

**OVERVIEW AND SCRUTINY
 MANAGEMENT BOARD
 27 FEBRUARY 2020**

PRESENT: COUNCILLOR R B PARKER (CHAIRMAN)

Councillors R Wootten (Vice-Chairman), B Adams, Mrs J Brockway, R J Kendrick, C E H Marfleet, Mrs A M Newton, N H Pepper, E W Strengiel and P A Skinner

Added Members

Church Representatives:

Parent Governor Representatives:

Councillors: M J Hill OBE, M A Whittington, B Young and L A Cawrey attended the meeting as observers

Officers in attendance:-

Debbie Barnes OBE (Chief Executive), Andrew Crookham (Executive Director Resources), James Drury (Executive Director Commercial), Tracy Johnson (Senior Scrutiny Officer), Jasmine Sodhi (Performance and Equalities Manager), Nigel West (Head of Democratic Services and Statutory Scrutiny Officer), Emily Wilcox (Democratic Services Officer), Chris Scott, Karen Tonge (Treasury Manager), Kevin Kendall (Assistant Director - Corporate Property), Stuart Wright (Contract Manager) and Daniel Steel (Scrutiny Officer)

96 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from Councillor Mrs W Bowkett, Councillor C S Macey, Reverend Phillip Johnson (Church Representative) and Mrs P J Barnett (Parent Governor Representatives).

It was reported that, under Regulation 13 of the Local Government (Committee and Political Groups) Regulation 1990, Councillor P A Skinner had been appointed as a representative for Councillor C S Macey, for this meeting only.

97 DECLARATIONS OF INTEREST

There were no declarations of interest.

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RESOLVED:

That minutes of the meeting held on 30 January 2020 be approved as a correct record and signed by the Chairman.

99 ANNOUNCEMENTS BY THE CHAIRMAN, EXECUTIVE COUNCILLOR FOR RESOURCES AND COMMUNICATIONS AND CHIEF OFFICERS

The Chairman announced that this meeting would have been the last one for Mrs Patricia Barnett, one of the Board's Parent Governor Representatives, as her four year term of office ended on 4 March 2020. The Chief Executive had also received a letter from Mr Steve Rudman, the Roman Catholic Church representative for over 20 years, who had tendered his resignation due to ill health. The Chairman would write a joint letter on behalf of the Board, along with the Chairman of the Children and Young People Scrutiny Committee to Patricia and Steve to thank them for their time on the Children and Young People Scrutiny Committee and the Board and to wish them both a speedy recovery.

Members were advised that the Chairman had attended the meeting of the Executive on 4 February to present the Board's comments on the five budget reports that were considered at the last meeting.

At the meeting of the Board on 19 December 2019, it was agreed that a letter should be sent to the Department of Education to request increased flexibility on the level of apprenticeship levy that the Council could transfer to its providers. A response had been received from Michelle Donelan MP, the Parliamentary Under-Secretary of State for Children and Families, which was circulated to the Board.

The Chairman also advised that following a request at the last meeting of the Board, the Executive Director – Place had provided a briefing note on the costings for the Lincoln Eastern Bypass, which had been circulated to the Board.

The Leader of the Council advised Members that there was on-going speculation about the Government's devolution agenda and it was believed that there would be a white paper released after June 2020. There was continued speculation as to whether there would be a Humberside combined authority, and Lincolnshire County Council (LCC) was engaging with discussions on this as well as looking at a possible solution to devolution in Lincolnshire.

100 CONSIDERATION OF CALL-INS

None were received.

101 CONSIDERATION OF COUNCILLOR CALLS FOR ACTION

None were received.

102 MEMBERSHIP OF THE LOCAL GOVERNMENT ASSOCIATION

Consideration was given to a report by the Head of Democratic Services and Statutory Scrutiny Officer, which invited the Board to consider the Leader of the Council's decision to terminate the Council's membership of the Local Government Association (LGA).

Members were advised that in March 2019, the Leader of the Council gave notice of the Council's intention to leave the LGA. If nothing intervenes to alter this course of action, it would take effect on 1 April 2020.

