

**EXECUTIVE
 8 MAY 2019**

PRESENT: COUNCILLOR M J HILL OBE (LEADER OF THE COUNCIL)

Councillors C J Davie (Executive Councillor for Economy and Place), R G Davies (Executive Councillor for Highways, Transport and IT), E J Poll (Executive Councillor for Commercial and Environmental Management), Mrs S Woolley (Executive Councillor for NHS Liaison and Community Engagement), C N Worth (Executive Councillor for Culture and Emergency Services) and B Young (Executive Councillor for Community Safety and People Management)

Councillor R B Parker (Chairman of the Overview and Scrutiny Management Board) was also in attendance.

Officers in attendance:-

Debbie Barnes OBE (Head of Paid Service), Alex Botten (Strategic, Commercial and Procurement Manager), David Coleman (Chief Legal Officer), James Drury (Executive Director Commercial), Andy Gutherson (Interim Executive Director Place), Cheryl Hall (Democratic Services Officer), Matthew Harrison (Senior Commissioning Officer - Flood Risk), David Hickman (Growth & Environment Commissioner), Pete Moore (Executive Director, Finance and Public Protection), Carolyn Nice (Assistant Director, Adult Frailty & Long Term Conditions), Sophie Reeve (Chief Commercial Officer), Janice Spencer OBE (Interim Director of Children's Services) and Nigel West (Head of Democratic Services and Statutory Scrutiny Officer)

64 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mrs P A Bradwell OBE.

It was noted that Carolyn Nice (Assistant Director, Adult Frailty & Long Term Conditions) was attending the meeting on behalf of Glen Garrod (Executive Director of Adult Care and Community Wellbeing).

65 DECLARATIONS OF COUNCILLORS' INTERESTS

There were no declarations of interest.

66 ANNOUNCEMENTS BY THE LEADER, EXECUTIVE COUNCILLORS AND EXECUTIVE DIRECTORS

The Executive Director of Finance and Public Protection was pleased to announce that Assurance Lincolnshire Internal Audit Team had received the *Good Governance and Risk Management Award* at the Public Finance Awards 2019, which were held in

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London on 1 May 2019. The Executive congratulated the Team for achieving this award.

67 MINUTES OF THE MEETING OF THE EXECUTIVE HELD ON 2 APRIL 2019

RESOLVED

That the minutes of the meeting held on 2 April 2019 be signed by the Chairman as a correct record.

68 PROCUREMENT STRATEGY

A report from the Executive Director – Commercial was considered, which sought approval for the Procurement Strategy 2019-2022, as detailed at Appendix A to the report, to replace the Council's current Procurement Strategy, which expired in April 2019.

The Chief Commercial Officer advised that the strategy set out a robust and comprehensive approach to procurement related activity; was consistent with the Council's commissioning and commercialisation approach; and had been developed in the context of the Council's requirements, local markets, and local needs whilst having regard to the National Procurement Strategy for Local Government in England 2018.

The Chairman of the Overview and Scrutiny Management Board advised that the Board had considered the Executive report on *Procurement Strategy* at its meeting on 25 April 2019 and had supported a recommendation for the Executive to approve the strategy. The comments of the Board were detailed on pages 14-15 of the report.

During consideration of the report, the following points were noted:

- The Executive welcomed the proposed changes which would make procurement processes more accessible for small and medium-sized enterprises (SMEs).
- It was confirmed that the Procurement Strategy would be available to view on the Council's website.
- It was requested that the following changes be made to the draft strategy: that any reference to '*citizen/s*' be amended to '*residents*'; the last bullet point on page 17 and first bullet point on page 22 be reworded for clarity; the Greater Lincolnshire Local Enterprise Partnership should be included on page 21 under partnerships. It was requested that the Communications Team be asked to review the wording and formatting of the strategy so that it was easier to read and understand.

