and Rescue Inspection**

LFR was inspected during the summer by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) as part of a new independent inspection process.

LFR received a positive report being graded 'Good' for how effective it is at keeping people safe from fire and other risks and 'Good' for how efficiently it delivers the Service. However, LFR was graded as 'Requires Improvement' in how well it looks after its people. This primarily related to concerns over the effective recording and monitoring of training (getting the right people with the right skills). In addition, concerns were raised about our fire protection resources. Both of the items above had been identified prior to the inspection and action plans for resolving the issues were already underway.

Despite the areas identified for improvement for LFR, this was a strong report recognising the broad range of excellent work being carried out across the Service.

## **People**

Following the retirement of Chief Fire Officer Nick Borrill in January 2019, Les Britzman was confirmed as Chief Fire Officer following a selection process.

The Service recruited twelve new wholetime firefighters in January 2019, with all successfully completing their initial ten week training and taking up their postings on station on 1 April 2019. We continue to recruit on-call firefighters (averaging 60 per year) with eleven being trained during January – March and another 17 commenced their initial training on 7 April 2019.

## **Emergency Planning**

The Emergency Planning and Business Continuity Service continues to be instrumental in the implementation of the LRF's Command & Control review recommendations. A new training course was developed and over 120 strategic commanders from across the Lincolnshire Resilience Forum have received training alongside the development of a new command folder that each now has to assist during their response to emergencies. These folders have been held up by Ministry of Housing, Communities and Local Government and Cabinet Office as best practice and there is much interest from other LRF's in adopting this initiative. The next stage will be to implement and deliver training to tactical commanders.

During December 2018, the Service underwent an internal audit based upon the Emergency Planning Command Structure which concluded with a rating of "Substantial Assurance". It also received 100% Green status in the Combined Assurance Status report.

EU Exit has had a huge impact on service delivery. LCC and the LRF have both been undertaking contingency planning since October 2018 and are still actively engaged in the process temporarily necessitating some projects to be placed on hold. The Service are currently supporting an LRF task and finish group and Strategic Co-ordinating Group along with the requirement from Cabinet Office for daily reporting on risk and progress.

## **Other Key Projects**

This year sees the rollout of 33 new Scania fire engines and equipment including Cobra Cold Cut firefighting technology – representing over £8million of investment in the county's fire service and arguably giving Lincolnshire the best equipment and vehicles in the country. Consultation has chosen a traditional fire appliance design but with modern messaging on the locker bays and increased visibility for Lincolnshire County Council.

Also, LFR have secured £100,000 from EMAS to continue to support Lincolnshire Joint Ambulance Conveyance project and also this year is 20 years of LFR undertaking medical response calls. This makes LFR unique and at the forefront of medical response among fire services.

## **Coroners Service**

The new Senior Coroner for Lincolnshire, Mr Timothy Brennand, has now completed nearly six months in post. During that time he has taken the opportunity to meet many stakeholders across a wide range of networks, e.g. police, mortuary staff, pathologists, toxicology staff, general practitioners, funeral directors and healthcare professionals as well as corporate colleagues involved with suicide prevention and safeguarding. At a strategic level he has raised the profile of the Coroners Service and attended many public events.

There are also a number of changes to policy that are being developed and implemented following a review of working practices. Mr Brennand is keen to reduce timescales for families waiting for inquest and the new case management system is helping to support this. We also continue to look for appropriate accommodation for inquests, with facilities that provide both a judicial setting, but one that has a sensitive ambiance for those who are attending the inquest of a family or friend.

The Coroners Service would also like to acknowledge the long service of Richard (Dick) Marshall who will retire in May 2019 as an Assistant Coroner. Dick has worked as an Assistant (previously known as Deputy Coroner) for three decades. He has presided in hundreds, if not thousands, of inquests with skill, integrity, diligence and above all compassion for the bereaved. He has never been appealed and has been a steadfast and reliable coroner – often volunteering to assist in times of operational crisis and at short notice. His contribution to the provision of coronial service in Lincolnshire is considerable – not just in open court, but in the smooth running of the vast paperwork touching and concerning several thousand reported deaths that are the subject of coronial investigation that do not then result in an inquest. His quiet counsel and utter dependability, consistency, professionalism and skill will be difficult, if not impossible, to replace.

## **Registration Service**

In November 2018 Lincolnshire was one of the first local authorities to pilot a European Union Settlement Scheme supported application service for those applying for settled and pre-settled status in the UK. The aim is for the Registration Service to help individuals with their applications, and provide a biometric 'chip checker' service. This has now been rolled out to over 50 sites across the country, with two locations in Lincolnshire – Lincoln and Boston.

New legislation has been passed in the House of Commons and the House of Lords – Civil Partnerships, Marriages and Deaths (Registration Etc.) Act 2019 with Royal Assent received 26 March 2019. This will make fundamental changes to the way marriages are registered with the formal addition of mother's names in the marriage register for the first time, and a move to a schedule system which will replace the historic green registers. Another aspect of this Act is the introduction of Civil Partnerships for opposite sex couples to provide equality in choice for their legal commitment to each other.

The Act will also consider whether the Coroner should investigate stillbirths and there is also consideration of early pregnancy loss and the impact that has on families and how these could be recognised or registered.

In April the Registration Service achieved a long time ambition to offer death appointments at the Swanpool Suite at Lincoln County Hospital. Whilst this is in its early days, it has been incredibly well received by families so far. These appointments allow the family to collect personal possessions, the Medical Certificate of Cause of Death and register the death all at the same time.

Once again I would like to acknowledge the hard work of Registration and Coroners staff over the winter months, when the focus on death investigation and registration can be all encompassing.

## **COUNTY COUNCIL MEETING – 17 MAY 2019**

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

### **COMMUNITY SAFETY**

#### **Trading Standards**

The Trading Standards Service became the first Service in the Country to bring a prosecution against a landlord who continued to let premises to those involved in the sale of illicit tobacco products despite several warnings not to accept rental payments that were derived from the proceeds of crime. Adopting this novel approach with other landlords has resulted in a number of problem businesses being evicted from premises by those who have received similar warnings. The Service has received enquiries about this model from other Local Authorities across the Country who also want to tackle persistent offending in their communities.

Trading Standards successfully prosecuted a local car dealer for supplying a dangerous second hand vehicle. Having been advised that officers had seized the vehicle, the defendant posed as a Trading Standards Officer from Norfolk in an attempt to recover the vehicle. In another first for the Service he was also charged with attempting to pervert the course of justice and was sentenced to twelve months imprisonment.

These prosecutions have contributed to an annual total of successful prosecutions resulting in convictions for 18 defendants who were collectively sentenced to one year and six months imprisonment, 24 months in suspended sentences, 1670 hours unpaid work, £1410 in fines and curfew orders with electronic tags for 13 months. They were ordered to pay prosecution costs totalling £45,396.36.

The Service has extended its partnership working with Lincolnshire Fire and Rescue and we now share information relating to house fires involving consumer products and work together to inform and protect Lincolnshire residents. Trading Standards has successfully bid for funding from the Office for Product Safety and Standard to produce a best practice toolkit based on our approach for other services to adopt nationally.

#### **Community Safety**

The County Council's Community Safety Team offers coordination support to the Safer Lincolnshire Partnership. This partnership and all its collective members are committed to working collaboratively with the objective of keeping people in Lincolnshire safe. The Community Safety Team carries out a range of other functions to support the work of the Partnership, including the procurement of the county's Domestic Abuse Support Services as well as the procurement, implementation and contract management of an I.T. solution that will enable partners more effectively to manage anti-social behaviour in the County.

The Community Safety Team gathers intelligence on a range of community safety issues to inform the work of the partnership, and evaluates and reports on the

performance of a number of partnership initiatives such as ARC (Assisting Rehabilitation through Collaboration) (prolific offending) and The BlueLight Project (treatment resistant drinkers). The County Council is host to the latter two multi-disciplinary teams as well as ACTion Lincs, whose focus is to address entrenched rough sleeping in the county.

As part of the re-tendering of the County's Domestic Abuse Support Service contract, the Council invested in some new elements of service including a hospital-based Independent Domestic Violence Advisor (IDVA) provision. An IDVA service was established at Lincoln County Hospital in January of this year, with the service being mirrored at Boston Pilgrim Hospital from April 2019 onwards. The aims of this service are to reduce the immediate risk of harm and homicide, and improve the physical and mental health outcomes of those affected by domestic abuse and receiving treatment. The hospital-based IDVA provides immediate support and advice to victims to improve their safety and advocacy, as well as link them and their families to longer-term specialist community-based support services.

Although still early days, the IDVA at Lincoln County Hospital has engaged with more than 20 people experiencing domestic abuse. The IDVA has also undertaken a number of other activities, from consultations and briefings/training sessions, to enhance the ability of front line staff to recognise and respond to domestic abuse and raise awareness of support services.

The Community Safety Team have also been working in collaboration with a local Domestic Abuse Provider to support large local employers in developing their Human Resources policies and procedures in relation to domestic abuse, as well as raising awareness of how employers can support both victims and perpetrators. To date the project has engaged with Lincolnshire Co-op, Bakkavor, Boston College, Moy Park and HMP North Sea Camp.

## **PEOPLE MANAGEMENT**

### **Apprenticeship Reforms**

As at the end of March 2019, the total number of apprentices is 145, of which 59% are being delivered by local training providers.

The first Children's Services Social Work Apprentices have commenced their training with the University of Sheffield; this is a 3 year programme that involves 10 candidates.

As of 1 April 2019 levy paying organisations are able to transfer up to 25% of their levy to eligible employers directly. The Council has set up and is ready to transfer levy funds to support 69 apprentices in the Lincolnshire Adult Care Sector.

There have been some positive local and national recognition for our apprenticeships. The Council's HR apprentice Kelly Moffat, was shortlisted for the national PPMA (Public Service People Management Association) awards. At the recent Boston College Apprentice of the Year awards Rebekah Bowen of Alford Primary School, was awarded the Apprentice of the Year in Early Years and Schools Category.

The Corporate Management Board are formally reviewing the Council's current Apprenticeship Strategy to determine any changes to our approach which would enable the Council to further maximise the apprenticeship levy spend and to develop the required skills for the future.

## **LEGAL SERVICES**

Legal Services Lincolnshire (LSL) continues to support the work of the County Council and its District Council partners.

The service also seeks to attract external income from other sources where it has the capacity and expertise to do so.

The County Council and a number of the District Council partners are pursuing more innovative ways of exercising their functions and promoting the development of their areas. This includes the creation of new entities such as companies. This can mean that activities such as buying land or entering into contracts which traditionally would have been carried out by the Council itself may increasingly be carried out by a specially created company.

As a service staffed predominantly by solicitors LSL is regulated in relation to its professional obligations by the Solicitors Regulation Authority (SRA).

The SRA has issued guidance on the degree to which an in-house team can carry out work for other clients without being authorised by the SRA. That Guidance impacts on the ability of LSL to act for entities such as companies created by the District Council partners and to attract additional income by offering its services more widely to the public sector.

As a result the Executive will be considering at its meeting on 8 May 2019 the creation of a company with a view to that company being licenced by the SRA to provide legal services to a wider range of bodies.

That would enable the Council both to continue to act for existing partners as they establish new entities such as companies and to offer services more widely where appropriate to attract additional income to support the costs of the service and to sustain it as a resource for the County Council and the District Council partners.

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**Open Report on behalf of David Coleman, Chief Legal Officer**

|            |  |
|------------|--|
| Report to: | <b>County Council</b>  |
| Date:      | <b>17 May 2019</b>   |
| Subject:   | <b>Political balance on committees and sub-committees and allocation of places to political groups</b> |

**Summary:**

There is a duty to review political balance on committees and sub-committees and allocation of seats to political groups at the annual meeting of the Council. Since the last review in May 2018, the political make-up of the Council has not changed. There is therefore no impact on the current political balance of committees, sub-committees and outside bodies of the Council.

**Recommendation(s):**

- 1) That Council notes that there has been no change in the political make-up of the Council since the last review of the political balance on committees and sub-committees.
- 2) That Council adopts the political balance of committees and sub-committees attached as Appendix A to this report.

## **1. Background**

1.1 The Council is required by the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 (as amended) to review the allocation of seats to political groups on committees and sub-committees. Under the Council's Constitution the composition of committees and sub-committees is the responsibility of the full Council. This was last reviewed at the annual meeting of Council on 11 May 2018.

1.2 Proportionality is based not on political parties but on political groups. A political group is simply a grouping of elected members which has been validly formed under the 1990 Regulations and consists of those elected members who have been validly notified as being a member of that group. A political group cannot have fewer than two members and an elected member cannot be a member of more than one political group.

1.3 The current political groupings on the Council are as follows:

| <b>Political Group</b> | <b>Number of Councillors</b> |
|------------------------|------------------------------|
| Conservative           | 57                           |
| Labour                 | 6                            |
| Independent            | 5                            |

1.4 In addition there are two elected members who do not belong to a political group.

1.5 Under Regulation 16 of the 1990 Regulations, where some of the members of the relevant authority fall to be treated as members of one or more political groups and the others do not, the Council's obligations are as follows

- To determine the allocation to each of the political groups of such of the seats that fall to be filled as bears to the total of all seats the same proportion as the number of members of that group bears to the membership of the authority; and
- To secure that persons appointed to any seats that do not fall to be allocated to a political group under the above requirement are not a member of a political group

1.6 There are 127 seats that fall to be filled by the Council. The Table below sets out the political groups, the number of councillors and the proportion of the total membership of the authority that belong to that group. Using that percentage the final column of the Table shows the number of seats that the Council can allocate to each of the political groups.

| <b>Political Group</b> | <b>Number of Councillors</b> | <b>%</b> | <b>Number of seats</b> |
|------------------------|------------------------------|----------|------------------------|
| Conservative           | 57                           | 81.43    | 103                    |
| Labour                 | 6                            | 8.57     | 11                     |
| Independent            | 5                            | 7.14     | 9                      |

1.7 The remaining seats (four in number) cannot be allocated to the political groups and must be allocated to the members who are not members of a political group.

1.8 In allocating seats on politically balanced committees and sub-committees to political groups as set out above the Council must only make such determinations as give effect, so far as reasonably practicable, to the following principles (in the order shown)

- a) that not all of the seats on the body are allocated to the same political group
- b) that the majority of seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the Council's membership

- c) that the number of seats on the ordinary committees of the Council which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of the Council as is borne by the number of members of that group to the membership of the Council and
- d) that the number of seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

1.9 In applying principles c) and d) above the proportion of members of a group to the membership of the Council is calculated using the % above. The legal entitlements for all the political groups, applying the above principles, are attached as an appendix to this report.

1.10 It is the duty of the Council having allocated seats on the committees and sub-committees of the Council to the political groups to make appointments to those seats in accordance with the wishes of the group. If the group fails to express its wishes within three weeks beginning with the day it is notified of its allocation of seats by the proper officer the Council may make such appointment to that seat as it sees fit.

1.11 Although the political make-up of the Council has not changed since the last review of the allocation of seats to the political groups, the attached spreadsheet does reflect the appointment of a second independent member of the Audit Committee agreed by Council in September 2018.

## **2. Conclusion**

It is a matter for the Council to allocate seats on committees and sub-committees to the political groups on the Council, which it must do in accordance with the law relating to proportionality.

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

Council is required to review the allocation of seats on the Committees of the Council to political groups in accordance with the law relating to proportionality as set out in the Report.

The decision is within the remit of the Council.

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

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

## 5. Consultation

### a) Has Local Member Been Consulted?

n/a

### b) Has Executive Councillor Been Consulted?

Yes

### c) Scrutiny Comments

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  | Allocation of seats to political groups for the year 2019/20 |

## 7. Background Papers

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

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

Proportionality spreadsheet 17 May 2019

|  | Committee Members |           |                                     |   |  | "Actual"  |          |          |            |          | Control total for Councillor seats | Proportional entitlement |             |             |             |             | Control Totals |
|--|-------------------|-----------|-------------------------------------|---|--|-----------|----------|----------|------------|----------|------------------------------------|--------------------------|-------------|-------------|-------------|-------------|----------------|
|  | Cllrs             | Others    | Total on Committee per Constitution | Total seats when applying proportionality and Education rules | Number of Conservative seats on the basis of percentages | Con       | Lab      | Ind      | Lincs Ind* | Lib Dem* |                                    | Con                      | Lab         | Ind         | Lincs Ind   | Lib Dem     |                |
| Seats on the Council                                       |                   |           |                                     |   |  |           |          |          |            |          |                                    |                          |             |             |             |             | 70.00          |
| <b>Party Balance</b>                                       |                   |           |                                     |   |  |           |          |          |            |          |                                    |                          |             |             |             |             | 100%           |
| Overview and Scrutiny Management Board                     | 11                | 4         | 15                                  | 15.0  | 9.0  | 9         | 1        | 1        | 0          | 0        | 11.0                               | 8.96                     | 0.94        | 0.79        | 0.00        | 0.00        |                |
| Adults and Community Wellbeing Scrutiny Committee          | 11                | 0         | 11                                  | 11.0  | 9.0  | 9         | 1        | 0        | 1          | 0        | 11.0                               | 8.96                     | 0.94        | 0.79        | 0.00        | 0.00        |                |
| Children and Young People Scrutiny Committee               | 11                | 4         | 15                                  | 15.0  | 9.0  | 9         | 1        | 0        | 0          | 1        | 11.0                               | 8.96                     | 0.94        | 0.79        | 0.00        | 0.00        |                |
| Public Protection and Communities Scrutiny Committee       | 11                | 0         | 11                                  | 11.0  | 9.0  | 9         | 1        | 1        | 0          | 0        | 11.0                               | 8.96                     | 0.94        | 0.79        | 0.00        | 0.00        |                |
| Highways and Transport Scrutiny Committee                  | 11                | 0         | 11                                  | 11.0  | 9.0  | 9         | 1        | 1        | 0          | 0        | 11.0                               | 8.96                     | 0.94        | 0.79        | 0.00        | 0.00        |                |
| Environment and Economy Scrutiny Committee                 | 11                | 0         | 11                                  | 11.0  | 9.0  | 9         | 1        | 1        | 0          | 0        | 11.0                               | 8.96                     | 0.94        | 0.79        | 0.00        | 0.00        |                |
| Flood and Water Management Scrutiny Committee              | 11                | 0         | 11                                  | 11.0  | 9.0  | 9         | 1        | 1        | 0          | 0        | 11.0                               | 8.96                     | 0.94        | 0.79        | 0.00        | 0.00        |                |
| Audit Committee  | 7                 | 2         | 9                                   | 9.0   | 6.0  | 6         | 1        | 0        | 0          | 0        | 7.0                                | 5.70                     | 0.60        | 0.50        | 0.00        | 0.00        |                |
| Pensions Committee   | 8                 | 3         | 11                                  | 11.0  | 7.0  | 7         | 0        | 1        | 0          | 0        | 8.0                                | 6.51                     | 0.69        | 0.57        | 0.00        | 0.00        |                |
| Planning and Regulation Committee                          | 15                | 0         | 15                                  | 15.0  | 12.0   | 12        | 1        | 1        | 1          | 0        | 15.0                               | 12.21                    | 1.29        | 1.07        | 0.00        | 0.00        |                |
| Health Scrutiny Committee for Lincolnshire                 | 8                 | 8         | 16                                  | 16.0  | 7.0  | 6         | 1        | 1        | 0          | 0        | 8.0                                | 6.51                     | 0.69        | 0.57        | 0.00        | 0.00        |                |
| Appointments Committee                                     | 12                | 0         | 12                                  | 12.0  | 10.0   | 9         | 1        | 1        | 0          | 1        | 12.0                               | 9.77                     | 1.03        | 0.86        | 0.00        | 0.00        |                |
| <b>Totals (excludes Executive)</b>                         | <b>127</b>        | <b>21</b> | <b>148</b>                          | <b>148</b>  | <b>105</b>   | 103       | 11       | 9        | 2          | 2        | 127.0                              | 103.42                   | 10.88       | 9.07        | 2.00        | 2.00        | 127.37         |
|  |                   |           |                                     |   |  |           |          |          |            |          | <b>148.0</b>                       | <b>103</b>               | <b>11</b>   | <b>9</b>    | <b>2</b>    | <b>2</b>    | 127.00         |
| <b>Sub-Committees</b>                                      |                   |           |                                     |   |  |           |          |          |            |          |                                    |                          |             |             |             |             |                |
| Pay Policy Sub-Committee                                   | 7                 | 0         | 7                                   |   |  | 6         | 0        | 1        | 0          | 0        | 7.0                                | 5.70                     | 0.60        | 0.50        | 0.00        | 0.00        |                |
| Definitive Map & Statement of PROW Sub-Committee           | 7                 | 0         | 7                                   |   |  | 6         | 1        | 0        | 0          | 0        | 7.0                                | 5.70                     | 0.60        | 0.50        | 0.00        | 0.00        |                |
| <b>Total Sub-Committees</b>                                | <b>14</b>         | <b>0</b>  | <b>14</b>                           |   |  | <b>12</b> | <b>1</b> | <b>1</b> | <b>0</b>   | <b>0</b> | <b>14.0</b>                        | 11.40                    | 1.20        | 1.00        | 0.00        | 0.00        | 13.98          |
|  |                   |           |                                     |   |  |           |          |          |            |          |                                    | <b>11</b>                | <b>1</b>    | <b>1</b>    | <b>0</b>    | <b>0</b>    | 13.00          |
| <b>Outside Bodies - Politically Balanced</b>               |                   |           |                                     |   |  |           |          |          |            |          |                                    |                          |             |             |             |             |                |
| IFCA   | 2                 | 0         | 2                                   |   |  | 2         | 0        | 0        | 0          | 0        | 2.0                                | 1.63                     | 0.17        | 0.14        | 0.00        | 0.00        |                |
| ESPO Management Committee                                  | 2                 | 0         | 2                                   |   |  | 2         | 0        | 0        | 0          | 0        | 2.0                                | 1.63                     | 0.17        | 0.14        | 0.00        | 0.00        |                |
| Gibraltar Point Joint Advisory Committee                   | 4                 | 0         | 4                                   |   |  | 3         | 1        | 0        | 0          | 0        | 4.0                                | 3.26                     | 0.34        | 0.29        | 0.00        | 0.00        |                |
| South East Lincolnshire Joint Strategic Planning Committee | 3                 | 0         | 3                                   |   |  | 2         | 0        | 1        | 0          | 0        | 3.0                                | 2.44                     | 0.26        | 0.21        | 0.00        | 0.00        |                |
| Central Lincolnshire Joint Strategic Planning Committee    | 3                 | 0         | 3                                   |   |  | 3         | 0        | 0        | 0          | 0        | 3.0                                | 2.44                     | 0.26        | 0.21        | 0.00        | 0.00        |                |
| Snipe Dales Joint Advisory Committee                       | 4                 | 0         | 4                                   |   |  | 3         | 1        | 0        | 0          | 0        | 4.0                                | 3.26                     | 0.34        | 0.29        | 0.00        | 0.00        |                |
| Wolds AONB Member Joint Advisory Committee                 | 2                 | 0         | 2                                   |   |  | 2         | 0        | 0        | 0          | 0        | 2.0                                | 1.63                     | 0.17        | 0.14        | 0.00        | 0.00        |                |
| <b>Total Outside Bodies</b>                                | <b>20</b>         | <b>0</b>  | <b>20</b>                           |   |  | <b>17</b> | <b>2</b> | <b>1</b> | <b>0</b>   | <b>0</b> | <b>20.0</b>                        | <b>16.29</b>             | <b>1.71</b> | <b>1.43</b> | <b>0.00</b> | <b>0.00</b> | <b>19.43</b>   |
|  |                   |           |                                     |   |  |           |          |          |            |          |                                    | <b>16</b>                | <b>2</b>    | <b>1</b>    | <b>0</b>    | <b>0</b>    | 19.00          |

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**Open Report on behalf of Andrew Crookham, Executive Director -  
Resources**

|            |  |
|------------|--|
| Report to: | <b>County Council</b>  |
| Date:      | <b>17 May 2019</b>   |
| Subject:   | <b>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 Bourne Town Hall Trust Management Committee)</b> |

**Summary:**

The purpose of this report is to consider the appointment of Chairmen and Vice-Chairmen of the Council's Committees and Sub-Committees for the Municipal Year 2019/20.

**Recommendation(s):**

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

## **1. Background**

The Council has approved, under the preceding item of business the allocation of seats to political groups and the appointments to Committees and Sub-Committees.

Nominations for the appointment of Chairmen and Vice-Chairmen will be circulated.

## **2. Legal Issues:**

### Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- \* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- \* Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- \* Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

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

- \* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- \* 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
- \* 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

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

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

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

There are not considered to be any equalities impacts arising out of considering and approving the appointment of Chairmen and Vice-Chairmen of Committees and Sub-Committees.

#### Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

There are no implications for the JSNA of JHWS in relation to the appointment of Chairmen and Vice-Chairmen of Committees and Sub-Committees.

#### Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting

the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

There are no implications in relation to Crime and Disorder arising from the appointment of Chairmen and Vice-Chairmen of Committees and Sub-Committees.

### **3. Conclusion**

Under the Council's Constitution it is for the Council at the Annual Meeting of the Council to appoint the Chairmen and Vice-Chairmen of Committees and Sub-Committees, excluding the Health Scrutiny Committee for Lincolnshire, the Lincolnshire Health and Wellbeing Board and the Bourne Town Hall Trust Management Committee. Councillors are asked to consider the nominations circulated at the meeting.

### **4. Legal Comments:**

The Council's Constitution provides for the Council to appoint the Chairmen and Vice-Chairmen of the Council's Committees and Sub-Committees, (with the exception of the Health Scrutiny Committee for Lincolnshire, the Lincolnshire Health and Wellbeing Board and the Bourne Town Hall Trust Management Committee) and for appointments to take place at the Annual Meeting.

### **5. Resource Comments:**

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

### **6. Consultation**

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

n/a

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

n/a

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

n/a

#### **d) Have Risks and Impact Analysis been carried out??**

No

### **e) Risks and Impact Analysis**

Not applicable

### **7. Appendices**

|   |   |
|---|---|
| These are listed below and attached at the back of the report |   |
| Appendix A  | Nominations for the positions of Chairmen and Vice-Chairmen of Committees and Sub-Committees – to be circulated at the meeting. |

### **8. Background Papers**

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

This report was written by Katrina Cope, who can be contacted on 01522 552104 or [katrina.cope@lincolnshire.gov.uk](mailto:katrina.cope@lincolnshire.gov.uk).

**Open Report on behalf of Andrew Crookham, Executive Director -  
Resources**

|            |                                     |
|------------|-------------------------------------|
| Report to: | <b>County Council</b>               |
| Date:      | <b>17 May 2019</b>                  |
| Subject:   | <b>Calendar of Meetings 2019/20</b> |

**Summary:**

This report proposes a Calendar of Meeting dates, shown in Appendix A for the year 2019/20.

**Recommendation(s):**

That the Calendar of Meeting dates, as shown in Appendix A, be approved.

## **1. Background**

The Council's Constitution requires that the Council approves a programme of ordinary meetings of the Council for the year at its Annual Meeting in May.

Attached is a schedule of proposed dates for 2019/20. The 2019 dates are based on those agreed by the Council in May 2018, and as later amended, and the 2020 dates are based on the 2019 schedule.

Please note that as a result of the August Bank Holiday in 2020, the Flood and Water Management Scrutiny Committee will be held on Tuesday 1 September 2020.

## **2. Legal Issues:**

### Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- \* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- \* Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- \* Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

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

- \* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- \* 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
- \* 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

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

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

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

There are no implications of the Equality Act 2010 in adopting the Calendar of Meeting Dates for 2019/20.

### Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

There are no implications for the JSNA of JHWS in relation to approval of these dates.

### Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

There are no implications in relation to Crime and Disorder from the approval of these dates.

### 3. Conclusion

Councillors are asked to consider and approve the Calendar of Meeting Dates for 2019/20 as detailed at Appendix A.

### 4. Legal Comments:

The Council's Constitution provides for the Annual Council Meeting to approve a programme of ordinary meetings of the Council for the forthcoming year.

### 5. Resource Comments:

There are no specific financial implications arising from the recommendations of this report.

### 6. Consultation

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

n/a

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

n/a

#### c) Scrutiny Comments

n/a

#### d) Have Risks and Impact Analysis been carried out??

No

#### e) Risks and Impact Analysis

Not applicable

### 7. Appendices

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

|            |                                     |
|------------|-------------------------------------|
| Appendix A | Calendar of Meeting Dates 2019/2020 |
|------------|-------------------------------------|

## 8. Background Papers

| Document name                     | Where it can be viewed                      |
|-----------------------------------|---|
| Calendar of Meeting Dates 2018/19 | Democratic Services and the Council website |

This report was written by Katrina Cope, who can be contacted on 01522 552104 or [katrina.cope@lincolnshire.gov.uk](mailto:katrina.cope@lincolnshire.gov.uk).

|         | MAY 2019                                       | JUNE 2019  | JULY 2019   | AUG 2019                                      | SEPTEMBER 2019                                    | OCTOBER 2019                                      | NOVEMBER 2019                                  | DECEMBER 2019                                      |
|---------|--|--|---|---|---|---|--|--|
| Sat/Sun |  | 1 & 2  |   |   | 1   |   |  | 1  |
| Mon     |  | 3 Planning & Regulation 10.30  | 1 Planning & Regulation 10.30                     |   | 2 Planning & Regulation 10.30                     |   |  | 2 Planning & Regulation 10.30                      |
| Tue     |  | 4 Executive 10.30  | 2   |   | 3 Executive 10.30                                 | 1 Executive 10.30                                 |  | 3 Executive 10.30<br>Health & Wellbeing Board 2.00 |
| Wed     | 1  | 5  | 3 Adults & Community Wellbeing Scrutiny 10.00     |   | 4 Adults & Community Wellbeing Scrutiny 10.00     | 2   |  | 4  |
| Thu     | 2  | 6  | 4   | 1   | 5   | 3 Pensions 10.00                                  |  | 5  |
| Fri     | 3  | 7 Children & Young People Scrutiny 10.00   | 5   | 2   | 6 Children & Young People Scrutiny 10.00          | 4   | 1  | 6  |
| Sat/Sun | 4 & 5  | 8 & 9  | 6 & 7   | 3 & 4   | 7 & 8   | 5 & 6   | 2 & 3  | 7 & 8  |
| Mon     | 6  | 10 Highways & Transport Scrutiny 10.00   | 8   | 5   | 9 Flood and Water Management Scrutiny 10.00       | 7 Planning & Regulation 10.30                     | 4 Planning & Regulation 10.30                  | 9 Highways & Transport Scrutiny 10.00              |
| Tue     | 7  | 11 Public Protection & Communities Scrutiny 10.00<br>Health & Wellbeing Board 2.00 | 9 Environment & Economy 10.00<br>Executive 10.30  | 6   | 10 Environment & Economy 10.00                    | 8   | 5 Executive 10.30                              | 10 Public Protection & Communities Scrutiny 10.00  |
| Wed     | 8 Executive 10.30                              | 12 Health Scrutiny Committee 10.00   | 10 Health Scrutiny Committee 10.00                | 7   | 11  | 9 Adults & Community Wellbeing Scrutiny 10.00     | 6  | 11   |
| Thu     | 9  | 13 Pensions 10.00  | 11  | 8   | 12  | 10  | 7  | 12 Pensions 10.00                                  |
| Fri     | 10   | 14   | 12  | 9   | 13 County Council 10.30                           | 11  | 8  | 13 County Council 10.30                            |
| Sat/Sun | 11 & 12  | 15 & 16  | 13 & 14   | 10 & 11                                       | 14 & 15   | 12 & 13   | 9 & 10   | 14 & 15  |
| Mon     | 13 Planning & Regulation 10.30                 | 17 Audit 10.00   | 15 Highways & Transport Scrutiny 10.00            | 12  | 16 Highways & Transport Scrutiny 10.00            | 14  | 11   | 16   |
| Tue     | 14   | 18   | 16  | 13  | 17 Public Protection & Communities Scrutiny 10.00 | 15  | 12   | 17 Executive (Budget) 10.30                        |
| Wed     | 15 Health Scrutiny Committee 10.00             | 19   | 17  | 14  | 18 Health Scrutiny Committee 10.00                | 16 Health Scrutiny Committee 10.00                | 13 Health Scrutiny Committee 10.00             | 18 Health Scrutiny Committee 10.00                 |
| Thu     | 16   | 20   | 18 Pensions 10.00                                 | 15  | 19  | 17  | 14   | 19 Overview & Scrutiny Management Board 10.00      |
| Fri     | 17 County Council (AGM) 10.30                  | 21   | 19 Children & Young People Scrutiny 10.00         | 16  | 20  | 18 Children & Young People Scrutiny 10.00         | 15   | 20   |
| Sat/Sun | 18 & 19  | 22 & 23  | 20 & 21   | 17 & 18                                       | 21 & 22   | 19 & 20   | 16 & 17  | 21 & 22  |
| Mon     | 20   | 24   | 22 Audit 10.00                                    | 19  | 23 Audit 10.00                                    | 21  | 18 Audit 10.00                                 | 23   |
| Tue     | 21 Environment & Economy 10.00                 | 25   | 23 Public Protection & Communities Scrutiny 10.00 | 20  | 24 Health & Wellbeing Board 2.00                  | 22 Environment & Economy 10.00                    | 19   | 24   |
| Wed     | 22 Adults & Community Wellbeing Scrutiny 10.00 | 26   | 24  | 21  | 25  | 23  | 20   | 25   |
| Thu     | 23   | 27 Overview & Scrutiny Management Board 10.00                                      | 25  | 22  | 26 Overview & Scrutiny Management Board 10.00     | 24 Overview & Scrutiny Management Board 10.00     | 21   | 26   |
| Fri     | 24   | 28   | 26  | 23  | 27  | 25  | 22 Children & Young People Scrutiny 10.00      | 27   |
| Sat/Sun | 25 & 26  | 29 & 30  | 27 & 28   | 24 & 25                                       | 28 & 29   | 26 & 27   | 23 & 24  | 28 & 29  |
| Mon     | 27   |  | 29 Planning & Regulation 10.30                    | 26  | 30  | 28 Highways & Transport Scrutiny 10.00            | 25 Flood and Water Management Scrutiny 10.00   | 30   |
| Tue     | 28 Flood and Water Management Scrutiny 10.00   |  | 30  | 27  |   | 29 Public Protection & Communities Scrutiny 10.00 | 26 Environment & Economy 10.00                 | 31   |
| Wed     | 29   |  | 31  | 28  |   | 30  | 27 Adults & Community Wellbeing Scrutiny 10.00 |  |
| Thu     | 30 Overview & Scrutiny Management Board 10.00  |  |   | 29 Overview & Scrutiny Management Board 10.00 |   | 31  | 28 Overview & Scrutiny Management Board 10.00  |  |
| Fri     | 31   |  |   | 30  |   |   | 29   |  |
| Sat/Sun | 1 & 2  |  |   | 31  |   |   | 30   |  |

|         | JANUARY 2020                                      | FEBRUARY 2020                                  | MARCH 2020  | APRIL 2020  | MAY 2020                                       | JUNE 2020   | JULY 2020   | AUG 2020                                      | SEPTEMBER 2020                                    | OCTOBER 2020                                      | NOVEMBER 2020                                  | DECEMBER 2020  |
|---------|---|--|---|---|--|---|---|---|---|---|--|--|
| Sat/Sun |   |  | 1   |   |  |   |   | 1 & 2   |   |   | 1  |  |
| Mon     |   |  | 2 Planning & Regulation 10.30                     |   |  | 1 Planning & Regulation 10.30   |   | 3   |   |   | 2 Planning & Regulation 10.30                  |  |
| Tue     |   |  | 3 Executive 10.30                                 |   |  | 2 Executive 10.30   |   | 4   | 1 Flood & Water Management Scrutiny 10.00         |   | 3 Executive 10.30                              | 1 Executive 10.30 Lincolnshire Health & Wellbeing Board 2.00 |
| Wed     | 1   |  | 4   | 1 Adults & Community Wellbeing Scrutiny 10.00     |  | 3   | 1 Adults & Community Wellbeing Scrutiny 10.00     | 5   | 2 Executive 10.30                                 |   | 4  | 2  |
| Thu     | 2   |  | 5   | 2   |  | 4   | 2 Overview & Scrutiny Management Board 10.00      | 6   | 3   | 1   | 5  | 3  |
| Fri     | 3   |  | 6 Children & Young People Scrutiny 10.00          | 3   | 1  | 5 Children & Young People Scrutiny 10.00  | 3   | 7   | 4 Children & Young People Scrutiny 10.00          | 2   | 6  | 4  |
| Sat/Sun | 4 & 5   | 1 & 2  | 7 & 8   | 4 & 5   | 2 & 3  | 6 & 7   | 4 & 5   | 8 & 9   | 5 & 6   | 3 & 4   | 7 & 8  | 5 & 6  |
| Mon     | 6   | 3 Planning & Regulation 10.30                  | 9 Highways & Transport Scrutiny 10.00             | 6 Planning & Regulation 10.30                     | 4  | 8 Highways & Transport Scrutiny 10.00   | 6 Planning & Regulation 10.30                     | 10  | 7 Planning & Regulation 10.30                     | 5 Planning & Regulation 10.30                     | 9  | 7 Planning & Regulation 10.30                                |
| Tue     | 7 Executive 10.30                                 | 4 Executive 10.30                              | 10  | 7 Executive 10.30                                 | 5  | 9 Public Protection & Communities Scrutiny 10.00 Lincolnshire Health & Wellbeing Board 2.00 | 7 Executive 10.30                                 | 11  | 8 Environment & Economy 10.00                     | 6 Executive 10.30                                 | 10   | 8 Public Protection & Communities Scrutiny 10.00             |
| Wed     | 8   | 5  | 11  | 8   | 6 Executive 10.30                              | 10  | 8   | 12  | 9 Adults & Community Wellbeing Scrutiny 10.00     | 7   | 11 Health Scrutiny Committee 10.00             | 9  |
| Thu     | 9 Pensions 10.00                                  | 6  | 12  | 9   | 7  | 11 Pensions 10.00   | 9   | 13  | 10  | 8   | 12   | 10 Pensions 10.00  |
| Fri     | 10  | 7  | 13  | 10  | 8  | 12  | 10  | 14  | 11  | 9 Children & Young People Scrutiny 10.00          | 13   | 11 County Council 10.30                                      |
| Sat/Sun | 11 & 12   | 8 & 9  | 14 & 15   | 11 & 12   | 9 & 10   | 13 & 14   | 11 & 12   | 15 & 16                                       | 12 & 13   | 10 & 11   | 14 & 15  | 12 & 13  |
| Mon     | 13 Planning & Regulation 10.30                    | 10 Audit 10.00                                 | 16  | 13  | 11 Planning & Regulation 10.30                 | 15 Audit 10.00  | 13 Audit 10.00                                    | 17  | 14 Highways & Transport Scrutiny 10.00            | 12  | 16 Audit 10.00                                 | 14 Highways & Transport Scrutiny 10.00                       |
| Tue     | 14 Environment & Economy 10.00                    | 11   | 17 Public Protection & Communities Scrutiny 10.00 | 14 Environment & Economy 10.00                    | 12   | 16  | 14 Environment & Economy 10.00                    | 18  | 15 Public Protection & Communities Scrutiny 10.00 | 13  | 17   | 15 Executive (Budget) 10.30                                  |
| Wed     | 15 Adults & Community Wellbeing Scrutiny 10.00    | 12   | 18  | 15  | 13 Adults & Community Wellbeing Scrutiny 10.00 | 17 Health Scrutiny Committee 10.00  | 15  | 19  | 16 Health Scrutiny Committee 10.00                | 14 Health Scrutiny Committee 10.00                | 18   | 16 Health Scrutiny Committee 10.00                           |
| Thu     | 16  | 13   | 19 Pensions 10.00                                 | 16  | 14   | 18  | 16 Pensions 10.00                                 | 20  | 17  | 15 Pensions 10.00                                 | 19   | 17 Overview & Scrutiny Management Board 10.00                |
| Fri     | 17 Children & Young People Scrutiny 10.00         | 14   | 20  | 17  | 15   | 19  | 17 Children & Young People Scrutiny 10.00         | 21  | 18 County Council 10.30                           | 16  | 20 Children & Young People Scrutiny 10.00      | 18   |
| Sat/Sun | 18 & 19   | 15 & 16  | 21 & 22   | 18 & 19   | 16 & 17  | 20 & 21   | 18 & 19   | 22 & 23                                       | 19 & 20   | 17 & 18   | 21 & 22  | 19 & 20  |
| Mon     | 20 Highways & Transport Scrutiny 10.00            | 17   | 23  | 20  | 18 Flood & Water Management Scrutiny 10.00     | 22  | 20 Highways & Transport Scrutiny 10.00            | 24  | 21  | 19  | 23   | 21   |
| Tue     | 21  | 18   | 24 Lincolnshire Health & Wellbeing Board 2.00     | 21  | 19   | 23  | 21  | 25  | 22  | 20 Environment & Economy 10.00                    | 24 Environment & Economy 10.00                 | 22   |
| Wed     | 22 Health Scrutiny Committee 10.00                | 19 Health Scrutiny Committee 10.00             | 25 Health Scrutiny Committee 10.00                | 22 Health Scrutiny Committee 10.00                | 20 Health Scrutiny Committee 10.00             | 24  | 22 Health Scrutiny Committee 10.00                | 26  | 23  | 21 Adults & Community Wellbeing Scrutiny 10.00    | 25 Adults & Community Wellbeing Scrutiny 10.00 | 23   |
| Thu     | 23  | 20 Overview & Scrutiny Management Board 10.00  | 26 Overview & Scrutiny Management Board 10.00     | 23  | 21   | 25  | 23  | 27 Overview & Scrutiny Management Board 10.00 | 24 Overview & Scrutiny Management Board 10.00     | 22  | 26 Overview & Scrutiny Management Board 10.00  | 24   |
| Fri     | 24  | 21   | 27  | 24 Children & Young People Scrutiny 10.00         | 22 County Council 10.30                        | 26  | 24  | 28  | 25  | 23  | 27   | 25   |
| Sat/Sun | 25 & 26   | 22 & 23  | 28 & 29   | 25 & 26   | 23 & 24  | 27 & 28   | 25 & 26   | 29 & 30                                       | 26 & 27   | 24 & 25   | 28 & 29  | 26 & 27  |
| Mon     | 27 Flood & Water Management Scrutiny 10.00        | 24   | 30 Audit 10.00                                    | 27 Highways & Transport Scrutiny 10.00            | 25   | 29  | 27 Planning & Regulation 10.30                    | 31  | 28 Audit 10.00                                    | 26 Highways & Transport Scrutiny 10.00            | 30 Flood & Water Management Scrutiny 10.00     | 28   |
| Tue     | 28 Public Protection & Communities Scrutiny 10.00 | 25 Environment & Economy 10.00                 | 31  | 28 Public Protection & Communities Scrutiny 10.00 | 26 Environment & Economy 10.00                 | 30  | 28 Public Protection & Communities Scrutiny 10.00 |   | 29 Lincolnshire Health & Wellbeing Board 2.00     | 27 Public Protection & Communities Scrutiny 10.00 |  | 29   |
| Wed     | 29  | 26 Adults & Community Wellbeing Scrutiny 10.00 |   | 29  | 27   |   | 29  |   | 30  | 28  |  | 30   |
| Thu     | 30 Overview & Scrutiny Management Board 10.00     | 27   |   | 30 Overview & Scrutiny Management Board 10.00     | 28 Overview & Scrutiny Management Board 10.00  |   | 30  |   |   | 29 Overview & Scrutiny Management Board 10.00     |  | 31   |
| Fri     | 31  | 28 County Council 10.00                        |   |   | 29   |   | 31  |   |   | 30  |  |  |
| Sat/Sun |   | 29   |   |   | 30 & 31  |   |   |   |   | 31  |  |  |

**Open Report on behalf of Nigel West, Statutory Scrutiny Officer**

|            |  |
|------------|--|
| Report to: | <b>County Council</b>                              |
| Date:      | <b>17 May 2019</b>                                 |
| Subject:   | <b>Overview and Scrutiny Annual Report 2018-19</b> |

**Summary:**

This report invites the County Council to consider and approve the Annual Report for Overview and Scrutiny for 2018-19.

**Recommendation(s):**

To approve the Overview and Scrutiny Annual Report for 2018-19.

**1. Background**

Overview and Scrutiny Annual Report 2018-19

The Overview and Scrutiny Annual Report for 2018-19 is attached at Appendix A to this report.

The Annual Report is an opportunity to highlight the scrutiny work that has taken place throughout the last year and to look forward to the year ahead.

**2. Conclusion**

The Overview and Scrutiny Annual Report for 2018-19 provides an opportunity to consider the work of the Overview and Scrutiny function and the County Council is invited to approve this year's report.

**3. Legal Comments:**

The Report introduces for approval the Annual Scrutiny Report. Overview and Scrutiny is an important aspect of the Council's functions and the report enables the Council to assess the carrying out of this function in the last year. The matter is within the remit of the full Council.

#### **4. Resources Comments:**

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

#### **5. Consultation**

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

n/a

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

n/a

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

On 25 April 2019, the Overview and Scrutiny Management Board endorsed the attached Overview and Scrutiny Annual Report for 2018-19 for submission to the County Council.

##### **d) Have Risks and Impact Analysis been carried out?**

Not Applicable

##### **e) Risks and Impact Analysis**

Not Applicable

#### **6. Appendices**

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

|            |   |
|------------|---|
| Appendix A | Overview and Scrutiny Annual Report 2018-19 |
|------------|---|

#### **7. Background Papers**

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

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

# Overview and Scrutiny Annual Report 2018-19



## Foreword

---

I am pleased to present the Overview and Scrutiny Annual Report for 2018-19. The report contains a look back at scrutiny activity over the last year and what we will be doing in the coming year. First, a reminder of what the key aims of scrutiny work are in local councils:-

- Provide healthy and constructive challenge
- Give voice to public concerns
- Support improvement in services
- Provide an independent review

In May 2017, a new Overview and Scrutiny committee structure and procedures were implemented following an in-depth review. As part of the approval of the new structure, it was also agreed to do a further review of the new scrutiny arrangements after implementation. I look forward to the outcomes and lessons learnt from this review and will be reporting back with progress made.

A best value inspection report on the financial challenged faced by another county council has been a timely reminder to look at what we do as a Council around scrutinising the financial resilience of the Council. It has led to closer working with the Audit Committee to examine what lessons can be learnt from NCC in terms of financial resilience, culture and accountability. A joint workshop has already been held to scrutinise financial resilience, and a further joint workshop is due to take place on culture and accountability. Further information on this work is included under the Overview and Scrutiny Management Board.