RESOLVED

- (1) That the draft Procurement Strategy 2019 – 2022, as attached at Appendix A to the report, be approved in principle, subject to the amendments and clarifications suggested at the meeting being made.
- (2) That the amended Procurement Strategy 2019 – 2022 be submitted to the Leader of the Council for final approval.

69 DRAFT JOINT LINCOLNSHIRE FLOOD RISK & WATER MANAGEMENT STRATEGY 2019-2050

Consideration was given to a report from Andy Gutherson (Interim Executive Director of Place), which invited the Executive to approve the Joint Lincolnshire Flood Risk and Water Management Strategy 2019-2050, as detailed at Appendix A to the report, for formal public consultation.

The Growth and Environment Commissioner advised that the updated version combined the flood risk management activities of the Council and its partners with a strategic view of water supply and resource management, with a stronger emphasis on the additional economic benefits it could deliver for Lincolnshire.

There was a statutory requirement to carry out a public consultation for any revisions to local Flood Risk Management Strategies and it was intended (subject to the Executive's approval) to undertake this for an eight week period during June and July 2019. Up to five public drop-in sessions would be undertaken as part of the exercise and supported by officers from the organisations represented from the Flood Risk Partnership.

On conclusion of the public consultation period, all comments would be assessed and where appropriate incorporated into a final version of the strategy. This would then be circulated further amongst members of the Flood Risk Partnership to seek endorsement; presented to Flood and Water Management Scrutiny Committee; and then presented to the Executive with results of the consultation and final draft for approval.

The Chairman of the Overview and Scrutiny Management Board advised that the Flood and Water Management Scrutiny Committee had been updated with the review of the Lincolnshire Flood Risk and Water Management Strategy at its meeting on 17 September 2018. Comments of the Committee were included within the report. An update on progress with the draft strategy would be presented to the Committee on 28 May 2019 with regard to the development of the draft and public consultation proposals.

In response to a question, it was advised that the duration of the draft strategy aligned with other flood strategies, including national strategies which also included a scope as far as 2050.

RESOLVED

That the draft version of the Joint Flood Risk and Water Management Strategy 2019 – 2050, as detailed at Appendix A to the report, be approved for public consultation.

70 FORMATION OF A COMPANY FOR LEGAL SERVICES

Consideration was given to a report from the Executive Director – Resources, which set out the rationale and sought approval for the creation of a company with a view to the company being licensed by the Solicitor's Regulation Authority as an alternative business structure.

The Chief Legal Officer presented the report and advised that Legal Services Lincolnshire's partner councils had started to explore different ways of delivering services, including through the creation of private companies. It was noted that Legal Services Lincolnshire (LSL) was not currently able to act on behalf of private companies, which had limited the work that LSL could provide for its partner councils.

It was advised that the proposals would allow LSL to continue to provide services to partner councils when they were delivering services to private companies without breach of regulation.

The Chairman of the Overview and Scrutiny Management Board advised that on 25 April 2019, the Board had considered a report on the *Formation of a Company for Legal Services* and endorsed the recommendations in the Executive report. The comments of the Board had been included within the report and it was highlighted that the Board had recommended officers review the proposed 'Articles of Association', including the provision relating to consensus decision-making. The Board also requested that additional information on the final form of the company be presented to a future meeting of the Board.

Consideration was given to the proposed number of directors of the company and it was requested that this number change from two to three, which would include the Chief Legal Officer; a suitable person with the necessary financial background to act as the Compliance Officer for Finance and Administration; and one other. It was suggested that the third officer could be the Executive Director – Commercial.

RESOLVED

- (1) That approval be given in principle to the establishment of a company wholly owned by the County Council with the object of the company being licensed by the Solicitors Regulation Authority for the purpose of providing legal advice and services.

- (2) That the final form and constitution of the company and the terms of any accompanying legal documentation, including the provision of financial support to the company and the nomination of any directors of the company, be the subject of a report to be presented to the Overview and Scrutiny Management Board, prior to final approval by the Executive.

The meeting closed at 11.15 am.