Should you want to know more about our overview and scrutiny work then please feel free to get in touch using the contact details at the end of the report.



**Councillor Robert Parker**  
**Chairman, Overview and Scrutiny Management Board**

## Introduction to Overview and Scrutiny

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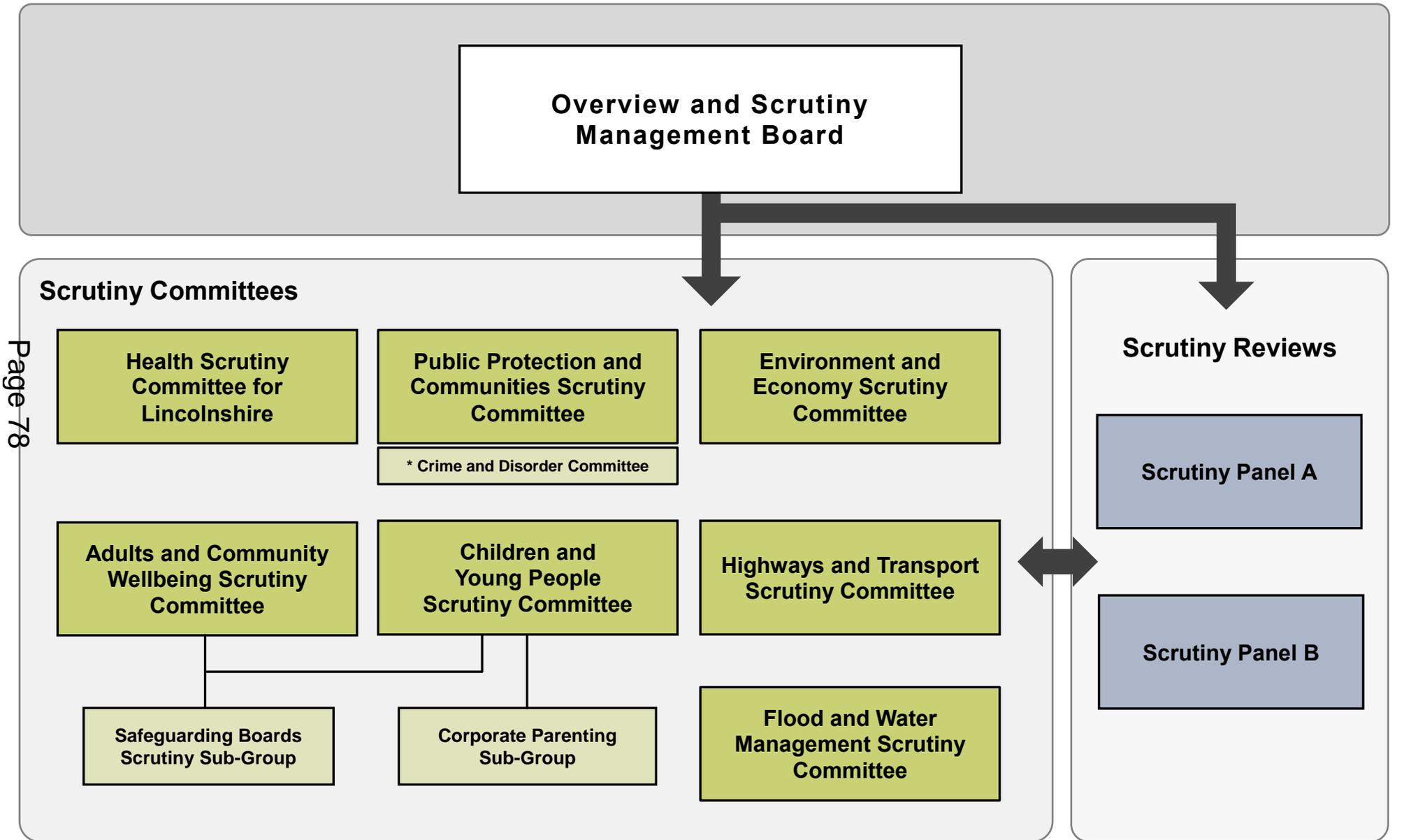
Overview and scrutiny is the process whereby non-executive councillors of the Council examine the authority's functions and services, plus those of partner organisations. It is a function of local authorities in England and Wales. It was introduced by the Local Government Act 2000 which created separate Executive and Overview and Scrutiny functions within councils. All non-Executive councillors are eligible to participate in the work of scrutiny. Joining them to scrutinise particular issues are parent governors, church representatives, councillors from the district councils and representatives from other local organisations.

The Council has eight overview and scrutiny committees that consider new policies and strategies, existing policies to see how well they are working and performance information to check that the Council is meeting the standards that have been set.

Committees can also establish working groups to work in a less formal way either working independently or in collaboration with Council officers. These working groups have responded to national consultations, reviewed existing policies and looked to develop new policies in conjunction with officers.

The Council also has two scrutiny panels to undertake reviews that focus on a particular issue and consider it in greater detail than is possible at Committee. These reviews will typically last around six months and will include a mixture of interviews with relevant council officers, research of best practice elsewhere, meetings with service users and community groups and consultation with wider parts of the community. These reviews culminate in a final report with recommendations which are then presented to a meeting of the Council's Executive.

**OVERVIEW AND SCRUTINY STRUCTURE**  
**May 2017**

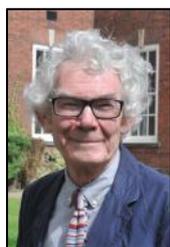


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\* The Public Protection and Communities Scrutiny Committee also serves as the Crime and Disorder Committee.

## Overview and Scrutiny Management Board

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### Chairman

**Councillor Robert  
Parker**



### Vice-Chairman

**Councillor Ray  
Wootten**

The Board undertakes two main roles: firstly, it oversees the work programmes of the other scrutiny committees; and secondly it scrutinises the activities within its own remit, such as corporate services, finance, information technology, people services as well as the overall performance against the Council's business plan.

The corporate services support contract has been a significant element of our work programme in the last year, and the Board has received regular updates from the contractor, Serco. We are pleased to have seen improvements in the contractor's performance against the key performance indicators. The contract has now also been extended by two years. As a result, we will now be considering performance reports less frequently from the contractor.

The Council has experienced several information technology challenges over the last year and the Board has monitored the top twenty key information technology projects to address these challenges. We have also advised decision makers on a number of specific projects such as the renewal of notebooks and laptops. Overall the last year has seen an improvement in the functioning of the Council's information technology.

As part of our remit to scrutinise people services (the Council's human resource function) we have monitored the workforce through the employee survey and the people management and workforce plan. We will continue to include people services within our work programme, as we recognise the importance of staff in delivering the Council's aims and objectives.

The Board itself receives regular budget monitoring reports and we will be looking at how other scrutiny committees can further improve their monitoring of the budget and capital programme in the coming year.

The Board is pleased to report that it has worked jointly with the Audit Committee, which has included a workshop on the lessons to be learned following a best value report on the challenges facing another county council, which required national intervention. There are several strands of work arising from this workshop, which include capital programme monitoring, financial planning and risk management. These will be progressed in the coming year. We will be holding a further joint workshop with the Audit Committee in May 2019 to look at culture and accountability.

We have continued to monitor performance against the indicators in the Council's business plan on quarterly basis and our comments have been passed on to the Executive. Each scrutiny committee has continued to scrutinise business plan performance within their own remits, and we will be exploring ways to streamline the consideration of performance information in the coming year, to avoid duplication.

As stated above, overseeing the work programme of each scrutiny committee is a key component of the Board's remit. We undertake this by receiving reports from each chairman on a quarterly basis and make a judgement on the content of each work programme.

The Board also oversees the scrutiny review process, by approving the topics for in-depth scrutiny review by the two scrutiny panels, and there is more information on their activities in the relevant section of this report.

In addition to the items identified above, in the coming year, the Board will:

- receive the outcomes from Scrutiny Panel B's review of Transitions; and
- determine new topics for consideration by the scrutiny panels.

We will also aim to ensure that the Board's activities provide constructive challenge and supports improvement in services provided to Lincolnshire residents.

## Adults and Community Wellbeing Scrutiny Committee

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### Chairman

**Councillor Hugo  
Marfleet**



### Vice-Chairman

**Councillor Mrs Elizabeth  
Sneath**

Adult care and community wellbeing constitute the largest budget area for the County Council (£221 million allocated for 2018-19), and because of this, the Committee has continued to receive regular budget monitoring reports. These reports have enabled us to review the Better Care Fund allocations, which provided £56.2 million to the County Council during 2018-19. We are pleased to record that the projected outturn for adult care and community wellbeing is in line with its approved budget.

During the year, we have reviewed the five commissioning strategies under our remit: Adult Frailty and Long Term Conditions; Adult Safeguarding; Carers; Community Wellbeing; and Specialist Adult Services. Each strategy is at a different phase of implementation, and as a result, some are due for revision in the coming year and we will be timetabling these on our work programme at the appropriate time.

The Committee has supported a decision to procure Integrated Lifestyle Support Service, which will provide adults with information and support on the four lifestyle behaviours with the greatest impact on health and wellbeing: tobacco smoking; obesity; physical inactivity; and excess alcohol consumption. This service will be launched in July 2019, and the Committee has recorded the importance of primary care, including GPs, to guide people to these lifestyle support services. We will be receiving update reports on outcomes of the service, when these are available.

The Committee has given its support to the Lincolnshire Joint Strategy for Dementia, which was jointly developed by the County Council and the Lincolnshire NHS. The emphasis in the strategy is the improvement of care experience for people with dementia, from diagnosis to end of life; and the involvement of partners in personalised support. We have also supported a proposal to re-procure the Council's own dementia support service, which will aim to provide information and advice to people diagnosed with mild cognitive impairment. We expect this service to complement the national emphasis on early diagnosis.

In January 2019, NHS England published the *NHS Long Term Plan*. We considered this at our February 2019 meeting and focused on those elements of the Plan, where the County Council would be working with the NHS. There was disappointment that the publication of *NHS Long Term Plan* had not been accompanied by the publication of the Government's Green Paper on *Care and Support for Older People*, which had been expected during the autumn of 2018. In anticipation of the green paper, we established a working group, which reviewed the discussion papers published by organisations such as the County Councils Network and the Local Government Association in advance of the Green Paper's publication in the summer

of 2018. The Committee remains committed to giving detailed consideration to the Green Paper, once it is published.

We have also reviewed the introduction of the 'integrated community care portfolio' - an initiative also known as neighbourhood team working, which is being introduced across Lincolnshire, with the most developed teams operating in Gainsborough and Stamford. We explored the links between neighbourhood teams and primary care networks and recorded our concerns that residents in rural locations may not be well served by this initiative.

We have also received a presentation from the provider of sexual health services in Lincolnshire - one of several public health services for which the County Council is now responsible for commissioning. We found that these services are provided from several locations across the county and that Lincolnshire benefited from an integrated sexual health service. We observed that young people in some rural areas would not be able to access these services as easily as their counterparts in urban locations.

In December 2018, the provider of the home-based re-ablement service ceased operations, and within a ten day period the contract had been novated to a new provider, Libertas. Representatives of the new contractor have attended the Committee and reported that the performance against key indicators has improved since December. The Committee has recognised both the achievement of the seamless change of contractor at short notice and the improved performance since that time.

We have reviewed a memorandum of understanding to support joint action in Lincolnshire on improving health and wellbeing through the home. This is a significant partnership, which has brought together the County Council, the seven district councils, the three Lincolnshire-based NHS providers and LACE Housing. The memorandum of understanding outlines the benefits of collaborative working, and emphasises the collaborative role that housing can play in prevention and achieving good health outcomes. Our feedback referred to the natural environment, including public open spaces, as something that promotes good mental health.

In addition to the updates mentioned above, in the coming year the Committee will be considering items on rural and coastal communities in Lincolnshire; the homes for independence strategy; and the Government Green Paper on Prevention.

## Children and Young People Scrutiny Committee

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### Chairman

**Councillor Robert  
Foulkes**



### Vice-Chairman

**Councillor Robert  
Kendrick**

The Children and Young People Scrutiny Committee is responsible for scrutinising a range of services relating to children and young people, including education matters, children's health services and children's social care.

From 1 April 2018, the Council's remit has been extended to offer support to all care leavers up to the age of 25. To address this, the Committee established a working group to support officers in the development of a strategy. This change and other developments were reflected in the *Looked After Children and Care Leavers Strategy 2018-21*, which was unanimously supported by the Committee on 8 June 2018. The Strategy has set the Council seven key priorities over the next three years to improve how looked after children and care leavers are enabled to realise their potential, through nurturing, resilient parenting and support.

The review of education provision for special educational needs and disabilities (SEND) continues to be of significant interest to the Committee. At its October 2018 meeting, the Committee considered a report on *Building Communities of Specialist Provision Strategy* prior to a decision by the Executive on 6 November 2018. The Committee heard from the Executive Head Teacher of the Priory School, the Garth School and the John Fielding School, who spoke on behalf of all the special schools in support of the Strategy, and the Chair of the Lincolnshire Parent Carer Forum, which had been invited by the Council to be involved in the process. The Committee emphasised strong support for enabling pupils to attend their local special school and the greater integration in their local communities which the Strategy would bring. We will be monitoring the changes as the Strategy is implemented over the next few years.

In November 2018, the Committee received a presentation on *Prevent* activity in Lincolnshire during 2017/18 and the implications for children and young people. The *Prevent Duty Guidance for Schools and Educational Providers* involves advising schools, childcare providers, and the Lincolnshire Safeguarding Children Board on Pathways to Extremism and the Prevent Programme; providing training courses; and educating against hate. The take up of training by schools in Lincolnshire was high and over 250 *Safeguarding Against Extremists* workshops had been delivered to young people by the Lincolnshire Police Prevent Officers in schools, colleges and other establishments. The Committee was reassured by the level of work being undertaken to protect children and young people from extremism.

A Local Area SEND inspection by Ofsted and the Care Quality Commission took place in October 2018. We considered the outcomes from the inspection in January 2019 and identified many strengths in Lincolnshire, which included strong arrangements for jointly commissioning services in the local area; and children and young people feeling very positive about the support they receive from education,

health and care professionals. Areas for improvement included completion rates for the health visitor mandatory health assessments at two and a half years; children and young people were waiting too long for a diagnosis of autism because of delays in completing the steps in the autism pathway; and variability in the quality of Education, Health and Care plans, where health outcomes were too general and provision did not meet the specific needs of the child or young person. The Committee will be monitoring the action plan put in place to address these areas for improvement.

The Committee will be receiving updates on restorative practice and how well the Lincolnshire Joint Diversionary Panels introduced in June 2017 are reducing youth offending rates. The most recent published first time entrants figure for Lincolnshire was 89 young people for the period of July 2017 to June 2018, against a target of 203 young people. This new project has resulted in a significant reduction in those young people coming into the criminal justice system for the first time. The forecasted figure for the forthcoming year is expected to show further, although smaller, reductions.

We will also be reviewing the outcomes from a Care Quality Commission Inspection on Children's Health Services, following the integration of the 0-19 Children's Health Service within the Children's Services Locality Teams. In addition, we will be looking at how schools use the *Armed Forces Pupil Premium* to support the *Armed Forces Covenant* and armed forces children and young people to excel in their education. This grant is provided by the Department for Education in recognition of the specific challenges children for service families and is designed to assist the school in providing the additional support that these children may need.

## Environment and Economy Scrutiny Committee

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### Chairman

**Councillor Barry  
Dobson**



### Vice-Chairman

**Councillor Mrs Wendy  
Bowkett**

The Environment and Economy Scrutiny Committee combines two areas of responsibility around protecting and sustaining the environment and sustaining and growing business and the economy. The Committee work to provide an opportunity to join these areas and encourage a more holistic approach and has a greater focus on strategic outcomes. We have considered a wide range of subjects over the past year, including:

- trends in the nation's high streets and the work on high street vitality, including the various steps which could be taken to support high streets through this period of change;
- the commissioning of employment and skills provision, including the *Department for Education Career Learning Pilot* testing what works in getting more adults into learning that will enhance their careers;
- scrutiny of the hotel investment action plan, developed to consider demand and potential supply of new hotels in Greater Lincolnshire and the Council's role to promote the growth of the tourism sector;
- consideration of the *Anglian Water Draft Water Resources Management Plan* to shape and guide the response to the consultation;
- the development of a local industrial strategy, whereby the Committee endorsed the County Council playing a strong role in supporting the Local Enterprise Partnership's production of the strategy;
- monitoring the development and implementation of the *Joint Municipal Waste Management Strategy* and the formation of a working group by the Committee to consider responses to national waste strategy consultations;
- monitoring the implementation of the Lincolnshire broadband programme, with which the Committee was satisfied that as the broadband programme looks to move into a third deployment, it appears very clear consideration will need to be given to alternative technologies to reach more rural areas in Lincolnshire;
- consideration of the Agriculture Bill as it progressed through Parliament and the major issues being raised by the farming sector;
- scrutiny of the third *Carbon Management Plan 2018 to 2023* as a key strategy for reducing carbon emissions; the Committee welcomed the *Carbon Management Plan* and recommended the Executive consider climate change as part of wider decision making and consider how Lincolnshire can become nationally recognised as a leader for environmental improvement; and
- considering the Team Lincolnshire Ambassador Programme's objectives and two year 'Activity Plan', the Committee endorsed the partnership between the private and public sector in attracting and supporting business investment in Lincolnshire.

We have also held a number of meetings offsite to develop a greater awareness of the key developments and activity across the County. The Committee visited Mortons Media Group in Horncastle to gain a greater awareness of the Lincolnshire Technology Hubs, Riseholme Park in Lincoln for an update on the verge biomass project, the Aura Business Centre in Skegness to meet with businesses who use the County Council provided Business Centres and the excellent North Sea Observatory at Chapel St Leonards funded by Lincolnshire County Council to facilitate greater understanding and appreciation of the North Sea and the marine environment.

In 2019/20, we aim to continue to promote the clear link between protecting and sustaining the environment and sustaining and growing business and the economy, as a Committee we plan to:

- continue to promote the skills agenda within Lincolnshire, as skills and employment initiatives remain vital to the local economy;
- consider the emerging priorities of Lincolnshire's relationship with Hunan Province in China;
- continue to review and input into the development of the Local Industrial Strategy which will set the economic priorities through to 2030 and beyond;
- monitor and input on the continued development of the *UK Shared Prosperity Fund* to help deliver sustainable, inclusive growth that works for Lincolnshire as a replacement to current European Investment Funds; and
- scrutinise the performance of the Business Growth Hub's *Scale up Business Advice* programme and make recommendations on enhancing the service.

## Flood and Water Management Scrutiny Committee

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### Chairman

**Councillor Bob  
Adams**



### Vice-Chairman

**Councillor Paul  
Skinner**

The Flood and Water Management Scrutiny Committee considers Lincolnshire County Council's delivery of its local leadership role in relation to flood and water management. The Committee also considers the effectiveness of the Lincolnshire Flood Risk and Drainage Management Partnership and related partnership developments. The Flood and Water Management Scrutiny Committee has considered a wide range of subjects over the past year. This has included:

- considering the development of the National Flood and Coastal Erosion Strategy and welcomed a more strategic approach to economic development into the strategy; the importance of Internal Drainage Boards and District Councils in the Partnership was also highlighted;
- reviewing the work undertaken to introduce the *Sustainable Drainage Design and Evaluation Guide* as an important tool for new developers and others to understand what was required;
- monitoring the progress with the Boston Barrier where completion of the work is due by the end of 2020;
- considering the Local Resilience Forum's *Resilience Communities Project* which is open to all community groups, parish, town and ward councils and councillors; and businesses; the Committee supported the work being undertaken to develop Resilience Communities across the County;
- the Water Resources Management Plan (WRMP) consultation to shape and guide the Council's response. In developing a formal response to the WRMP consultation, it is intended that it should be a joint response between partners as far as possible, including aligning closely with the response of the Greater Lincolnshire Local Enterprise Partnership;
- scrutiny of the work being undertaken towards developing strategic priorities for the revision of the *Joint Lincolnshire Flood Risk and Drainage Management Strategy*, a revision of which we will continue to consider the development at future meetings; and
- input into the review of the coastal strategy area between Saltfleet and Gibraltar Point and the need to maintain higher beach levels, where the Environment Agency has been exploring beach nourishment alongside a range of viable alternative options/approaches to ensure that a sustainable and affordable long-term flood risk management solution was maintained along the Lincolnshire coast line.

We continue to engage with all partner authorities, in line with the Joint Flood Risk and Drainage Management Strategy.

## Health Scrutiny Committee for Lincolnshire

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### Chairman

**Councillor Carl  
Macey**



### Vice-Chairman

**Councillor Chris  
Brewis**

The primary focus of the Health Scrutiny Committee for Lincolnshire is the review and scrutiny of NHS-funded health care for Lincolnshire residents. In accordance with the national guidance, the Committee focuses on both the commissioners and the providers of NHS funded services.

Activity derived from the Lincolnshire Sustainability and Transformation Partnership (STP) has continued as a significant feature of the Committee's work programme in the last year. Although the Committee has focused on various strands of STP, such as mental health and integrated community care, it has been frustrated by the absence of any detailed information and consultation on the STP's acute services review, in effect a review of hospital services. However, in January 2019, NHS England launched the *NHS Long Term Plan*, which includes a requirement on local health systems to engage on how they would support the implementation of the *Plan*. This requirement led to the Lincolnshire STP launching its own engagement exercise: *Healthy Conversation 2019*, which will be a significant element of the Committee's work programme in the coming months. This will enable the Committee to provide initial feedback to the local NHS on its plans for acute hospitals, in advance of formal consultation.

In January 2018, the Health Scrutiny Committee referred the continued overnight closure of the Grantham accident and emergency department to the Secretary of State for Health and Social Care on the grounds of absence of consultation on the decision to keep it closed. A decision on the referral has not yet been made by the Secretary of State, but the launch of the *Healthy Conversation 2019* engagement exercise refers to proposals for Grantham accident and emergency department to become an urgent treatment centre. As a result of this and proposals for urgent treatment centres in other parts of Lincolnshire, the Committee has given the urgent and emergency care strand of the *Healthy Conversation 2019* a high priority and it will be considering this first in its forthcoming programme.

Throughout the last year, the Committee has received regular reports on Children and Young Persons Services at United Lincolnshire Hospitals NHS Trust, in particular the arrangements at Pilgrim Hospital, Boston. From August 2018, an interim model of care was put in place, which includes a paediatric assessment and observation unit. These arrangements arose from a shortage of specialist paediatric staff. The Committee has continued to monitor the impacts of these arrangements on patients and their families, with the latest report indicating that 98% of paediatric activity has remained at Pilgrim Hospital. The Committee will continue to monitor this matter.

Non-emergency patient transport has continued to be a major concern for the Committee. Thames Ambulance Service Ltd (TASL) has been providing this service since 1 July 2017, but throughout this time TASL has struggled to meet any of its key performance indicators. Its performance issues have been compounded by an 'inadequate' rating from the Care Quality Commission in February 2019. Because of the lack of progress, the Committee has recorded its advice to the commissioners to issue a notice of termination to TASL, as soon as strategically possible.

The Committee is made aware of the main inspection reports issued by the Care Quality Commission (CQC). In the last year, Lincolnshire Community Health Services NHS Trust has been rated as 'outstanding' and Lincolnshire Partnership NHS Foundation Trust has been rated as 'good'. Inevitably the Committee focuses on those providers with lower CQC ratings. United Lincolnshire Hospitals NHS Trust (ULHT) now has a 'requires improvement' rating. The Committee will continue to monitor the response of ULHT to the findings, requirements and recommendations of the CQC.

The Committee has continued to receive regular reports from the East Midlands Ambulance Service (EMAS).

As stated above, in the coming months, the Committee will be focusing on *Healthy Conversation 2019* and has adopted an outline programme of activity from May to October, which includes urgent and emergency care; mental health; orthopaedics and trauma; and women's and children's services. In each case the Committee will be providing initial feedback to the local NHS in advance of formal consultation.

## Highways and Transport Scrutiny Committee

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### Chairman

**Councillor Michael  
Brookes**



### Vice-Chairman

**Councillor Stephen Roe**

The Highways and Transport Scrutiny Committee considers key areas of public interest including highway network management and highways maintenance arrangements, transport commissioning and investments, and highways improvements. As a Committee we have considered a wide range of subjects over the past year. This has included:

- monitoring Major Highways Schemes which are a key priority for Lincolnshire including the Lincoln Eastern Bypass, North Hykeham Relief Road, Grantham Southern Relief Road, Spalding Western Relief Road and the Boston Distributor Road;
- reviewing quarterly performance of the Lincolnshire Highways Alliance, which delivers the majority of highway services through a number of contracts;
- reviewing the winter maintenance arrangements for the County on an annual basis to ensure local priorities are maintained;
- endorsing the Highways Infrastructure Asset Management Plan, which sets out the policies and standards around highways maintenance and aligns with the *Well Maintained Highways Code of Practice*;
- monitoring the effectiveness of highways communication activity to ensure and promote that highways service users are consulted, communicated and informed appropriately in a timely and accurate manner;
- reviewing the 2019 Street Lighting Policy revisions, including the actions included as a result of the Part Night Street Lighting Scrutiny Review
- reviewing proposals by the Department for Transport to create a major road network comprising the most economically important local authority A roads;
- engaging with Network Rail to promote the delivery of key rail schemes within the County; and
- reviewing the progress of the *Boston Transport Strategy*, including efforts to ease existing problems and support the future development of the town, including progress towards the future development of the Boston distributor road.

In the coming year, we will look to:

- review of the Highways Capital Programme on a regular basis from July 2019 to ensure greater oversight and scrutiny of the capital programme;
- monitor the key milestones and implementation of the Highways 2020 project, which will replace the Lincolnshire Highways Alliance contracts;
- introduce a 'Route and Place Based Transport Strategies Annual Report' to monitor the overall progress of Transport Strategies across the County. This is in addition to monitoring individual strategies on a more frequent basis to review proposals to deliver improved transport corridors;

- establish a CCTV pilot scheme Working Group, to consider and make formal recommendations on the future of the on-going pilot scheme for CCTV parking enforcement outside of schools;
- promote a greater focus on passenger transport issues, including bus services and cycling strategy; and
- examine the performance of the highways fault reporting system to consider performance against published response times

We also aim to continue to build positive relationships with key outside bodies and seek to engage with Highways England and the successful bidder of the East Midlands Rail Franchise later in 2019.

## Public Protection and Communities Scrutiny Committee

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### Chairman

**Councillor Nigel  
Pepper**



### Vice-Chairman

**Councillor Adam  
Stokes**

The Committee continues to scrutinise the services covered within Public Protection and Communities remit. This includes County Public Protection, Community Resilience and Assets and Lincolnshire Fire and Rescue. We have considered a comprehensive work programme over the past year including the following topics:

- reviewing consultation and engagement activity and how this helps the Council to effectively engage people to be better informed to improve service provision. The Committee also agreed to receive an annual review of consultation and engagement activity in the future;
- performance of the Library Contract, which is provided by Greenwich Leisure Limited. The Committee reviewed the second year performance and key performance indicators for the Library Services Contract;
- the annual review of the Road Safety Partnership including information on fatal, killed and serious injury figures for Lincolnshire. The Committee also requested future update provides the opportunity to consider the Road Safety Partnerships action plan and priorities for the coming year;
- performance and service status of the Lincolnshire Registration, Celebratory and Coroner's Services. The Committee considered the national discussion and debate on the removal of the costs of copy certificates at the point of registration for stillbirths, and the possible extension to all deaths of those under the age of 18. The Committee unanimously supported a request to the Executive Councillor to review the waiver of fees in these circumstances;
- endorsing a recommendation to conduct a public consultation on proposed changes to the Council's Heritage service and the need to seek ideas and ensure the public had the opportunity to comment and input into the proposals to help shape potential future developments;
- scrutinising the outcome from Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services report of Lincolnshire Fire and Rescue and the service action plan; and
- considering the delivery of Trading Standards Services for the financial year 2017-2018 and having input into future priorities.

In 2019/20, the Committee plans to continue to undertake an active work programme, including:

- undertaking a visit to the Collection and Usher Art Gallery and continue to consider outcome of public engagement and final proposals for the Future Model of the Heritage Service;
- monitoring the implementation of the Fire and Rescue Services Action Plan following the recent Fire and Rescue inspection;

- considering the current position and future arrangements of the Joint Ambulance Conveyance Project; and
- considering the latest position on crime statistics in relation to the introduction of part night street lighting as part of the outcome from the part night street lighting scrutiny review.

Sitting as the Crime and Disorder Scrutiny Committee the Committee has reviewed the work of the Safer Lincolnshire Partnership, the multi-agency forum for addressing community safety issues across Lincolnshire and has considered the key priorities of anti-social behaviour, domestic abuse, reducing offending and serious and organised crime.

# SCRUTINY PANELS

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In March 2018, the Overview and Scrutiny Management Board agreed new topics for the two Scrutiny Panels to review.

## Roundabouts Sponsorship and Advertising



**Chairman of Scrutiny  
Panel A**

**Councillor Linda  
Wootten**

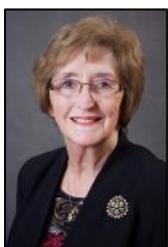


**Vice-Chairman of  
Scrutiny Panel A**

**Councillor Sarah  
Parkin**

Scrutiny Panel A, chaired by Councillor Linda Wootten, was tasked with looking at Roundabouts Sponsorship and Advertising. The Scrutiny Panel was asked to review the current *Sponsorship of Highway Planting* policy which has operated since 1996. The policy had been considered by the Highways and Transport Scrutiny Committee on a number of occasions and at its meeting in January 2018, the Committee unanimously recommended that it should be put forward for an in-depth scrutiny review. The Scrutiny Panel has examined the current policy and data regarding the suitability of roundabouts in each district for sponsorship and advertising. It has also approached each district council to find out what the current situation is with roundabout sponsorship across Lincolnshire. The Scrutiny Panel will be recommending a new policy based on its findings. The final report from the Scrutiny Panel, which will set out its recommendations to the Executive Councillor for Highways, Transport and IT, is in the process of being finalised before being presented to the Highways and Transport Scrutiny Committee for approval.

## Transitions



**Chairman of Scrutiny  
Panel B**

**Councillor Mrs Angela  
Newton**



**Vice-Chairman of  
Scrutiny Panel B**

**Councillor Tony  
Turner MBE**

Scrutiny Panel B, chaired by Councillor Mrs Angela Newton, was established with the purpose of reviewing the individual experiences of young people transitioning into adulthood for those young people with more complex educational needs. This includes those young people who receive support through an *Education, Health and Care Plan*; and for those young people who are Looked After Children.

During the review the Panel concluded that overall transition arrangements in Lincolnshire are good with strong working relationships between Adult Care and Children's Services and other agencies with respect to the transition of young people.

The Panel highlighted the need to continue to work to reduce service user frustration and resolve issues as effectively as possible. The recommendations of the Panel seek to improve what is already a good process.

The Scrutiny Panel supported implementing the work identified as part of the SEND Steering Group Action Plan, related specifically to the areas of development identified through the Ofsted and Care Quality Commission Inspection of Special Educational Needs and Disabilities in late 2018.

The final report will be submitted to Overview and Scrutiny Management Board for approval and will be submitted to the Executive on 4 June 2019.

## SUB GROUPS

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### Corporate Parenting Sub Group



**Chairman**

**Councillor  
David Brailsford**



**Vice-Chairman**

**Councillor Clio  
Perraton-Williams**

The Corporate Parenting Sub Group is an internal meeting which meets quarterly and reports into the Children and Young People Scrutiny Committee. Its role is to scrutinise and monitor services provided for Looked After Children and Care Leavers. This includes receiving regular reports on fostering, adoption, residential homes, health and education relating to Looked After Children and Care Leavers, and the leaving care service provided by Barnardo's.

Over the past year, we have contributed to the development of the refreshed Corporate Parenting Strategy and the Looked After Children and Care Leaver Strategy. The Corporate Parenting Strategy was approved by the County Council in September 2018 and the Looked After Children and Care Leaver Strategy was approved by the Executive in July 2018.

Members of the Corporate Parenting Sub Group regularly attend events with Looked After Children and Care Leavers and are keen to have councillor representation at all V4C meetings. V4C aims to bring looked after children and young people in Lincolnshire together for social activities and to share views on Lincolnshire care services. Members of the Corporate Parenting Sub Group attend to input into the discussions and hear about any issues which are raised to feed into the improvement of Children's Services in Lincolnshire.

*FAB! Fantastic, Amazing, Brilliant!* is the annual celebration of achievement event for Looked After Children and Care Leavers. Members of the Sub Group attended the *FAB!* Future event on 30 June 2018 at the University of Lincoln. The event had a theme of 'The Future' so the award ceremony and the activities provided afterwards were all high tech and aspirational. *FAB! 2019* is due to take place on 22 June 2019 and the event will run with eco-friendly activities and information stands in the morning with the awards ceremony taking place in the afternoon.

The Corporate Parenting Sub Group continues to promote the role of visiting members for children's homes. This important role provides additional scrutiny on culture, customs and practice within the home environment and thus further strengthens safeguarding. The role provides Councillors with the opportunity to consider needs of the home and children and give suggestions on improvements and is something the Sub Group considers of a regular basis.

The Corporate Parenting Sub Group will continue with its activities across all the areas outlined above.

## Safeguarding Boards Scrutiny Sub Group



### Chairman

**Councillor Sarah  
Parkin**



### Vice-Chairman

**Councillor Robert  
Foulkes**

The Safeguarding Boards Scrutiny Sub Group is an internal meeting which meets on a quarterly basis. Its role is to scrutinise and monitor the Lincolnshire Safeguarding Children Board (LSCB) and the Lincolnshire Safeguarding Adults Board (LSAB).

A member of the Sub Group attends each meeting of the LSCB and LSAB as an observer and their report is included on the next Sub Group agenda. This helps the Sub Group to confirm that the agencies and organisations represented on each partnership board are working well together.

The LSCB is responsible for serious case reviews and the LSAB is responsible for safeguarding adult reviews. Final review reports are considered by the Sub Group, enabling it seeks its own assurance that both the LSCB and the LSAB are taking forward any required actions and recommendations.

This year we have adopted a themed approach to our meetings, which is enabling us to focus in some detail on a particular topic at each meeting, as well as considering our standard items, such as review reports and reports from LSAB and LSCB observers. One of our themes has been 'Signs of Safety', where we considered a detailed presentation from Children's Services on how they are developing this initiative.

A further theme we have considered is safeguarding awareness training, in particular the online training, which is available to a wide range of agencies and individuals. The Sub Group focused on taxi drivers, who can be an asset in the detection and prevention of abuse or neglect of children and vulnerable adults, if they are aware of the signs of potential abuse and know where to turn to if they suspect that a child or vulnerable adult is at risk of harm or is in immediate danger. We acknowledge the efforts of the LSCB and LSAB in providing this training free of charge to taxi drivers.

In the coming year, we will be continuing with our themes, and as part of this approach we plan to look at modern day slavery and knife crime.

## Contact Us

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If you have any questions regarding the overview and scrutiny process, or any of the work we have undertaken then please get in touch with one of the officers listed below.

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- Children and Young People Scrutiny Committee
- Scrutiny Panel - Roundabouts Sponsorship and Advertising

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- Health Scrutiny Committee for Lincolnshire
- Safeguarding Boards Scrutiny Sub Group

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- Flood and Water Management Scrutiny Committee
- Highways and Transport Scrutiny Committee
- Public Protection and Communities Scrutiny Committee
- Corporate Parenting Sub Group
- Scrutiny Panel - Transitions

Or write to us at The Scrutiny Team, Lincolnshire County Council, Room 5, County Offices, Lincoln, LN1 1YL

**General Email:** [Scrutiny@lincolnshire.gov.uk](mailto:Scrutiny@lincolnshire.gov.uk)

**Open Report on behalf of James Drury, Executive Director - Commercial**

|            |  |
|------------|--|
| Report to: | <b>County Council</b>                                |
| Date:      | <b>17 May 2019</b>                                   |
| Subject:   | <b>Changes to the Council's Contract Regulations</b> |

**Summary:**

The report proposes changes to the Contract Regulations in the Council's Constitution, firstly to increase the threshold above which the Council must seek competitive quotes and secondly to amend the thresholds governing who can take decisions to approve exceptions to the Contract Regulations

**Recommendation(s):**

That the Council approves the amendments to the Contract Regulations forming part of the Constitution, as set out in the tracked changes at Appendix A to the Report.

## **1. Background**

- 1.1 The Contract Regulations are part of the Council's internal governance mechanisms. Their objective is to balance efficient and effective administration with the need to ensure value for money.
- 1.2 Above certain financial thresholds the Council has an obligation to comply with EU procurement rules embodied in domestic law in the Public Contracts Regulations 2015. These EU thresholds are set out below:
  - £181,302 the Services threshold for Non-Health and Social Care Services Contracts.
  - £615,278 the Services threshold for Health and Social Care Services Contracts.
  - £4,551,413 the Works threshold for Works Contracts.
- 1.3 Above these threshold a competitive procurement is required subject to very limited and tightly defined exceptions. Below these EU thresholds, the Council can generally lawfully let a contract without prior advertisement or competition. The Council's own Contract Regulations, however, set out the contract award processes that the Council has itself adopted in cases below the EU threshold. Because these are the Council's own procedures the

Contract Regulations also provide for those procedures to be set aside and prescribe who the decision-maker is for any decision to do so.

- 1.4 This Report proposes changes to (i) increase the threshold above which the Council must seek competitive quotes and (ii) to amend the thresholds governing who can take decisions to approve exceptions to the Contract Regulations.

#### *Seeking Competitive Quotes*

- 1.5 Since 2016 the Council's Contract Regulations have required officers to request three written quotations based on a Request for Quotation ("RFQ") document with appropriate contract terms and conditions for all contracts over £5,000. Prior to 2016 direct approaches were permitted to a single supplier for anything below £10,000.
- 1.6 Direct approaches to a single supplier are popular with the market. This is particularly the case for small and medium sized enterprises as the reduction in official procedures makes the Council's business more available to them. Small and medium size enterprises (SMEs) form a significant proportion of the Lincolnshire economy and therefore the establishment and growth of SMEs is an important consideration for the Council. One way in which such growth can be encouraged is to enable SMEs more easily to carry out work for the Council.
- 1.7 Although generally competition can lead to increased value for money and potential savings for the Council the level of savings on contracts below £10,000 is not significant and may well be outweighed by the officer time spent in putting together RFQ documents and seeking and evaluating quotes. It is felt that the time saved could be better utilised on higher value activity such as improved contract and supplier management or in consideration of how innovation might streamline or improve services.
- 1.8 When the threshold was reduced in 2016 there were also concerns that this additional administrative burden on the Council and schools would mean non-compliance would simply increase or that the low value would act as an incentive to break the purchase of goods/services up to reduce the value under £5,000, and then have further purchases via a purchase order rather than going through the process of gaining a number of quotes or an exception report. Whilst it is difficult to know whether in fact this has happened there is certainly potential for it.
- 1.9 A review of the thresholds operated by other authorities from their websites shows the Lincolnshire Districts have a threshold of £5,000 with the exception of South Kesteven District Council which is £10,000. North Yorkshire County Council has a threshold of £25,000 and Derby City Council £10,000.

- 1.10 On the basis of the potential to improve the participation of SMEs in carrying out work for the Council and to release officer capacity it is proposed that the Low Value Procurement Threshold set out in paragraph 3.3 of the Contract Regulations in Appendix A, below where officers may make a direct approach to a single supplier without requesting competitive quotations is increased from £5,000 to £10,000.
- 1.11 It is further proposed that the Medium Value Procurement upper threshold above which purchases will require four rather than three written quotations based on a Request for Quotation ("RFQ ") document with appropriate contract terms and conditions is increased from £15,000 to £25,000. This is primarily to encourage SMEs to participate by increasing their chances of success.

#### *Approving Exceptions to Contract Regulations*

- 1.12 The Contract Regulations recognise that in exceptional cases an alternative route to the usual contract award process might be appropriate. Currently approval to follow an exception route is obtained from;
- a) Chief Officers where the contract has an Estimated Total Contract Value between £10,001 and £75,000.
  - b) Executive Councillors for contracts with an Estimated Total Contract Value between £75,001 and £250,000.
  - c) Executive for contracts with an Estimated Total Contract Value over £250,000.

The above thresholds have been the same for many years and have not increased in line with increases in prices or been reviewed to ensure they strike the right balance between the delivery of value for money and responsive decision-making.

- 1.13 The Council has significantly increased the volume of procurement activity over recent years. The move to the Council becoming a Commissioning Council has led to much greater emphasis on pursuing an ongoing cycle of contract review and re-procurement. For example all of the Council's adult social care and community wellbeing contracts are now regularly re-procured, generally every 3 years. Since 1 January 2015 there have been 47 high value procurements with an annual procurement value on average of c£70m. For non-adult social care procurement team in 2018/19 there were 107% more procurement projects undertaken on behalf of the County Council than in 2010/11 – 29 in total.
- 1.14 In addition to increasing volumes the adoption of a commissioning approach centred on improved outcomes has increased the complexity of procurements with commissioners working with the Commercial Team on each and every procurement to see how service can be better delivered including the bringing together into one contract of services previously procured separately.
- 1.15 Therefore there has been an increase in above-EU threshold procurement and a reduction in the direct award of contracts. However, that in itself has

a cost to the Council as the carrying out of full procurement processes takes considerable resources both for the Council and potential bidders.

- 1.16 For this reason, under the proposed new Procurement Strategy which was endorsed by Overview and Scrutiny Management Board in April and which went to Executive on the 8 May 2019, there is a commitment to reduce the number of bespoke procurements by increasing the use of Framework Agreements and exploring greater use of direct awards where appropriate and lawful. So the intention of the Council expressed through its Procurement Strategy is to recognise the benefits of direct award as part of a balanced professional and effective approach to commissioning and procurement. This in turn means there is likely to be a greater use of the exception procedure. To create efficiency it makes sense for the exception procedure to be readily and easily accessible so that procurement work is not replaced by the work involved in going through formal decision making.
- 1.17 To facilitate that and to update the thresholds it is proposed that:
- a) Chief Officer approval would be required to an exception route for contracts valued at up to £250,000 subject to the Chief Officer consulting with their Executive Councillor on all exceptions where the contract value exceeds £75,000.
  - b) Executive Councillor' approval would be required to an exception route for contracts valued between £250,000 and the Health and Social Care Services Contracts EU Threshold as varied from time to time (currently £615,278).
  - c) Executive approval would be required to an exception route for contracts valued at over the Health and Social Care Services Contracts EU Threshold as varied from time to time (currently £615,278).
- 1.18 This would speed up decision making and streamline the process, releasing resource. The officer decisions in particular (i.e. those under £250,000) would not be key decisions and therefore would not be required to be entered on the forward plan. Nor would they be subject to the need for reports to be published 5 clear working days prior to decisions being reached or to call in. Although this may lead to less scrutiny, it would enable the Council to respond more quickly.
- 1.19 This would be of particular value for Social Care Services Contracts. The special, EU threshold for these contracts already recognises that direct award is often necessary and appropriate in relation to such services and that as a result the legal threshold at which competition is required is set higher. Many such contracts can be highly specialised and localised in their requirements. Often there is not a ready market with the necessary local presence or sufficient value in the contract or contract duration to attract providers into the market. Providers can often be charitable or not-for profit organisations limited in their ability to make the kinds of commercial risk-based judgments which competition is designed to elicit. Finally there can also be a requirement for the Council to act swiftly – e.g. where central government money is made available on the understanding that it must be

spent quickly for example to alleviate winter pressures. There is therefore a potential risk that delays in procedure could result in a loss of some one-off funding.

- 1.20 These extensions are consistent with Chief Officers' general powers to undertake the day to day management and control of their Directorate/office including the power to place contracts and are commensurate with the values they expend doing so. Member oversight would be maintained by the requirement for Chief Officers to consult with their Executive Councillor on contracts worth more than £75,000. Similarly Executive Councillors already fully participate in decision making with 29 key decisions during the period June 2018-May 2019 taken by Executive Councillors compared to 33 by the Executive. Many of these key decisions already being taken by Executive Councillors will be of more significance than deciding whether or not to permit an exception to the Council's usual procurement process. It is not, therefore, felt that there are any increased financial or other risks to the Council should the changes be agreed.
- 1.21 The recommendations were taken to the Audit Committee on the 25 March 2019. The Audit Committee supported the proposals set out in paragraphs 1.10 and 1.11 above ( paragraphs 1.7 and 1.8 of the report to the Audit Committee ) relating to increasing the threshold above which the Council was required to seek competitive quotes for low and medium value procurements. However the Committee felt further justification for the proposed changes at paragraph 1.17 above (paragraph 1.10 of the report to the Audit Committee) was required to support the rationale, as outlined in the report. Consequently further information has been provided as to the need and importance of efficiency, the possible consequences of delay and the risks associated with an expansion of the scope of officer and Executive Councillor decision-making in relation to exceptions to Contract Regulations.

## **2. Legal Issues:**

### Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- \* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- \* Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- \* Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

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

- \* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- \* 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
- \* 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

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

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

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

Equality impacts have been considered but none arise as a result of the decision.

#### Joint Strategic Needs Analysis (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision.

Potential impacts on the Joint Strategic Needs Assessment and the Joint Health & Well Being Strategy have been considered but none arise as a result of the decision.

#### Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

Potential section 17 of the Crime and Disorder Act 1998 impacts have been considered but none arise as a result of the decision.

### 3. Conclusion

The proposals are put forward because they will streamline the procurement process, speeding it up at the same time as saving resource. The proposals to increase the direct award threshold and to only require three quotes for purchases between £15,000 and £25,000 will benefit Lincolnshire's SME.

#### 4. Legal Comments:

The proposals set out in the Report are lawful.

The Contract Regulations form part of the Council's Constitution. Amendments to the Constitution must be approved by full Council.

#### 5. Resource Comments:

The proposals are expected to result in more efficient practices and thereby lead to better use of resource. Any potential loss in value for money arising from the proposed increase in the threshold for obtaining competitive quotes is expected to be outweighed by savings in officer time, and the proposed amendments to the thresholds for approving exceptions to the Council's contract regulations are not expected to introduce additional financial risks.

### 6. Consultation

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

n/a

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

Yes

#### c) Scrutiny Comments

n/a

#### d) Have Risks and Impact Analysis been carried out?

Yes

#### e) Risks and Impact Analysis

Set out in the body of the report

## 7. Appendices

|   |  |
|---|--|
| These are listed below and attached at the back of the report |  |
| Appendix A  | Proposed changes to the Contract Regulations |

## 8. Background Papers

| Document title   | Where the document can be viewed |
|--|----------------------------------|
| Council's Contract Regulations in Part 4 of the Constitution | Democratic Services              |
| Report to Audit Committee 25 March 2019                      | Democratic Services              |

This report was written by Sophie Reeve, who can be contacted on 01522 552578 or [sophie.reeve@lincolnshire.gov.uk](mailto:sophie.reeve@lincolnshire.gov.uk).

## Contract Regulations

### 3.3 Procurement Processes

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

#### Low Value Procurement (Below £105,000)

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

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

#### Medium Value Procurement (£105,000 to £245,000)

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

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

#### High Medium Value Procurement (£2545,001 to the EU threshold for Services)

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

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

Instead, at least four written quotations should be sought based on a Request For Quotations document with appropriate terms and conditions.

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

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

#### High Value Procurement (Above the OJEU Threshold for Services)

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

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

If EU Treaty principles require advertisement tenders shall be sought by

- open competitive tendering via public advertisement (Contracts Finder and Source Lincolnshire) supplemented by advertisement in newspapers and journals if appropriate; or
- a Framework let in accordance with EU legal requirements.

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

High Value Procurement subject to European Regulations

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

### **3.5 Exceptions to Normal Routes**

In exceptional cases where a Chief Officer believes an alternative route to the four normal routes is required, (subject to the miscellaneous provisions in this document), the Chief Officer should comply with the requirements of this clause. For contracts with an estimated value above the Health and Social Care Services Contracts EU Threshold as varied from time to time (currently of £250,000 615,278) and above, the proposal should be taken to the Executive for approval prior to the contract being entered into. For contracts with a value of between £75,001 and £250,000 and the Health and Social Care Services Contracts EU Threshold as varied from time to time (currently £615,278) the proposal should be taken to the relevant Executive Councillor for formal approval prior to the contract being entered into. For contracts with a value between £10,001 and £75,000 249,999 approval in writing can be given by the Chief Officer subject to the Chief Officer consulting with the relevant Executive Councillor on all exceptions where the contract value exceeds £75,000. The Chief Officer shall keep a register of contracts that they have approved as exceptions and the reasons why.

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

**Open Report on behalf of Debbie Barnes OBE, Head of Paid Service**

|            |                                    |
|------------|------------------------------------|
| Report to: | <b>County Council</b>              |
| Date:      | <b>17 May 2019</b>                 |
| Subject:   | <b>Changes to the Constitution</b> |

**Summary:**

To inform Council of the division of responsibilities between Chief Officers determined by the Head of Paid Service and the Corporate Leadership Team and seek approval to changes to the Council's Constitution to reflect the division of responsibilities and align formal officer delegations to them.

To seek approval to changes to the Constitution which would change the name and some of the arrangements relating to the Corporate Parenting Sub-Group, following the debate on the Corporate Parenting Strategy at the Council's meeting in September 2018.

To seek a minor change to the Constitution relating to approval of the Scheme of Members Allowances to reflect the legal position.

**Recommendation(s):**

That the Council:-

1. Notes the division of responsibilities between Chief Officers and the high level arrangements described in the Report and Appendices A, B and C;
2. Approves the amendments to the Constitution set out in Appendix D to the Report to reflect the said division of responsibilities and high level arrangements;
3. Approves the amendments to the Constitution set out in Appendix E relating to the Corporate Parenting Panel; and
4. Approves the amendment to the Constitution to delete sub-paragraph (j) from paragraph 2.1 of the Council Procedure Rules in Part 4 of the Constitution.

## **1. Background**

### **Chief Officer Responsibilities**

Appendix A shows the approved Senior Management Structure which is set out in Part 7 of the Council's Constitution.

Following a number of recruitments necessitated by a number of departures at Chief Officer level that approved structure has only been fully staffed below Head of Paid Service level since 8 April 2019 when the last of a number of new recruits took up post.

The structure at Appendix A now includes the names of all the officers reporting directly to the Head of Paid Service. The document at Appendix B shows the Council's Corporate Leadership Team. The structures at Appendix C show for the Head of Paid Service and each Executive Director area the division of responsibilities below the Director level.

The main features can be briefly described as follows:

- The creation of a small corporate centre to provide some capacity for the Head of Paid Service. This consists of the Community Engagement Team and the Communications Team (as these services are closely related to the Head of Paid Service duties) with the addition of a new post to take a Policy development role
- Community Safety is transferred to the Chief Fire Officer as the leadership team consider that there are considerable synergies between Community Safety and the Fire Service
- Human Resources is transferred to the Executive Director - Resources as this brings together our key resourcing functions in terms of money, people and governance activities
- A dedicated transformation team will be established, under the leadership of the Executive Director - Commercial building on the existing projects and programmes team. This will enable greater oversight of the Council's key projects. Performance capacity and IMT systems will be centralised as this will further enhance the organisation's ability to have increased corporate oversight.

With the exception of the centralising of systems and performance the above changes will take effect on 20 May 2019. The centralising of systems and performance will follow after appropriate consideration of the shape of those services and engagement with affected staff.

Now that a stable and fully staffed (although partly interim) senior management structure has been achieved it is necessary to revisit the distribution of officer delegations within Part 3 of the Constitution. During 2018 the Council went through a significant degree of change in its senior management and as a result the formal delegations have become misaligned with management responsibilities.

Appendix D shows the amendments necessary to bring the officer responsibilities and delegations in line with the management arrangements described above and approval is sought for these Constitutional amendments so the relevant senior managers are equipped with the necessary delegations to progress their areas of responsibility.

### **Corporate Parenting Sub-Group**

The Council approved the Corporate Parenting Strategy at its meeting in September 2018. During the debate members highlighted the need to maintain a high level of awareness and engagement for all members as corporate parents and it was suggested that the Corporate Parenting Sub-Group was renamed to 'Corporate Parenting Panel' to better reflect the status of Corporate Parenting within the authority.

The proposed changes to the Corporate Parenting arrangements are:

- 1) The Corporate Parenting Sub-Group will be renamed to Corporate Parenting Panel.
- 2) The Corporate Parenting Panel will meet in public up to six times a year, as required.
- 3) The Corporate Parenting Panel will report to the Full Council as required, (rather than the Children and Young People Scrutiny Committee) to increase awareness among all members of the work being undertaken in ensuring that the County Council undertakes its duty as Corporate Parent.

Approval is sought for the detailed amendments to the Constitution necessary to give effect to these changes as set out in Appendix E. These changes are intended to promote and maintain a high level of awareness and engagement for all members as corporate parents.

### **Business to be conducted at the Annual Meeting**

Paragraph 2.1 of the Council Procedure Rules in Part 4 of the Constitution sets out the business to be conducted at the Annual Meeting. This includes at sub-paragraph (j) agreeing a scheme of members allowances under the Local Authorities (Members Allowances) Regulations 2013. In fact the 2013 Regulations require such a scheme to be adopted prior to the 1 April of the year to which they relate. Accordingly this Council approves its scheme of members allowances at its February meeting each year.

Approval is therefore sought to delete sub-paragraph (j) from paragraph 2.1 of the Council Procedure Rules at Part 4 of the Constitution.

## 2. Legal Issues:

### Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- \* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- \* Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- \* Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

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

- \* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- \* 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
- \* 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

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

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

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

The Equality Act duty has been taken into account but no equalities impacts have been identified arising of the proposals in this Report.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

The JSNA and JHWS have been taken into account. The management structure described is considered best designed to enable the Council to focus on and progress its strategic objectives including those relating to the health and wellbeing of the people of the area. The changes to the Corporate Parenting arrangements are intended to promote and maintain a high level of awareness and engagement for all members as corporate parents and therefore better outcomes for the young people for whom the Council is responsible.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

Crime and disorder issues have been taken into account. The management structure described is considered best designed to enable the Council to focus on and progress all its strategic objectives including those relating to crime and disorder.

**3. Conclusion**

Approval is sought for amendments to the Constitution including to align officer delegations to area responsibilities and around arrangements relating to the Corporate Parenting Sub-Group.

**4. Legal Comments:**

The number and grades of staff required by the Council for the discharge of its functions; the organisation of the Council's staff; and the appointment and proper management of the Council's staff are matters for the Head of Paid Service and the Report informs the Council of arrangements the Head of Paid Service has determined.

Amendments to the delegations and other constitutional provisions relating to Chief Officers are reserved to full Council.

The decision on recommendation 2 is therefore within the remit of the full Council.

The other recommendations are also within the remit of the full Council

## 5. Resource Comments:

All changes arising from the recommendations within this report will be met from existing budgets of the Council

## 6. Consultation

### a) Has Local Member Been Consulted?

n/a

### b) Has Executive Councillor Been Consulted?

n/a

### c) Scrutiny Comments

The decision has not been considered by a Scrutiny Committee

### d) Have Risks and Impact Analysis been carried out?

Yes

### e) Risks and Impact Analysis

See the body of the Report

## 7. Appendices

|   |   |
|---|---|
| These are listed below and attached at the back of the report |   |
| Appendix A  | Senior Management Structure   |
| Appendix B  | Corporate Leadership Team   |
| Appendix C  | Senior Management Arrangements  |
| Appendix D  | Amendments to the Constitution – Chief Officer Responsibilities and Officer Delegations |
| Appendix E  | Amendments to the Constitution – Corporate Parenting Panel                              |

## 8. Background Papers

| Background Paper  | Where it can be viewed  |
|---|---|
| Council's Constitution  | <a href="https://www.lincolnshire.gov.uk/local-democracy/council-business/the-constitution/27546.article">https://www.lincolnshire.gov.uk/local-democracy/council-business/the-constitution/27546.article</a> |
| Report to Council 14 September 2018 entitled Corporate Parenting Strategy | <a href="http://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=120&amp;MId=5091&amp;Ver=4">http://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?CId=120&amp;MId=5091&amp;Ver=4</a>                 |

This report was written by David Coleman, Chief Legal Officer and Monitoring Officer, who can be contacted on 01522 552134 or [david.coleman@lincolnshire.gov.uk](mailto:david.coleman@lincolnshire.gov.uk).

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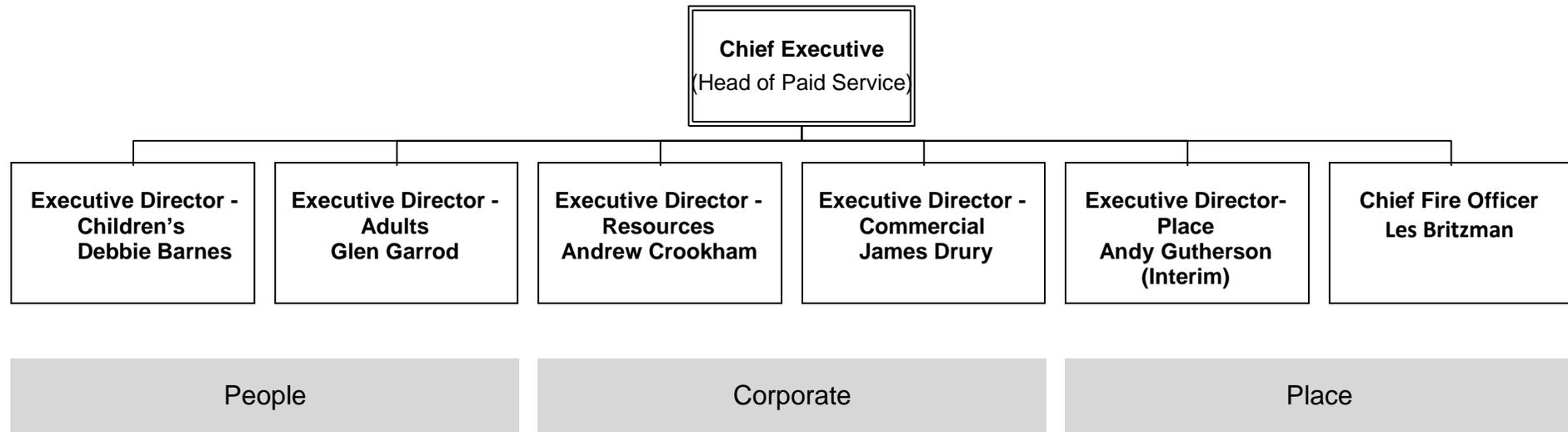
## **Part 7**

# **MANAGEMENT STRUCTURE**

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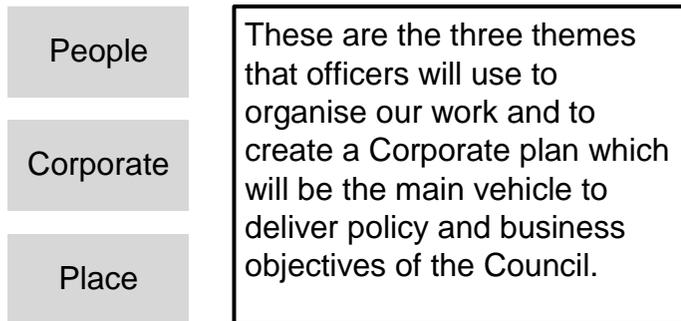


# Corporate Management Board



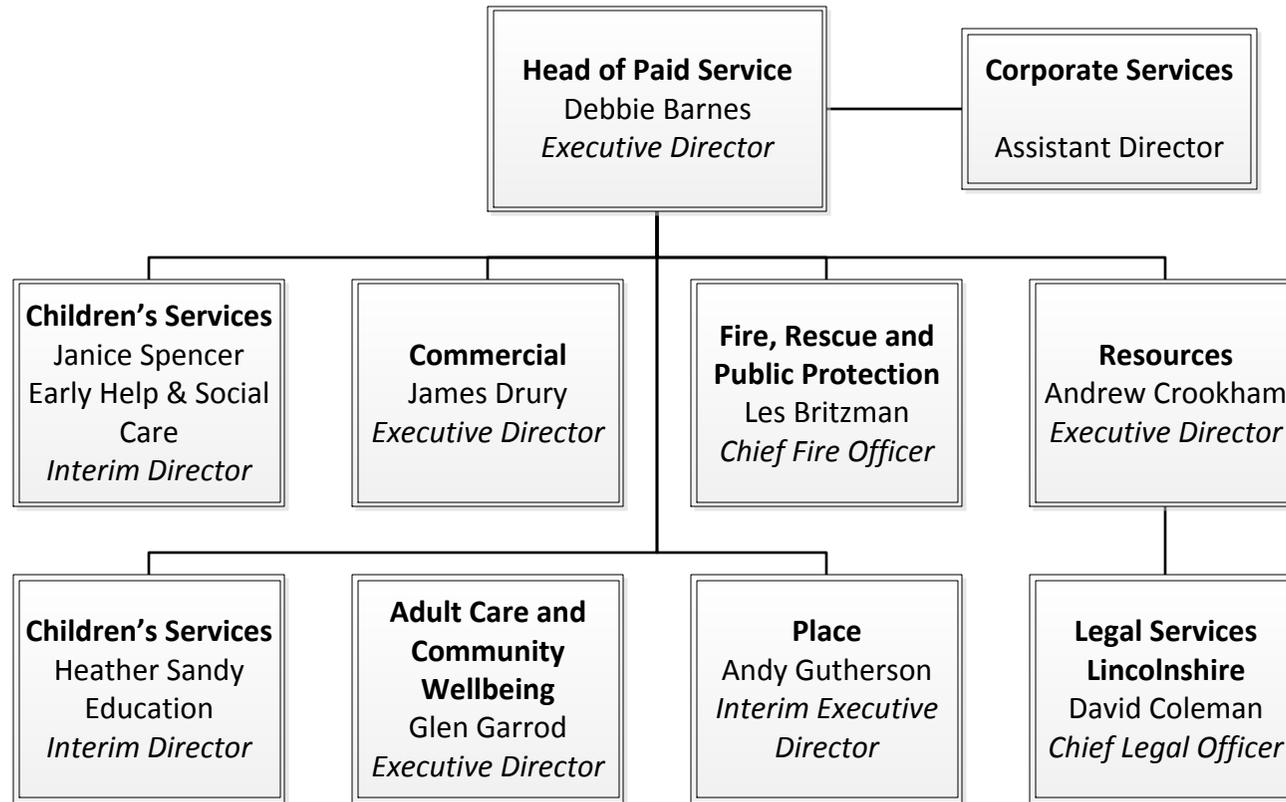
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## KEY



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# Corporate Leadership Team



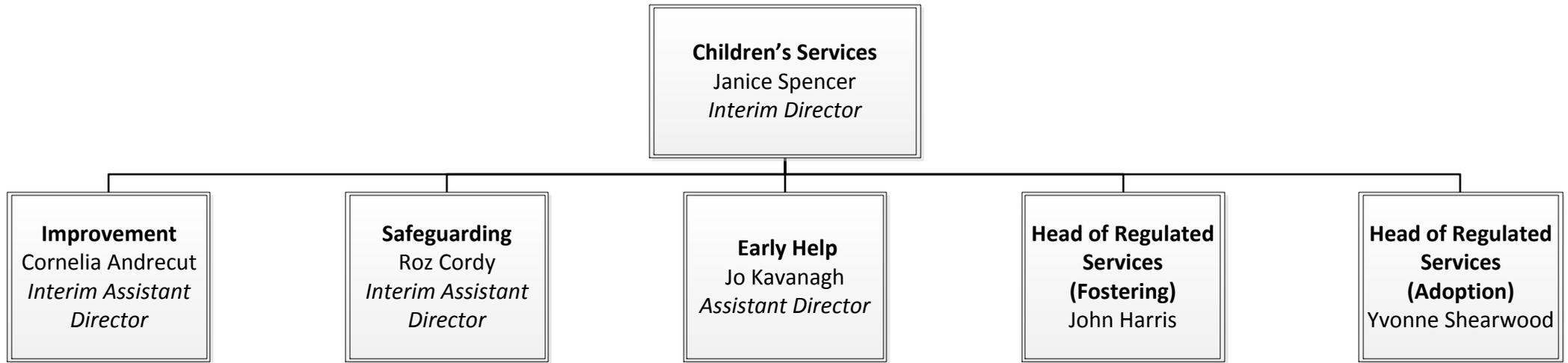
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# Adult Care and Community Wellbeing



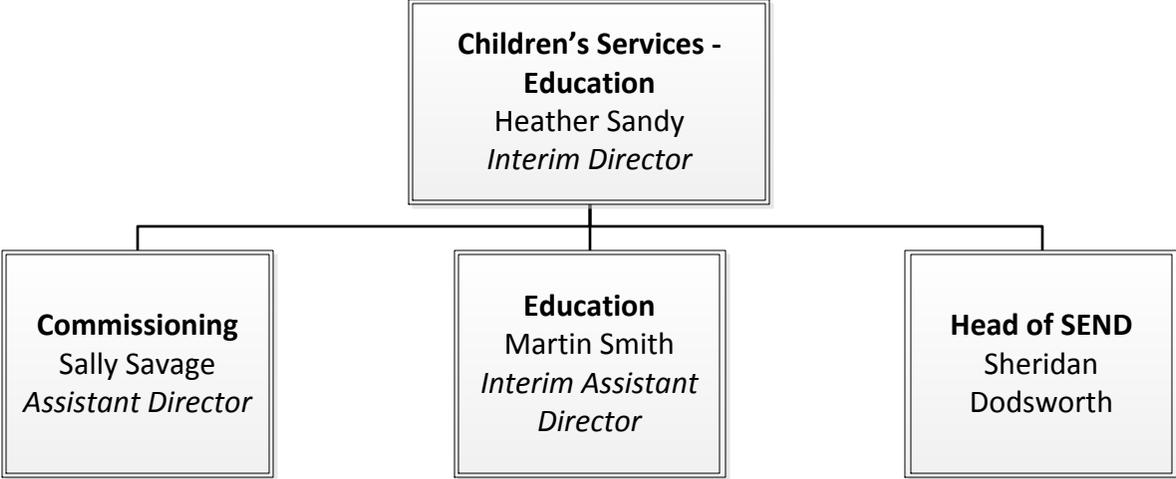
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# Children's Services – Early Help & Social Care



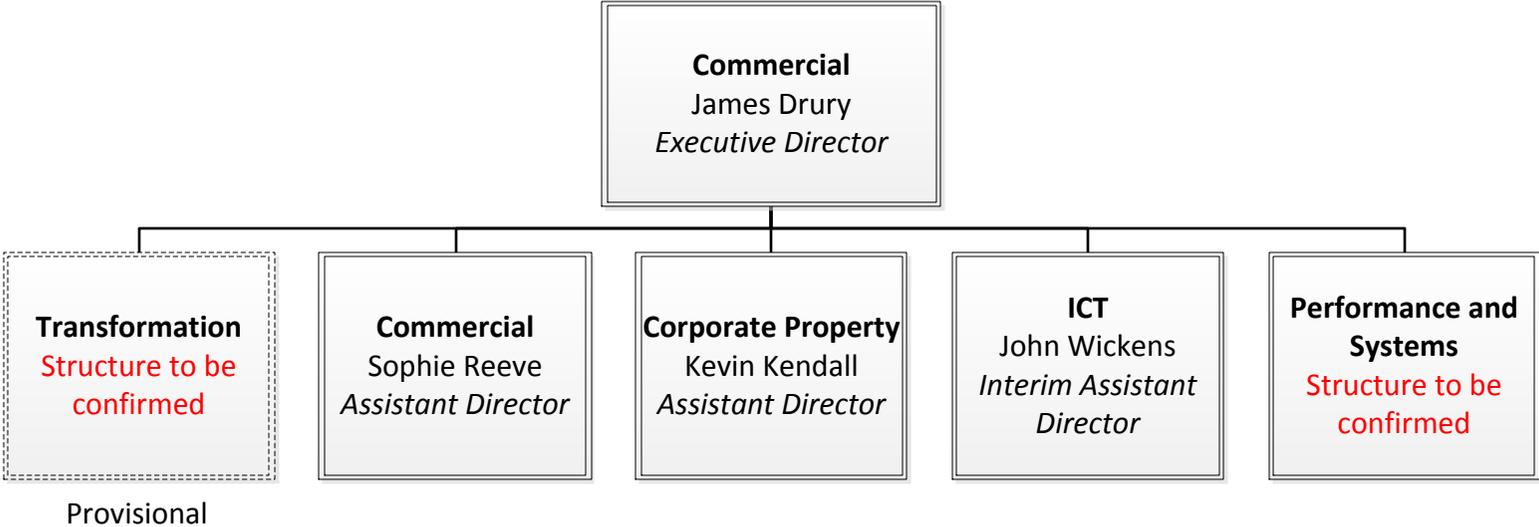
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# Children's Services - Education



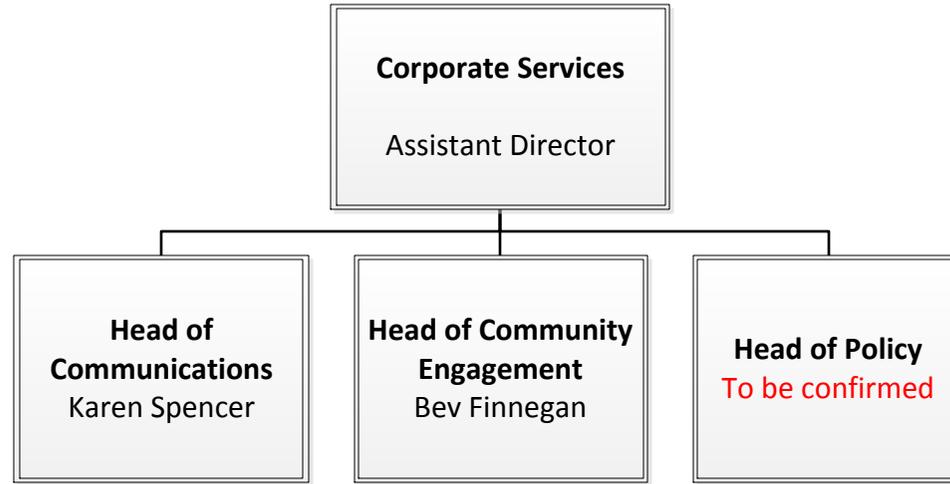
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# Commercial



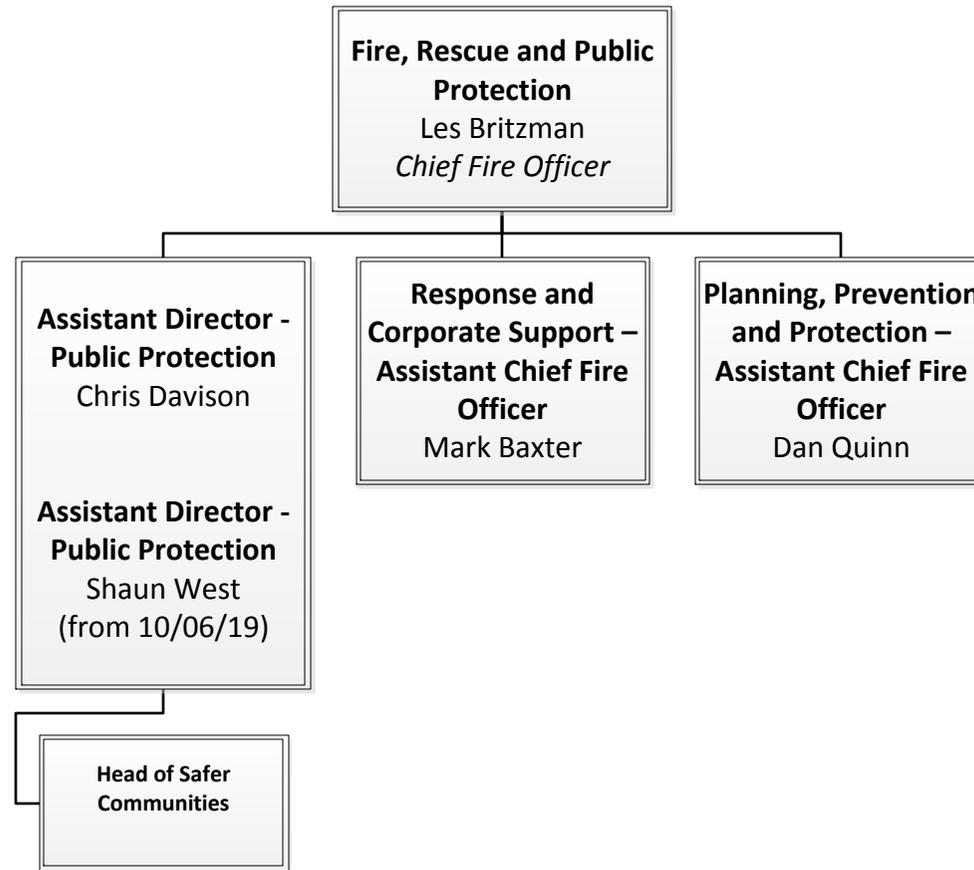
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# Corporate Services



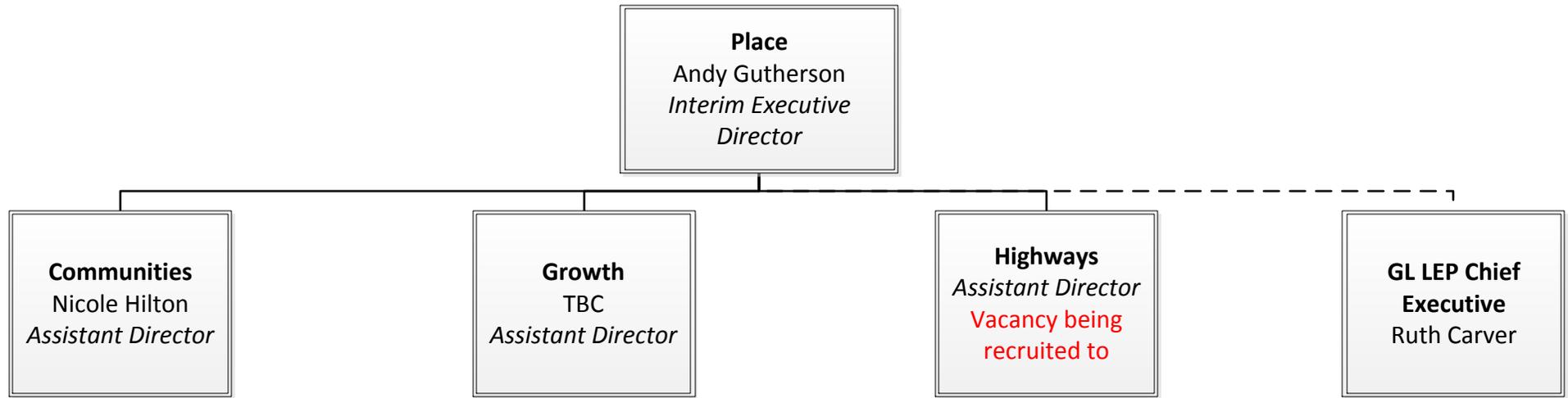
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# Fire, Rescue and Public Protection



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# Place



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# Resources

**Resources**  
Andrew Crookham  
*Executive Director*



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## **Part 2**

# **ARTICLES OF THE CONSTITUTION**

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2/1



## 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>Post</b>                                  | <b>Functions and areas of responsibility</b>  |
|--|---|
| Chief Executive/ <u>Head of Paid Service</u> | <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>• <u>Representing the Council on partnership and external bodies (as required by statute or the Council)</u></li> <li>• <u>Corporate communications</u></li> <li>• <u>Community engagement</u></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>• <del>People Services (HR)</del></li> <li>• Youth Offending Services</li> </ul>   |

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| <p>Executive Director for <del>Environment &amp; Economy</del> <u>Place</u></p>        | <ul style="list-style-type: none"> <li>• Economy (<del>including commissioning of heritage services</del>)</li> <li>• Lead Local Flood Authority</li> <li>• Environmental Protection and Wellbeing</li> <li>• Transport, Highways &amp; Traffic Management</li> <li>• Waste Management</li> <li>• Spatial Planning</li> <li>• <del>Legal Services Lincolnshire</del></li> <li>• <del>Democratic Services</del></li> <li>• Community Development</li> <li>• Libraries and Heritage</li> <li>• <del>Information Management and Technology</del></li> <li>• <del>Communications</del></li> <li>• <del>Senior Information Risk Owner</del></li> <li>•</li> </ul>  |
| <p>Executive Director of <del>Finance and Public Protection</del> <u>Resources</u></p> | <ul style="list-style-type: none"> <li>• <del>Fire &amp; Rescue</del></li> <li>• <del>Safer Communities (Including Civil Protection and Trading Standards)</del></li> <li>• Business Support</li> <li>• <del>Emergency Planning</del></li> <li>• Corporate Audit &amp; Risk Assurance</li> <li>• <del>Property</del></li> <li>• <u>Strategic Finance</u></li> <li>• <u>Pensions and Treasury</u></li> <li>• <u>Human Resources</u></li> <li>• <u>Legal and Democratic Services</u></li> <li>• <u>Information Governance</u></li> <li>• <u>Senior Information Risk Owner</u></li> <li>• <del>Registrar and Coroners</del></li> <li>• <del>Business planning and equalities</del></li> <li>• <del>Procurement and Commissioning Support</del></li> <li>• <del>Management and development of the Council's strategic contract with Serco</del></li> <li>•</li> </ul> |

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| Executive Director of Adult Care and Community Wellbeing | <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>• Older People/Physical Disability</li> <li>• Health and Wellbeing</li> </ul>                      |
| <u>Executive Director - Commercial</u>                   | <ul style="list-style-type: none"> <li>• <u>Commercial services</u></li> <li>• <u>Information Management and Technology</u></li> <li>• <u>Corporate systems</u></li> <li>• <u>Performance monitoring and reporting</u></li> <li>• <u>Property</u></li> <li>• <u>Procurement and contract management</u></li> </ul> |

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

The Council will designate the following posts as Statutory Officers:

| <i>Post</i>  | <i>Designation</i>   |
|--|--|
| Chief Executive  |  |
| Chief Legal Officer  | Monitoring Officer under section 5 of the Local Government and Housing Act 1989  |
| Executive Director <del>Finance and Public Protection- Resources</del> | 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<br>Head of Paid Service under section 4 of the Local Government and Housing Act 1989 |
| Executive Director of Adult Care and Community Wellbeing               | Director of Adult Social Services under Section 6 of the Local Authorities and Social Services Act 1970  |

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| Executive Director <del>for Environment &amp;</del> | Traffic Manager under section 17 of the |
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| <u>Economy- Place</u>       | Traffic Management Act 2004   |
| Head of Democratic Services | Scrutiny Officer under section 9FB of the Local Government Act 2000 |

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 Head of Paid Service 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

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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 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.

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(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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# **Part 3**

# **RESPONSIBILITY FOR FUNCTIONS**

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## RESPONSIBILITY FOR FUNCTIONS

### 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~~Head of Paid Service and all Chief Officers have the general powers set out in section B (General Powers of the ~~Chief Executive~~Head of Paid Service 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~~Head of Paid Service and All Chief Officers and Other 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~~Head of Paid Service 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~~Executive Councillor.

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,~~ HEAD OF PAID SERVICE  
CHIEF OFFICERS AND OTHER OFFICERS**

**HEAD OF PAID SERVICE**

**General**

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.

**Communications**

1. To provide corporate communications functions.

**Community Engagement**

1. To promote community engagement and development.

**EXECUTIVE DIRECTOR OF FINANCE AND PUBLIC PROTECTION-  
RESOURCES**

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.

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| 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 Overview and Scrutiny Management Board, 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.   |
| <del>11. In connection with the estate management of the County Council's land and premises, in consultation with the local Councillor:</del>  |
| <del>(a) to acquire land and premises;</del>   |
| <del>(b) to dispose of land and premises surplus to requirement;</del>   |
| <del>(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;</del>  |
| <del>(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;</del>   |
| <del>(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.</del> |
| <del>12. To seek permission for any development referred to in regulation 3 of the Town and Country Planning General Regulations 1992.</del>   |
| <del>13. To determine and serve notices under the terms of any agreement for the use of land or premises.</del>  |
| <del>14. To undertake the role of Travellers Liaison Officer in consultation with other Directorates in matters of illegal camping and site provision.</del>   |
| <u>11</u> To agree appropriate means of securing external representation on the Pension Committee, in consultation with relevant external bodies.  |
| <u>12</u> To maintain an adequate and effective internal audit service.  |
| <u>13</u> To effect all insurance cover in respect of County Council activities and  |

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| responsibilities, including making appropriate arrangements for the investigation and settlement of claims.  |
| <u>14</u> 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.  |
| <u>15</u> To arrange appropriate banking and related services on behalf of the Council including opening and closing bank accounts.  |
| <u>16</u> To exercise the function of the Council in relation to the use of badges for display on disabled persons' motor vehicles.  |
| <b><u>Human Resources</u></b>  |
| <u>1. To be responsible for Human Resources and Organisational Development.</u>  |
| <b><u>Democratic Services</u></b>  |
| <u>1. To manage support for the Leader and Chairman's Office.</u>  |
| <u>2. To operate Members' Allowances in line with the resolution of the County Council on this matter.</u>   |
| <b><u>Information Governance</u></b>   |
| <u>1 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.</u>  |
| <b><u>Complaints</u></b>   |
| <u>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.</u> |
| <del>To develop the Council's corporate business plan.</del>   |
| <del>To advise the Council on its Equality and Diversity obligations.</del>  |
| <del>To manage and develop the Council's Strategic contract with Serco.</del>  |
| <del>To deliver the Council's corporate procurement function including the shared service with the Districts.</del>  |
| <del>Provide commercial advice and support to Commissioners.</del>   |
| <b><u>Fire and Rescue Service</u></b>  |
| <del>1. To make appropriate arrangements for dealing with matters relating to the discipline and dismissal of uniformed Fire Officers pursuant to the relevant legislation</del>   |
| <del>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.</del>   |
| <del>3. To review from time to time risk categories and pre-determined attendances.</del>  |
| <del>4. To waive or make nominal charges in respect of special services.</del>   |
| <del>5. To approve or refuse applications from members of the Lincolnshire Fire and Rescue Service ("the Service") to engage in outside employment.</del>  |
| <del>6. To measure the provision of water for firefighting purposes.</del>   |
| <del>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.</del>   |
| <del>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</del>   |

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| <del>regard to the Fire and Rescue National Framework.</del>  |
| <del>9. Powers to issue, amend or replace safety certificates (whether general or special) for sports grounds under the Safety of Sports Grounds Act 1975.</del>  |
| <del>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.</del>  |
| <del>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.</del>   |
| <del>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.</del>  |
| <del>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.</del>   |
| <del>14. Power, in consultation with the Chief Legal Officer, to prosecute:<br/>(i) those offences falling under the following provisions of the Fire and Rescue Services Act 2004 namely:<br/> <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.</del> |
| <del>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.</del>   |
| <del>16. Power to issue and serve an alterations notice pursuant to Article 29 of the Regulatory Reform (Fire Safety) Order 2005.</del>   |
| <del>17. Power to issue and serve an enforcement notice pursuant to Article 30 of the Regulatory Reform (Fire Safety) Order 2005.</del>   |
| <del>18. Power to issue and serve a prohibition notice pursuant to Article 31 of the Regulatory Reform (Fire Safety) Order 2005.</del>  |
| <del>19. Power to issue Petroleum Storage Certificates pursuant to the Petroleum (Consolidation) Regulations 2014.</del>  |
| <del>20. Power to register 'keepers of petrol' pursuant to the Petroleum (Consolidation) Regulations 2014.</del>  |
| <del>21. Power to enforce regulations 5 (access marking), 6 (location marking) and 7 (signs to be kept clean) pursuant to the Dangerous Substances (Notification and Marking Sites) Regulations 1990 (NAMOS).</del>   |
| <del>22. Power to issue 'Assured Advice' and guidance after demonstration of</del>  |

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| <del>compliance by the regulated person as set out in 15(4)(b) of the Regulatory Enforcement and Sanctions Act 2008.</del>  |
| <del>23. Power to provide local authorities with advice in accordance with Section 27 of the Regulatory Enforcement and Sanctions Act 2008.</del>   |
| <b>Civil Protection</b>   |
| <del>1. To implement any legislation pertinent to Emergency Planning.</del>   |
| <del>2. To act in pursuance of all statutory and other powers relating to services for which the Service is responsible.</del>  |
| <del>3. To implement the Control of Major Accident Hazard Regulations 1999.</del>   |
| <b>Crime and Disorder</b>   |
| <del>1. To lead the County Council's 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.</del>  |
| <del>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.</del>  |
| <del>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.</del>  |
| <del>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>   |
| <b>Safer Communities Service – Trading Standards</b>  |
| <del>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:</del>   |
| <b>Head of Safer Communities</b>  |
| <del>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.</del> |
| <del>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.</del>   |

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| <p><del>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.</del></p>   |
| <p><del>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.</del></p> |
| <p><del>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.</del></p>                               |
| <p><del>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.</del></p>  |
| <p><del>7. To nominate in writing Officers for the purposes of enforcing the Food and Environment Protection Act 1985.</del></p>   |
| <p><del>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.</del></p>  |
| <p><del>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.</del></p>  |
| <p><del>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.</del></p>   |
| <p><del>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.</del></p>   |
| <p><del>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.</del></p>  |
| <p><del>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.</del></p>   |

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| <b>Service Manager – Safer Communities</b>   |
| 1. <del>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.</del>  |
| <b>Duly Appointed Officers</b>   |
| 1. <del>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.</del> |
| <b>Registration and Celebratory Services</b>   |
| 1. <del>In respect of the Registration Service:</del>  |
| (a) <del>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>  |
| (b) <del>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>   |
| (c) <del>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>   |
| (d) <del>to issue certificates and arrange citizenship ceremonies under British Nationality Act 1981.</del>  |
| 2. <del>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 partnerships and citizenship ceremonies.</del>   |

## ANNEX A

### LOANS AND ADVANCES TO OUTSIDE BODIES

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- Resources~~ 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- Resources~~ 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- Resources~~ shall consult with the appropriate

Executive Councillors before approving and shall report the arrangements made to the first available meeting of the Overview and Scrutiny Management Board.

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- Resources~~ 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

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| 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  |

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| 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>  |
| <del>2. To be responsible for Human Resources and Organisational Development.</del>   |
| <b>Youth Offending</b>  |
| 1. To exercise the functions of the County Council in relation to the Youth Offending Service.  |
| <b>Democratic Services</b>  |
| <del>3. To manage support for the Leader and Chairman's Office.</del>   |
| <del>4. To operate Members' Allowances in line with the resolution of the County Council on this matter.</del>  |
| <b>Complaints</b>   |
| <del>2. 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.</del>  |
| <b>Highways, Construction and Maintenance</b>   |
| <del>1. To act as Engineer in Civil Engineering Contracts where the County Council, Highways Agency, or Lincolnshire's Partners are the Employer.</del>   |
| <del>2. To take the role of Employer in Civil Engineering Contracts where the County Council is the employer in respect of:</del>   |
| <del>(i) deduction of liquidated damages;</del>   |
| <del>(ii) other matters within the limits imposed by the Financial Regulations.</del>   |
| <del>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.</del>  |
| <del>4. To provide and maintain cattle grids, fences, boundary posts and road footway lighting systems.</del>   |
| <del>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.</del>  |
| <del>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.</del>  |

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| <del>7. To object to other authorities' formal traffic proposals where they adversely affect highways in Lincolnshire.</del>   |
| <del>8. To convert lengths of footway into combined footway and cycle tracks, subject to no objections being received.</del>   |
| <del>9. To make changes to the Road Hierarchy.</del>   |
| <del>10. To submit proposals for road classification, re-classification or re-numbering, to the Government Office for the East Midlands.</del>   |
| <del>11. To incur capital expenditure on highway improvement and maintenance schemes subject to:</del>   |
| <del>(i) a maximum scheme cost of £100,000, additional expenditure to be contained within the approved total Highways Capital Programme;</del>   |
| <del>(ii) prior consultation with the Executive Director of Finance and Public Protection and the appropriate Executive Councillor.</del>  |
| <del>12. In connection with the New Roads and Street Works Act 1991 and any other relevant enabling legislation:</del>   |
| <del>(i) to approve the declaration of an existing highway to be a new street;</del>   |
| <del>(ii) to settle payments to be made by owners of new buildings in respect of street works;</del>   |
| <del>(iii) to make up, vary the width of and adopt after the execution of street works.</del>  |
| <del>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.</del>   |
| <del>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.</del>  |
| <del>15. To comment to the Highways Agency on their proposed Orders, except where formal objection is to be made.</del>  |
| <del>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.</del>   |
| <del>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.</del> |
| <b>Management of Highways</b>  |
| <del>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.</del>   |
| <del>2. To advertise and consult concurrently on all Traffic Regulation Order proposals other than those relating to speed limits.</del>   |
| <del>3. Following consultation with the appropriate Executive Councillor, to proceed to public advertising and consultation of speed limit proposals where the</del>   |

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| <del>Executive Director considers that appropriate.</del>  |
| <del>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.</del>   |
| <del>5. Under any legislation relating to the functions administered by the Executive Director for Environment &amp; Economy:</del>  |
| <del>(i) to serve or display notices;</del>  |
| <del>(ii) to grant or refuse consents, approvals, licences, authorisations and permissions;</del>  |
| <del>(iii) to impose requirements;</del>   |
| <del>(iv) to exercise any powers preliminary to or subsequent upon (i) to (iii).</del>   |
| <del>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.</del>                  |
| <del>6. To make temporary orders regulating traffic and diverting highways.</del>  |
| <del>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.</del>  |
| <del>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.</del> |
| <del>9. To make and to authorise the making of Orders under the following statutory provisions:</del>  |
| <del>(i) Highways Act 1980, Section 25 (creation of footpaths, bridleways and restricted byways by agreement).</del>   |
| <del>(ii) Highways Act 1980, Section 26 (creation of footpaths, bridleways and restricted byways by order).</del>  |
| <del>(iii) Highways Act 1980, Section 118 (extinguishment of footpaths and bridleways and restricted byways).</del>  |
| <del>(iv) Highways Act 1980, Section 118A (power to make a rail crossing extinguishment order).</del>  |
| <del>(v) Highways Act 1980, Section 118B (power to make special extinguishment orders).</del>  |
| <del>(vi) Highways Act 1980, Section 119 (diversion of footpaths and bridleways).</del>  |
| <del>(vii) Highways Act 1980, Section 119A (power to make a rail crossing diversion order).</del>  |
| <del>(viii) Highways Act 1980, Section 119B (power to make special diversion order).</del>   |
| <del>(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).</del>  |
| <del>(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).</del>   |
| <del>(xi) Highways Act 1980, Section 134(6) (power to enforce provisions regarding inter alia ploughing).</del>  |
| <del>(xii) Highways Act 1980, Section 134(8) (power to grant an extension).</del>  |
| <del>(xiii) Highways Act 1980, Section 137A (power to enforce the provisions in relation to interference by crops).</del>  |

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| <del>(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).</del>   |
| <del>(xv) Highways Act 1980, Section 145 (power to enforce minimum widths for gates across highways).</del>  |
| <del>(xvi) Highways Act 1980, Section 154 (power to require removal of overhanging trees or shrubs).</del>   |
| <del>(xvii) Highways Act 1980, Section 164 (power to require removal of barbed wire).</del>  |
| <del>(xviii) Highways Act 1980, Section 297 (power to require information as to ownership of land).</del>  |
| <del>(xix) Highways Act 1980, Section 300 (right to use appliances and vehicles on footpaths, bridleways and restricted byways).</del>   |
| <del>(xx) Highways Act 1980, Schedule 12A (power to carry out works in relation to interference with highways).</del>  |
| <del>(xxi) Cycle Tracks Act 1984, Section 3 (power to designate footpath as cycle path).</del>   |
| <del>(xxii) Housing Act 1981, Section 294 (power to extinguish public right of way over land acquired for clearance).</del>  |
| <del>(xxiii) Countryside and Rights of Way Act 2000, Section 35 (power to enter into agreements with respect to means of access).</del>  |
| <del>(xxiv) Countryside and Rights of Way Act 2000, Section 37 (power to provide access in absence of agreement).</del>  |
| <del>(xxv) Wildlife and Countryside Act 1981, Section 57A (power to prepare map and statement by way of consolidation of Definitive Map and Statement).</del>  |
| <del>(xxvi) Town and Country Planning Act 1990, Section 257 (stopping up and diversion of footpaths and bridleways).</del>   |
| <del>(xxvii) Town and Country Planning Act 1980, Section 258 (power to extinguish public rights of way over land held for planning purposes).</del>  |
| <del>(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..</del>   |
| <del>10. To enter into agreements in respect of permissive (or concessionary) paths.</del>   |
| <del>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.</del>  |
| <del>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.</del>   |
| <del>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.</del> |
| <del>14. To make and, where appropriate, waive charges in respect of Public Path</del>   |

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| Orders:  |
| <del>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.</del>   |
| <del>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.</del>  |
| <del>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.</del>  |
| <del>18. Power to make byelaws as respects access to land under Countryside and Rights of Way Act 2000, Section 17.</del>  |
| <del>19. Power to appoint wardens as respects access to land under the Countryside and Rights of Way Act 2000, Section 18.</del>   |
| <del>20. Power to erect and maintain notices as respects access to land under the Countryside and Rights of Way Act 2000, Section 19.</del>  |
| <del>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.</del>  |
| <del>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.</del>  |
| <del>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.</del>   |
| <b>Spatial Planning, Conservation and Environment</b>  |
| <del>1. To make grants towards landscape schemes.</del>  |
| <del>2. To maintain the Historic Environment Record.</del>   |
| <del>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:</del>   |
| <del>• Tree Preservations Orders and Trees in Conservation Areas;</del>  |
| <del>• Forestry Commission Matters;</del>  |
| <del>• Regulation 3 of the Town and Country Planning General Regulations 1992;</del>   |
| <del>• Plan Briefs and Similar Documents;</del>  |
| <del>• Certificate of Lawfulness of Existing Use or Development (CLEUD) (Planning and Compensation Act 1991 (S.191));</del>  |
| <del>• Certificate of Lawfulness and Proposed Use or Development (CLOPUD) (Planning and Compensation Act 1991 (S.192));</del>  |
| <del>• Planning applications affecting the interests of the County.</del>  |
| <del>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</del> |

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| <del>Planning and Compulsory Purchase Act 2004.</del>   |
| <del>5. To approve matters reserved by a condition of any planning permission in respect of County Council, waste or minerals development.</del>  |
| <del>6. To issue any Direction pursuant to any requirement under Article 7 of the Town and Country Planning (General Permitted Development) Order 1995.</del>   |
| <del>7. To issue any Opinion or Direction pursuant to the Town and Country Planning (Environmental Assessment and Permitted Development) Regulations 1999.</del>  |
| <del>8. To issue Certificates of Conformity/Non-Conformity in respect of local plans under Section 46 of the Town and Country Planning Act 1990.</del>  |
| <del>9. To prescribe improvement building frontage and sight lines.</del>   |
| <del>10. To make grants in respect of Historic Buildings and premises included in Enhancement Schemes.</del>  |
| <del>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.</del>   |
| <del>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.</del>   |
| <del>13. To adopt highways.</del>   |
| <del>14. To comment to the Department for Transport on applications made to Department for grants under S.36 of the Transport Act 1981.</del>   |
| <del>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:-</del> <ul style="list-style-type: none"> <li><del>• Those applications and proposals in accordance with the Development Plan where objections are raised by other local authorities;</del></li> <li><del>• Those applications which are Environmental Impact Assessment applications;</del></li> <li><del>• Those which are recommended for refusal;</del></li> <li><del>• All applications where more than 3 individual representations from separate properties raising planning related objections are received;</del></li> <li><del>• Those involving a departure from the Local Plan; and</del></li> <li><del>• Those which have been referred to Committee by a Local Member.</del></li> </ul> |
| <del>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.</del>   |
| <del>17. To act under any powers or duties under legislation imposed on the County Council with respect to flood risk management.</del>   |
| <b>Transport Services</b>   |
| <del>1. To enter into agreements providing for subsidies of public passenger transport services under Section 88 of the Transport Act 1985.</del>   |
| <del>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.</del>  |
| <del>3. To enter into agreements with local bus operators to make quality bus</del>   |

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| <del>partnerships, quality contract schemes or ticketing schemes under the Transport Act 2000.</del>   |
| <del>4. To enter into agreements with local bus operators for non-statutory quality bus partnerships.</del>  |
| <del>5. To enter into agreements providing for the supply of passenger transport services including those for:-</del>  |
| <del> <ul style="list-style-type: none"> <li>● mainstream education pupils;</li> <li>● special educational needs pupils;</li> <li>● social services clients.</li> </ul> </del>   |
| <del>6. To make grants to Parish Councils for improvement of bus shelters.</del>   |
| <del>7. To enter into agreements for car contract hire scheme for employees of the Authority fleet services and contract hire arrangements for Specialist vehicles.</del>  |
| <del>8. To take such decisions on the withdrawal of local bus services to remain within budget, subject to consultation with the appropriate Executive Councillor.</del>   |
| <b>Other</b>   |
| <del>1. To determine, following consultation with the appropriate Executive Councillor and Overview and Scrutiny Committee or Panel and the Executive Director of Finance &amp; Public Protection, where there is an immediate threat to a site, requests to the County Council for support towards habitat and environmental site acquisitions.</del> |
| <b>Economic Development</b>  |
| <del>1. To make grants and loans within a framework approved by the Council including</del>  |
| <del>(a) Lincolnshire Loan Fund for Business Development</del>   |
| <del>(b) Lincolnshire Community Business Development Finance Initiative and</del>  |
| <del>(c) Specific initiatives to support rural communities</del>   |
| <del>2. To develop sites and premises for economic development purposes</del>  |
| <del>(a) to procure services in accordance with the regulations and established policies and principles of Lincolnshire County Council</del>   |
| <del>(b) to work together with public and private sector partners to bring forward new capital projects</del>  |
| <del>(c) to agree the sale and letting of sites within the economic development portfolio</del>  |
| <del>3. To deliver the tourism policy and function for Lincolnshire County Council and to manage any contracts for the delivery of tourism services</del>  |
| <del>4. To ensure that external funding programmes are delivered in accordance with the guidelines set out in offer letters.</del>   |
| <del>5. To implement capital projects which will bring about an improvement in the economic wellbeing of the County and its population</del>   |
| <del>6. To lead an integrated policy and service delivery operation.</del>   |
| <b>Community Assets and Resilience</b>   |
| <del>1.2. To promote community engagement and development.</del>   |
| <del>2.3. 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>  |

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| <del>3.4. _____ After consultation with the appropriate Executive Councillor, to approve use of Lincoln Castle for charity events and to determine financial arrangements.-</del>  |
| <del>4.5. _____ 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:-</del>                                    |
| <b>Information Management and Technology</b>   |
| <del>1. To develop the Corporate IT Policy including digital channel shift and provide general advice thereon.</del>   |
| <del>2. To operate and deliver IT infrastructure, services, systems and software.</del>  |
| <del>3. 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.</del>   |
| <del>4. To undertake a research function on behalf of Lincolnshire County Council and provide information and analysis of the census.</del>  |
| <b>Communications</b>  |
| <del>2. To provide corporate communications functions.</del>   |
| <b>General</b>   |
| <del>9. 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).</del>   |
| <del>10. To grant or refuse permission for the display of the Coat of Arms and/or badge of the County.</del>   |
| <del>11. 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.</del>  |
| <del>12. To exercise the functions of the Council under charities legislation.</del>   |
| <del>13. 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.-</del> |
| <del>14. To progress the strategic development of the Council.</del>   |
| <del>15. On appointment, to undertake all the functions of the Returning Officer.</del>  |
| <del>16. To undertake appropriate and necessary action when vacancy in office occurs.</del>  |

## EXECUTIVE DIRECTOR OF ADULT CARE AND COMMUNITY WELLBEING

### Services for Adults and Older People

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 Homemaker 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.

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| 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   |
| <b>Services in relation to Community Wellbeing</b>   |
| 1. To support delivery of strategic and supported housing.   |
| 2. To promote general health and wellbeing.  |
| 3. To exercise the functions of the County Council in relation to the Drug and Alcohol Action Team.  |
| 4. To contribute to the development of the Joint Strategic Needs Assessment.   |
| 5. To administer the Health and Wellbeing Fund.  |
| 6. To facilitate the Health and Wellbeing Board.   |
| <b>Director of Public Health</b>   |
| 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. |
| 2. To produce the Annual Health Report.  |
| 3. To carry out and publish health needs and health impact assessments.  |

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| <b>EXECUTIVE DIRECTOR - PLACE</b>   |
| <b><u>Highways, Construction and Maintenance</u></b>  |
| <u>1 To act as Engineer in Civil Engineering Contracts where the County Council, Highways Agency, or Lincolnshire's Partners are the Employer.</u>  |
| <u>2 To take the role of Employer in Civil Engineering Contracts where the County Council is the employer in respect of:</u>  |
| <u>(i) deduction of liquidated damages;</u>   |
| <u>(ii) other matters within the limits imposed by the Financial Regulations.</u>   |
| <u>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.</u>   |
| <u>4 To provide and maintain cattle grids, fences, boundary posts and road footway lighting systems.</u>  |
| <u>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.</u> |
| <u>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.</u>             |
| <u>7 To object to other authorities' formal traffic proposals where they adversely</u>  |

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| <u>affect highways in Lincolnshire.</u>   |
| <u>8 To convert lengths of footway into combined footway and cycle tracks, subject to no objections being received.</u>   |
| <u>9 To make changes to the Road Hierarchy.</u>   |
| <u>10 To submit proposals for road classification, re-classification or re-numbering, to the Government Office for the East Midlands.</u>   |
| <u>11 To incur capital expenditure on highway improvement and maintenance schemes subject to:</u>   |
| <u>(i) a maximum scheme cost of £100,000, additional expenditure to be contained within the approved total Highways Capital Programme;</u>  |
| <u>(ii) prior consultation with the Executive Director of Finance and Public Protection and the appropriate Executive Councillor.</u>   |
| <u>12 In connection with the New Roads and Street Works Act 1991 and any other relevant enabling legislation:</u>   |
| <u>(i) to approve the declaration of an existing highway to be a new street;</u>  |
| <u>(ii) to settle payments to be made by owners of new buildings in respect of street works;</u>  |
| <u>(iii) to make up, vary the width of and adopt after the execution of street works.</u>   |
| <u>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.</u>   |
| <u>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.</u>  |
| <u>15 To comment to the Highways Agency on their proposed Orders, except where formal objection is to be made.</u>  |
| <u>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.</u>   |
| <u>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.</u> |
| <b><u>Management of Highways</u></b>  |
| <u>18 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.</u>  |
| <u>19 To advertise and consult concurrently on all Traffic Regulation Order proposals other than those relating to speed limits.</u>  |
| <u>20 Following consultation with the appropriate Executive Councillor, to proceed to public advertising and consultation of speed limit proposals where the</u>  |

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| <u>Executive Director considers that appropriate.</u>   |
| <u>21 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.</u>  |
| <u>22 Under any legislation relating to the functions administered by the Executive Director for Environment &amp; Economy:</u>   |
| <u>(i) to serve or display notices;</u>   |
| <u>(ii) to grant or refuse consents, approvals, licences, authorisations and permissions;</u>   |
| <u>(iii) to impose requirements;</u>  |
| <u>(iv) to exercise any powers preliminary to or subsequent upon (i) to (iii).</u>  |
| <u>23 Powers under 22(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.</u>                     |
| <u>24. To make temporary orders regulating traffic and diverting highways.</u>  |
| <u>25. 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.</u>  |
| <u>26. 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.</u> |
| <u>27. To make and to authorise the making of Orders under the following statutory provisions:</u>  |
| <u>(i) Highways Act 1980, Section 25 (creation of footpaths, bridleways and restricted byways by agreement).</u>  |
| <u>(ii) Highways Act 1980, Section 26 (creation of footpaths, bridleways and restricted byways by order).</u>   |
| <u>(iii) Highways Act 1980, Section 118 (extinguishment of footpaths and bridleways and restricted byways).</u>   |
| <u>(iv) Highways Act 1980, Section 118A (power to make a rail crossing extinguishment order).</u>   |
| <u>(v) Highways Act 1980, Section 118B (power to make special extinguishment orders).</u>   |
| <u>(vi) Highways Act 1980, Section 119 (diversion of footpaths and bridleways).</u>   |
| <u>(vii) Highways Act 1980, Section 119A (power to make a rail crossing diversion order).</u>   |
| <u>(viii) Highways Act 1980, Section 119B (power to make special diversion order).</u>  |
| <u>(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).</u>   |
| <u>(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).</u>  |
| <u>(xi) Highways Act 1980, Section 134(6) (power to enforce provisions</u>  |

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| <u>regarding inter alia ploughing).</u>  |
| <u>(xii) Highways Act 1980, Section 134(8) (power to grant an extension).</u>  |
| <u>(xiii) Highways Act 1980, Section 137A (power to enforce the provisions in relation to interference by crops).</u>  |
| <u>(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).</u>   |
| <u>(xv) Highways Act 1980, Section 145 (power to enforce minimum widths for gates across highways).</u>  |
| <u>(xvi) Highways Act 1980, Section 154 (power to require removal of overhanging trees or shrubs).</u>   |
| <u>(xvii) Highways Act 1980, Section 164 (power to require removal of barbed wire).</u>  |
| <u>(xviii) Highways Act 1980, Section 297 (power to require information as to ownership of land).</u>  |
| <u>(xix) Highways Act 1980, Section 300 (right to use appliances and vehicles on footpaths, bridleways and restricted byways).</u>   |
| <u>(xx) Highways Act 1980, Schedule 12A (power to carry out works in relation to interference with highways).</u>  |
| <u>(xxi) Cycle Tracks Act 1984, Section 3 (power to designate footpath as cycle path).</u>   |
| <u>(xxii) Housing Act 1981, Section 294 (power to extinguish public right of way over land acquired for clearance).</u>  |
| <u>(xxiii) Countryside and Rights of Way Act 2000, Section 35 (power to enter into agreements with respect to means of access).</u>  |
| <u>(xxiv) Countryside and Rights of Way Act 2000, Section 37 (power to provide access in absence of agreement).</u>  |
| <u>(xxv) Wildlife and Countryside Act 1981, Section 57A (power to prepare map and statement by way of consolidation of Definitive Map and Statement).</u>  |
| <u>(xxvi) Town and Country Planning Act 1990, Section 257 (stopping up and diversion of footpaths and bridleways).</u>   |
| <u>(xxvii) Town and Country Planning Act 1980, Section 258 (power to extinguish public rights of way over land held for planning purposes).</u>  |
| <u>(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..</u> |
| <u>28. To enter into agreements in respect of permissive (or concessionary) paths.</u>   |
| <u>29. 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.</u>          |
| <u>30. 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.</u>   |
| <u>31. 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</u>  |

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| <u>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.</u> |
| <u>32. To make and, where appropriate, waive charges in respect of Public Path Orders.</u>  |
| <u>33. 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.</u>  |
| <u>34. For the purpose of assessing priority for Public Rights of Way maintenance, to set, upgrade and downgrade Public Rights of Way within priorities determined.</u>   |
| <u>35. 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.</u>   |
| <u>36. Power to make byelaws as respects access to land under Countryside and Rights of Way Act 2000, Section 17.</u>   |
| <u>37. Power to appoint wardens as respects access to land under the Countryside and Rights of Way Act 2000, Section 18.</u>  |
| <u>38. Power to erect and maintain notices as respects access to land under the Countryside and Rights of Way Act 2000, Section 19.</u>   |
| <u>39. 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.</u>   |
| <u>40. 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.</u>   |
| <u>41. 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.</u>  |
| <b><u>Spatial Planning, Conservation and Environment</u></b>  |
| <u>1 To make grants towards landscape schemes.</u>  |
| <u>2 To maintain the Historic Environment Record.</u>   |
| <u>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:</u>   |
| <u>• Tree Preservations Orders and Trees in Conservation Areas;</u>   |
| <u>• Forestry Commission Matters;</u>   |
| <u>• Regulation 3 of the Town and Country Planning General Regulations 1992;</u>  |
| <u>• Plan Briefs and Similar Documents;</u>   |
| <u>• Certificate of Lawfulness of Existing Use or Development (CLEUD) (Planning and Compensation Act 1991 (S.191));</u>   |
| <u>• Certificate of Lawfulness and Proposed Use or Development (CLOPUD) (Planning and Compensation Act 1991 (S.192));</u>   |

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| <ul style="list-style-type: none"> <li>• <u>Planning applications affecting the interests of the County.</u></li> </ul>   |
| <p><u>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.</u></p>   |
| <p><u>5 To approve matters reserved by a condition of any planning permission in respect of County Council, waste or minerals development.</u></p>  |
| <p><u>6 To issue any Direction pursuant to any requirement under Article 7 of the Town and Country Planning (General Permitted Development) Order 1995.</u></p>   |
| <p><u>7 To issue any Opinion or Direction pursuant to the Town and Country Planning (Environmental Assessment and Permitted Development) Regulations 1999.</u></p>  |
| <p><u>8 To issue Certificates of Conformity/Non-Conformity in respect of local plans under Section 46 of the Town and Country Planning Act 1990.</u></p>  |
| <p><u>9 To prescribe improvement building frontage and sight lines.</u></p>   |
| <p><u>10 To make grants in respect of Historic Buildings and premises included in Enhancement Schemes.</u></p>  |
| <p><u>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.</u></p>   |
| <p><u>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.</u></p>   |
| <p><u>13 To adopt highways.</u></p>   |
| <p><u>14 To comment to the Department for Transport on applications made to Department for grants under S.36 of the Transport Act 1981.</u></p>   |
| <p><u>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:-</u></p> <ul style="list-style-type: none"> <li>• <u>Those applications and proposals in accordance with the Development Plan where objections are raised by other local authorities;</u></li> <li>• <u>Those applications which are Environmental Impact Assessment applications;</u></li> <li>• <u>Those which are recommended for refusal;</u></li> <li>• <u>All applications where more than 3 individual representations from separate properties raising planning related objections are received;</u></li> <li>• <u>Those involving a departure from the Local Plan; and</u></li> <li>• <u>Those which have been referred to Committee by a Local Member.</u></li> </ul> |
| <p><u>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.</u></p>   |
| <p><u>17 To act under any powers or duties under legislation imposed on the County Council with respect to flood risk management.</u></p>   |

| <b><u>Transport Services</u></b>  |
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| <u>1 To enter into agreements providing for subsidies of public passenger transport services under Section 88 of the Transport Act 1985.</u>  |
| <u>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.</u>   |
| <u>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.</u>  |
| <u>4 To enter into agreements with local bus operators for non-statutory quality bus partnerships.</u>  |
| <u>5 To enter into agreements providing for the supply of passenger transport services including those for:</u> <ul style="list-style-type: none"> <li>• <u>mainstream education pupils;</u></li> <li>• <u>special educational needs pupils;</u></li> <li>• <u>social services clients.</u></li> </ul>  |
| <u>6 To make grants to Parish Councils for improvement of bus shelters.</u>   |
| <u>7 To enter into agreements for car contract hire scheme for employees of the Authority fleet services and contract hire arrangements for Specialist vehicles.</u>  |
| <u>8 To take such decisions on the withdrawal of local bus services to remain within budget, subject to consultation with the appropriate Executive Councillor.</u>   |
| <b><u>Other</u></b>   |
| <u>1 To determine, following consultation with the appropriate Executive Councillor and Overview and Scrutiny Committee or Panel and the Executive Director of Finance &amp; Public Protection, where there is an immediate threat to a site, requests to the County Council for support towards habitat and environmental site acquisitions.</u>   |
| <b><u>Economic Development</u></b>  |
| <u>1 To make grants and loans within a framework approved by the Council including</u> <ul style="list-style-type: none"> <li>(a) <u>Lincolnshire Loan Fund for Business Development</u></li> <li>(b) <u>Lincolnshire Community Business Development Finance Initiative and</u></li> <li>(c) <u>Specific initiatives to support rural communities</u></li> </ul>  |
| <u>2 To develop sites and premises for economic development purposes</u> <ul style="list-style-type: none"> <li>(a) <u>to procure services in accordance with the regulations and established policies and principles of Lincolnshire County Council</u></li> <li>(b) <u>to work together with public and private sector partners to bring forward new capital projects</u></li> <li>(c) <u>to agree the sale and letting of sites within the economic development portfolio</u></li> </ul> |
| <u>3 To deliver the tourism policy and function for Lincolnshire County Council and to manage any contracts for the delivery of tourism services</u>  |
| <u>4 To ensure that external funding programmes are delivered in accordance with the guidelines set out in offer letters.</u>   |
| <u>5 To implement capital projects which will bring about an improvement in the economic wellbeing of the County and its population</u>   |
| <u>6 To lead an integrated policy and service delivery operation.</u>   |
| <b><u>Community Assets and Resilience</u></b>   |
| <u>1 To make grants within a framework approved by the Council including:</u>   |

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| (a) <u>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>  |
| (b) <u>To support the provision made by voluntary and other organisations where there are educational benefits to the people of Lincolnshire;</u>   |
| <u>2 After consultation with the appropriate Executive Councillor, to approve use of Lincoln Castle for charity events and to determine financial arrangements.</u>   |
| <u>3 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><u>Waste</u></b>   |
| <u>1 To exercise the functions of the Council in relation to treatment and disposal of waste</u>  |

## **EXECUTIVE DIRECTOR- COMMERCIAL**

### **Property**

1 In connection with the estate management of the County Council's land and premises, in consultation with the local Councillor:

(i) to acquire land and premises;

(ii) to dispose of land and premises surplus to requirement;

(iii) 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;

(iv) to accept and grant leases of land and premises and such other rights over land and premises as may be deemed necessary or appropriate;

(v) 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.

2 To seek permission for any development referred to in regulation 3 of the Town and Country Planning General Regulations 1992.

3 To determine and serve notices under the terms of any agreement for the use of land or premises.

4 To undertake the role of Travellers Liaison Officer in consultation with other Directorates in matters of illegal camping and site provision.

### **Information Management and Technology**

1 To develop the Corporate IT Policy including digital channel shift and provide general advice thereon.

2 To operate and deliver IT infrastructure, services, systems and software.

3 To undertake a research function on behalf of Lincolnshire County Council and provide information and analysis of the census.

## **Commercial**

1 To develop the Council's corporate business plan.

2 To advise the Council on its Equality and Diversity obligations.

3 To manage and develop the Council's Strategic contract with Serco.

4 To deliver the Council's corporate procurement function including the shared service with the Districts.

5 Provide commercial advice and support to Commissioners.

## **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 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.
2. 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.

## **CHIEF FIRE OFFICER**

### **Fire and Rescue Service**

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.

To measure the provision of water for firefighting purposes.

6 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.

7 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.

8 Powers to issue, amend or replace safety certificates (whether general or special) for sports grounds under the Safety of Sports Grounds Act 1975.

9 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.

10 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.

11 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.

12 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.

13 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:

- Section 40 (water undertaker's failure to comply with request regarding emergency supply of water);
- Section 42 (improper use of, or damage to, a fire hydrant);
- Section 43 (failure to give notice of intended works to a fire hydrant);
- Section 44 (obstruction of or interference with officers exercising Section 44 powers);
- Section 46 (obstruction of officers exercising section 45 powers or failure to provide information in response to exercise of section 46 powers); and
- Section 49 (false alarms of fire); and

(ii) the various offences falling within the provisions of Article 32 of the Regulatory Reform (Fire Safety) Order 2005.

14 To appoint in writing a named Inspector or Inspectors for the purpose of enforcing the provisions of the Regulatory Reform (Fire Safety) Order 2005.

15 Power to issue and serve an alterations notice pursuant to Article 29 of the Regulatory Reform (Fire Safety) Order 2005.

16 Power to issue and serve an enforcement notice pursuant to Article 30 of the Regulatory Reform (Fire Safety) Order 2005.

17 Power to issue and serve a prohibition notice pursuant to Article 31 of the Regulatory Reform (Fire Safety) Order 2005.

18 Power to issue Petroleum Storage Certificates pursuant to the Petroleum (Consolidation) Regulations 2014.

19 Power to register 'keepers of petrol' pursuant to the Petroleum (Consolidation) Regulations 2014.

20 Power to enforce regulations 5 (access marking), 6 (location marking) and 7 (signs to be kept clean) pursuant to the Dangerous Substances (Notification and Marking Sites) Regulations 1990 (NAMOS).

21 Power to issue 'Assured Advice' and guidance after demonstration of compliance by the regulated person as set out in 15(4)(b) of the Regulatory Enforcement and Sanctions Act 2008.

22 Power to provide local authorities with advice in accordance with Section 27 of the Regulatory Enforcement and Sanctions Act 2008.

**Civil Protection**

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|---|
| 23 To implement any legislation pertinent to Emergency Planning.  |
| 24 To act in pursuance of all statutory and other powers relating to services for which the Service is responsible.   |
| 25 To implement the Control of Major Accident Hazard Regulations 1999.  |
| <b>Crime and Disorder</b>   |
| 26 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.  |
| 27 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.   |
| 28 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.   |
| 29 To drive the County Council's commitment to sharing information with partners as allowed by Section 115 of the Crime and Disorder Act 1998.  |
| <b>Safer Communities Service – Trading Standards</b>  |
| 30 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.   |
| 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.

### **Service Manager – Safer Communities**

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.

### **Duly Appointed Officers**

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.

### **Registration and Celebratory Services**

1 In respect of the Registration Service:

- to approve payments to Registrars, Deputy Registrars of Births, Deaths and Marriages in circumstances justifying payments in excess of the normal

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|---|
| <u>allowances to registrars for their services;</u>   |
| <ul style="list-style-type: none"> <li>• <u>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></li> </ul>  |
| <ul style="list-style-type: none"> <li>• <u>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></li> </ul>  |
| <ul style="list-style-type: none"> <li>• <u>to issue certificates and arrange citizenship ceremonies under British Nationality Act 1981.</u></li> </ul>   |
| <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 partnerships and citizenship ceremonies.</u> |

## “PROPER OFFICER” PROVISION

1a Each of the Officers of the Council mentioned in column 1 is the Proper Officer of the Council in relation to the provisions of the Local Government Act 1972 specified against the Officers title in column 2.

| <u>Column 1</u><br><u>Proper Officer</u> | <u>Column 2</u><br><u>Section of</u><br><u>1972 Act</u> | <u>Column 3</u><br><u>Proper Officers’</u><br><u>Functions</u>   |
|--|---|--|
| Head of Paid Service                     | 83(1) to (4)  | Witness and receipt of declarations of acceptance of office.   |
| Head of Paid Service                     | 84  | Receipt of declaration of resignation of office.   |
| Head of Paid Service                     | 88(2)   | Convening of meeting of Council to fill casual vacancy in the office of the Chairman.  |
| Head of Paid Service                     | 89(1)(b)  | Receipt of notice of casual vacancy from two local government electors.  |
| Head of Paid Service                     | S100B   | Determination of which reports or parts of reports should not be disclosed on the grounds that they include exempt information which is likely to be considered private. |
| Head of Paid Service                     | S100C   | Minuting of meetings and preparing where necessary a written summary of such part of meetings at which the public are not present.                                       |
| Head of Paid Service                     | S100F   | Determination of which documents should not be disclosed to an elected Member on the grounds that they disclose confidential or exempt information.                      |
| Designated Corporate Officer             | S100D   | Preparation of list of background papers for reports.  |

| <u>Column 1</u><br><u>Proper Officer</u>  | <u>Column 2</u><br><u>Section of</u><br><u>1972 Act</u> | <u>Column 3</u><br><u>Proper Officers'</u><br><u>Functions</u>   |
|---|---|--|
| Executive Director <del>of</del><br><del>Finance and Public</del><br><del>Protection- Resources</del> | 115(2)  | Receipt of money due from Officers.  |
| Executive Director <del>of</del><br><del>Finance and Public</del><br><del>Protection- Resources</del> | 146(1)(a) and (b)                                       | Declarations and certificates with regard to securities.   |
| Executive Director <del>for</del><br><del>Environment &amp;</del><br><del>Economy- Place</del>        | 191   | Functions with respect to ordnance survey.   |
| Head of Paid Service  | 210(6) and (7)  | Charity functions of holders of offices with existing Authorities transferred to holders of equivalent office with new Authorities or, if there is no such office, to Proper Officers. |
| Monitoring Officer  | 225(1)  | Deposit of documents.  |
| Monitoring Officer  | 229(5)  | Certification of photographic copies of documents.   |
| Monitoring Officer  | 234(1)<br>and (2)                                       | Authentication of documents.   |
| Monitoring Officer  | 236(10)   | To send copies of byelaws to each District Council in the county.  |
| Monitoring Officer  | 238   | Certification of byelaws.  |
| Head of Paid Service  | Schedule 12<br>Para 4(2)(b)                             | Signature of summonses to Council meetings.  |
| Head of Paid Service  | Schedule 12<br>Para 4(3)                                | Receipt of notices regarding address to which summons to meetings is to be sent.   |
| Executive Director <del>for</del><br><del>Environment &amp;</del><br><del>Economy- Place</del>        | Schedule 16 Para<br>28                                  | Receipt of deposit of lists of protected buildings (Section 54(4) of the Town and Country Planning Act 1971).  |

Column 1  
Proper Officer

Column 2  
Section of  
1972 Act

Column 3  
Proper Officers'  
Functions

~~Executive Director of  
Finance and Public  
Protection~~  
Chief Fire  
Officer

Schedule 29 Para  
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Exercise of functions under  
Sections 9(1) and (2), 13(2)(h) and  
(3)(b) and 20(b) of Registration  
Services Act 1953 and any  
Regulations or Scheme made  
thereunder.

1b Each of the Officers mentioned in Column 1 is the Proper Officer of the Council in relation to the provisions specified against the Officers title in Column 2.

| <u>Column 1</u><br><u>Proper Officer</u>   | <u>Column 2</u>  | <u>Column 3</u><br><u>Proper Officers'</u><br><u>Functions</u>  |
|--|--|---|
| Monitoring Officer   | Local Government Act 2000 S81  | Keeping record of disclosures of pecuniary interest under Section 94, and of notices under Section 96(1). |
| Monitoring Officer   | Local Government Act 2000 S81  | Receipt of record of interest.  |
| Monitoring Officer   | S41(1) and (3) of the Local Government (Miscellaneous Provisions) Act 1976 | Certification of resolutions and minutes, etc., for evidential purposes.                                  |
| Monitoring Officer   | S59 of the Highways Act 1980   | Certification of extra-ordinary expenses.   |
| Monitoring Officer   | S321 of the Highways Act 1980  | Authentication of documents.  |
| Executive Director <del>for</del><br><u>Environment &amp;</u><br><u>Economy- Place</u> | S295(1) of the Highways Act 1980   | Service of notice requiring removal of materials in any street.   |
| Executive Director <del>for</del><br><u>Environment &amp;</u><br><u>Economy- Place</u> | Schedule 9 Para 4 of the Highways Act 1980                                 | Prescribing Improvement Lines or Building Lines.  |
| Head of Paid Service   | S15 and S16 Local Government and Housing Act 1989                          | For the purposes of the Local Government (Committee & Political Groups) Regulations 1990.                 |
| Monitoring Officer   | S18 of the Local Government and Housing Act 1989                           | For the purposes of the Members' Allowance Scheme.  |
| Monitoring Officer   | S19(1)(a) of the Local Government and Housing Act 1989                     | Receipt of notice of Councillors' interests.  |
| Monitoring Officer   | S321 of the Local Government and Housing Act 1989                          | Deposit of lists of posts politically restricted by virtue of remuneration.                               |

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Statutory Scrutiny  
Officer

S31 of the Local  
Democracy, Economic  
and Construction Act  
2009

Promotion of Overview and  
Scrutiny

2. Each of the Officers mentioned in Column 1 is the Proper Officer of the Council in relation to any reference in any legislation (other than the Local Government Act 1972) to the corresponding Officer of a Council (whether specified or not) mentioned in Column 2 which by virtue of any provision of the said Act or of any Order made thereunder is to be construed as a reference to the Proper Officer of the Council.

Column 1

Column 2

Head of Paid Service

Clerk of the Council or Town Clerk of a  
Borough

Executive Director ~~of Finance and  
Public Protection- Resources~~

Treasurer of a Council

Executive Director ~~for  
Environment & Economy- Place~~

County Surveyor or Surveyor of a  
Council

~~Executive Director of Finance and  
Public Protection~~Head of Paid  
Service

Clerk to the Fire Authority

3. The Officers mentioned in Column 2 are to act as Proper Officers of the Council in relation to the matters assigned to the corresponding Officer mentioned in Column 1 in the event of that Officer being absent or otherwise unable to act as Proper Officer.

Column 1

Column 2

Head of Paid Service

Such of the Executive Directors, as may  
be nominated by the Head of Paid  
Service

Executive Director ~~of Finance and  
Public Protection- Resources~~

Assistant Director  
(~~Finance and Resources~~Strategic  
Finance)

Executive Director for  
Environment & ~~Economy- Place~~

Assistant Director  
(Highways) ~~and Transportation~~

4. The Executive Director ~~of Finance and Public Protection- Resources~~ is to have responsibility for the proper administration of the Council's financial

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affairs in accordance with S151 Local Government Act 1972. The Executive Director ~~of Finance and Public Protection- Resources~~ may elect to delegate the day to day responsibilities to the Assistant Director (Strategic Finance). ~~Finance and Resources.~~

5. The Executive Director ~~of Finance and Public Protection- Resources~~ is, under the nomination at 4 above, the Officer responsible under S114 of the Local Government (Finance) Act 1988. The Executive Director ~~of Finance and Public Protection- Resources~~ may elect to delegate the day to day responsibilities to the Assistant Director (Strategic Finance). ~~and Resources.~~

## **D GENERAL CONDITIONS APPLYING TO ALL OFFICER DELEGATED POWERS**

1. The powers delegated to Officers shall be exercised in accordance with the:
  - (ii) Rules of Procedure;
  - (iii) Financial Regulations;
  - (iv) Contract Regulations; and
  - (v) Established policies and principlesof the Council as current from time to time.
2. Any decision or action shall comply with all relevant resolutions, orders and directions of the Council, the Executive and of any Committee.
3. Where any matter involves professional or technical considerations within the sphere or competence of another Officer, the Officer taking the decision shall consult with that Officer before authorising action.
4. Delegation to an Officer does not include:
  - (i) any matter reserved to the full Council;
  - (ii) any matter which by law may not be delegated to an Officer;
  - (iii) any matter reserved to a Committee, Sub-Committee or Panel;
5. Without derogating from the discharge of functions under these arrangements Chief Officers shall:
  - (a) Maintain close liaison with the Executive Councillor(s) in whose scope the Chief Officer's functions exist particularly in respect of controversial and sensitive issues.
  - (b) Each Chief Officer shall also maintain close liaison with Councillors representing the political groups in relation to any matter which in the opinion of the Chief Officer may be regarded as sensitive or contentious by any such group. The Chief Officer shall also notify the Executive Councillor and/or Leader of such items and keep them informed of progress.
  - (c) Where a Councillor has made known to a Chief Officer his/her legitimate interest in a matter or where a matter relates to or affects the Councillor's electoral division, the Chief Officer shall consult with that Councillor and shall keep the Councillor informed of significant developments relating to that matter.

6. The existence of a delegation to an Officer shall not require the Officer to take a decision on that issue. Officers need to be aware of particularly controversial issues of concern to the Executive and Committees Panels and Groups of the Council. In such circumstances he/she may refer the matter for guidance or decision by members of the Executive or a Committee Panel or Group of the Council if he/she considers it is appropriate to do so. In so doing the Officer shall advise the Councillors concerned of the extent of his/her delegated powers relating to the matter.
7. The authority conferred upon a Chief Officer may be exercised in his/her absence or at other times by an Officer authorised by the Chief Officer.
8. The Head of Paid Service, in consultation with the Monitoring Officer, shall determine any case in which there is uncertainty whether a Chief Officer is authorised to act under these arrangements.
9. Reference in these arrangements to the discharge of functions of the Council include references to the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of those functions and each Chief Officer is authorised to act accordingly.
10. Chief Officers are responsible within their areas of responsibility for ensuring that in making decisions and delivering services they apply sound risk management principles and practices in accordance with the Council's corporate risk management strategy and that they comply with the obligations and principles of the Council in respect of equality and diversity.

## ARTICLE 6 – OVERVIEW AND SCRUTINY COMMITTEES

### 6.01 Appointment of Overview and Scrutiny Committees

The County Council will appoint the following Overview and Scrutiny Committees: -

- Overview and Scrutiny Management Board
- Adults and Community Wellbeing Scrutiny Committee
- Children and Young People Scrutiny Committee
- Public Protection and Communities Scrutiny Committee
- Environment and Economy Scrutiny Committee
- Flood and Water Management Scrutiny Committee
- Health Scrutiny Committee for Lincolnshire
- Highways and Transport Scrutiny Committee

Each Overview and Scrutiny Committee will undertake its role in accordance with the provisions in this Article, in addition to legislative requirements, relevant regulations, statutory guidance and the provisions specified throughout the Constitution.

All Councillors except Executive Councillors may be members of an Overview and Scrutiny Committee. No Councillor may be involved in scrutinising a decision in which he/she has been directly involved. Executive Support Councillors may not be members of an Overview and Scrutiny Committee relating to their portfolio area.

There will be two standing Scrutiny Panels (Scrutiny Panel A and Scrutiny Panel B) whose role will be to conduct in-depth scrutiny reviews on behalf of Overview and Scrutiny Committees. Each Scrutiny Panel will have a Chairman and Vice-Chairman appointed by the Council. Membership of each Scrutiny Panel (apart from the Chairman and Vice-Chairman) will be appointed by the Overview and Scrutiny Management Board as and when the Scrutiny Panel is convened in respect of a particular review. All Councillors except Executive Councillors may be members of a Scrutiny Panel. No Councillor may be involved in scrutinising a decision in which he/she has been directly involved. Executive Support Councillors may not be members of a Scrutiny Panel when it is conducting a review relating to their portfolio area.

In addition to the Overview and Scrutiny Committees and Scrutiny Panels, the following sub-groups/bodies will be appointed to complement the activities of the overview and scrutiny committees:

- Corporate Parenting Sub-Group/Panel
- Safeguarding Boards Scrutiny Sub-Group

The Scrutiny Panels, [Corporate Parenting Panel](#) and [Safeguarding Boards Scrutiny](#) Sub-Groups, while being part of the Council's [Overview and Scrutiny](#) arrangements are not committees of the Council.

## 6.02 Overview and Scrutiny Management Board

### Membership

The County Council will determine the number of members of the Council who will serve on the Overview and Scrutiny Management Board. The Overview and Scrutiny Management Board will also include the church and parent governor representatives as members as set out in Annex A to these Articles. Church and parent governor representatives are entitled to participate at meetings of the Board, but may only vote when an education matter is to be determined.

### Terms of Reference

The Overview and Scrutiny Management Board may exercise the following functions: -

- To review and scrutinise the following services and their outcomes:
  - Information management and technology;
  - Corporate property;
  - People management;
  - Legal services;
  - Commercial services including procurement and contract management;
  - Business support to the Council's activities; and
  - Finance and treasury management.
- To review and scrutinise quarterly performance indicators, priority activities, customer satisfaction information and any other available performance measures related to the service areas within the remit of the Board.
- To review and scrutinise the Council's overall budget (including revenue budget and capital programme) and performance against the Council's Business Plan.
- To consider any new legislation, policy or national guidance related to the remit of the Committee and the consequential impacts on the Council.
- To consider and respond to any proposals from the Executive as part of the development of the budget and policy framework.
- To approve the Overview and Scrutiny Annual Report, prior to its submission to the County Council.
- To prepare the Overview and Scrutiny Annual Work Programme for submission to full Council for approval.
- To agree and monitor the ongoing Overview and Scrutiny work

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programme, in particular holding the Chairmen and/or Vice-Chairmen to

the development of the policy framework.

- To make reports and recommendations to the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above.
- To appoint working groups in accordance with the provisions in the Overview and Scrutiny Procedure Rules.
- To liaise as required with Healthwatch Lincolnshire in relation to adult care matters, to consider any referrals made to the Committee by Healthwatch Lincolnshire and to agree a protocol for working with Healthwatch Lincolnshire.
- To manage the work of the Lincolnshire Safeguarding Boards Scrutiny Sub-Group in co-ordination with the Children and Young People Scrutiny Committee.
- To have oversight of contemporary challenges which affect the Adult Care and Public Health functions under the remit of the Committee.

## **6.04 Children and Young People Scrutiny Committee**

### Membership

The County Council will determine the number of members of the Council who will serve on the Children and Young People Scrutiny Committee. The Children and Young People Scrutiny Committee will also include the church and parent governor representatives as members as set out in Annex A to these Articles. These members are entitled to participate at meetings of the Committee, but may only vote when education matters are to be determined.

### Terms of Reference

The Children and Young People Scrutiny Committee is authorised to undertake the following activities: -

- To review and scrutinise the following services and their outcomes:
  - Children's centres
  - Early education
  - School support services
  - School improvement
  - Special Educational Needs and Disabilities
  - Home to school/college transport
  - 14-19 education, training and apprenticeship
  - Careers service
  - Positive activities for young people
  - Teenage pregnancy
  - Supported accommodation and lodgings
  - Supported employment for young people

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- Lincolnshire Secure Unit

- Youth Offending Service
  - Leaving care service
  - School nursing
  - Healthy schools and healthy child
  - Child protection
  - Looked After Children
  - Targeted support – young people
  - Fostering and adoption
  - Residential homes for children
  - Child and Adolescent Mental Health Services (CAMHS)
  - Family support
- To maintain an overview of the activity of academy schools, colleges and universities in the County.
  - To review and scrutinise quarterly performance indicators, priority activities, customer satisfaction information and any other available performance measures related to the service areas within the remit of the Committee.
  - To consider any new legislation, policy or national guidance related to the remit of the Committee and the consequential impacts on the Council.
  - To review and scrutinise any decision that is to be or has been made by the Executive or any Executive Councillor or any key decision made by an officer in relation to the above services.
  - To provide advice to the Executive or any Executive Councillor or any officer, intending to make a decision or develop policy in relation to the above services.
  - To submit requests to the Overview and Scrutiny Management Board for in-depth scrutiny reviews in relation to the above services. Where a request for a scrutiny review is approved by the Overview and Scrutiny Management Board, the scrutiny review will be undertaken by a Scrutiny Panel on behalf of the Committee.
  - To consider and approve reports, including recommendations, prepared following in-depth reviews undertaken by Scrutiny Panels, for submission to the Executive, Executive Councillor or the County Council, or other decision maker.
  - To consider and respond to any proposals from the Executive as part of the development of the policy framework.
  - To make reports and recommendations to the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above.
  - ~~To monitor the activity of the Council's Corporate Parenting Sub-Group.~~
  - To manage the work of the Lincolnshire Safeguarding Boards Scrutiny Sub-Group in co-ordination with the Adult Care and Public Health Scrutiny Committee.

## 6.11 Corporate Parenting Sub-GroupPanel

### Membership

The County Councillor membership of the Corporate Parenting Sub-GroupPanel will be determined by the County Council. Five additional members may also be appointed to the Sub-GroupPanel in the following categories:

- one Representative of the V4C the Children in Care Council
- one Lincolnshire Community Health Services NHS Trust representative
- one Lincolnshire Partnership NHS Foundation Trust representative
- two Foster Carers

### Chairman and Vice-Chairman

At its first meeting in each municipal year, the Corporate Parenting Sub-GroupPanel will elect a Chairman and Vice-Chairman from the County Councillor membership of the Sub-GroupPanel.

### Quorum

The quorum of the Corporate Parenting Sub-GroupPanel will be three, with at least one of the county council Corporate Parenting Sub-GroupPanel members in attendance.

### Replacement

Replacement members will be permitted on the Corporate Parenting Sub-GroupPanel

### Meetings

The Corporate Parenting Sub-GroupPanel will meet in private-public up to six times a year on a quarterly basis and as otherwise required.

### Terms of Reference

The Corporate Parenting Sub-GroupPanel is authorised to undertake the following activities:-

- Ensure that all councillors and Lincolnshire County Council Directorates are fulfilling their roles and responsibilities as corporate parents proactively. This will involve the Corporate Parenting Sub-GroupPanel organising specific education and training events for all councillors to ensure they are equipped with the knowledge and skills to be corporate parents.
- Provide clear strategic and political direction in relation to corporate

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parenting.

- Investigate on behalf of all councillors ways in which the role of corporate parenting can be improved, using examples from other local authorities and countries.
- Ensure that councillors undertake their annual programme of visits to children's homes.
- Ensure that the needs of children and young people in public care and their carers are prioritised by councillors and officers.
- Receive quarterly reporting of key performance indicators relating to children and young people in public care.
- Receive regular and/or annual reports on the level and quality of services to children and young people in public care from the Children's Services Directorate, other Directorates and organisations.
- Monitor the performance, quality and outcomes of the Council's services in relation to children and young people in public care and identify any areas for improvement.
- Engage with children and young people who are in public care or have left care by inviting them to act as advisers to the Corporate Parenting Sub-Group Panel.
- Listen to the views of children, young people and their carers and to involve them in the assessment and development of services.
- Champion the provision of Council based work placements and Apprenticeships for looked after young people.
- Promote achievement and acknowledge the aspirations of children and young people in public care by supporting celebration events.
- Meet with Ofsted inspectors where appropriate for their input into inspections.
- Participate as members of the adoption and fostering panels.
- Agree a work plan, reviewing progress, membership of the Panel and attainment of its role and terms of reference.
- ~~Report back formally on these matters in writing to full Council at least annually and more frequently as the Corporate Parenting Panel considers necessary. Report back formally on these matters in writing to the Children and Young People Scrutiny Committee after each meeting of the Corporate Parenting Sub-Group.~~

## 6.12 Safeguarding Boards Scrutiny Sub-Group

### Membership

The County Councillor Membership of the Scrutiny Sub-Group will be determined by the County Council. Five additional members may also be appointed to the Sub-Group in the following categories:

- one district councillor representative, representing the district councils in Lincolnshire;
- one parent governor representative;

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- one foster carer representative;

|   |                  |
|---|------------------|
| Bourne Town Hall Trust Management Committee | See Article 7.07 |
| Relevant Officers Dismissals Advisory Panel | See Article 7.08 |

### COMPOSITION OF OTHER GROUPS

|   |  |
|---|--|
| Corporate Parenting <del>Sub-Group</del> <u>Panel</u> | 7 Councillors – Politically inclusive (+ 5 non-voting members as set out in Article 6.11)  |
| Safeguarding Boards Scrutiny Sub-Group                | 7 Councillors – Politically inclusive (+ 5 non-voting members as set out in Article 6.12)  |
| Scrutiny Panel A                                      | 2 Councillors as Chairman and Vice-Chairman<br><br>A maximum of 6 additional members to be appointed by the Overview and Scrutiny Management Board |
| Scrutiny Panel B                                      | 2 Councillors as Chairman and Vice-Chairman<br><br>A maximum of 6 additional members to be appointed by the Overview and Scrutiny Management Board |

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