The decision to serve notice was taken on the basis of concerns that the Council was not receiving full value for its annual subscriptions, particularly in relation to the fairer funding campaign.

The Chairman invited the Leader of the Council to make a statement expressing his views on what extent the Council needed the support of the LGA, particularly with the current volatility of local government and the government's views on fairer funding and devolution.

The Leader of the Council informed Members that fairer funding and social care funding had been the main reasons for serving notice on the LGA, as it was believed that the LGA was not doing enough to lobby for fairer funding for rural communities. There had been an expectation that issues about fairer funding and social care funding would have been resolved the previous year.

Members were advised that withdrawing as a member of the LGA would mean that the Council would also withdraw from the County Council Network, whom had been effective in lobbying for these issues.

The Leader expressed his preferred view that the Council should continue to serve notice to terminate the Council's membership of the LGA as it was important that the Council continued to put pressure on the LGA to lobby for all councils equally.

The Board considered the three options presented in the report:

- A) The Leader could take no further action, which would mean the Council would leave the LGA with effect from 1st April 2020.
- B) The Leader could withdraw the notice, which would mean the Council would continue its membership of the LGA.
- C) The Leader could withdraw the notice and replace it with a further 12 months' notice to terminate membership of the LGA, which would mean the Council could leave the LGA on 1st April 2021.

Members discussed the report and the following points were noted:

- It was clarified that there were only a small number of councils who were not Members of the LGA. Leicestershire County Council held a similar view to that of Lincolnshire.

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- A range of benefits were open to the Council as a member of the LGA. Members had taken advantage of the training courses offered, attended the annual conference and had recently received a fully funded peer review.
- The Board recognised the need for further support with the fairer funding campaign.
- It was suggested that in times of change in Local Government, it would be more beneficial to remain a member of the LGA.

The Board agreed to recommend Option C to the Leader of the Council to enable the Council to continue to receive the benefits from membership of the LGA and be part of a collective force when lobbying government, such as for fairer funding. However, the Board highlighted the reduced impact from continually serving notice to terminate membership of the LGA and suggested that this should be the final year for serving a 12 months' notice period.

RESOLVED:

1. That the Board considered the background to the decision to serve notice of termination of the Council's membership of the Local Government Association;
2. That the Board support the Leader of the Council in withdrawing the notice and replacing it with a further 12 months' notice to terminate membership of the LGA, which would mean the Council could leave the LGA on 1st April 2021.

103 PERFORMANCE REPORTING AGAINST THE COUNCIL BUSINESS PLAN 2019/2020 - QUARTER 3

Consideration was given to a report by the Performance and Equalities Manager, which invited the Board to consider a report on the 2019/20 Council Business Plan Quarter 3 performance, which would be presented to the Executive on 3 March 2020.

Members were provided with the headline Quarter 3 performance which was generally positive. Out of the measures recorded, 6 had performed really well; 8 had performed well; and 1 had mixed performance.

A summary of measures where services had highlighted success and those that did not achieve the target were attached to Appendix A and Appendix B to the Executive report.

Appendix 2 detailed the performance of the measures which fell under the remit of the Board.

The Board was advised that there had been a proposed amendment to Measure 72 – 'Flooding Incidents within a Property', which had been circulated by email prior to the meeting. The measure's title and description had been amended to avoid ambiguity.

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Members discussed the report, in which the following points were noted:

- Reported incidents of domestic abuse (M7) – this measure included new cases and repeat offences. A breakdown of cases by gender was requested by the Board.
- Increase in 16-17 year old Looked After Children participating in learning (M45) – The dip in performance for Quarter 2 (July to September 2019) was due to the timing of the data as there was a data lag about where young people were at the start of the term.
- Members requested further information on how Officers supported departments to achieve the targets. It was agreed that this information be provided and circulated to Members.
- Household Waste Recycled (M78) – the contamination rate was 30%, which was comparable to last year. The Board requested information on how the District Councils were defining contamination, for example was an empty can classed as contamination if it had not been rinsed out with water.
- The Board also requested to know how the District Councils were communicating this to residents and whether there was a subsequent change in behaviour evidenced by a reduction in contamination in any of the Districts. It was noted that Boston Borough Council had been a trial area for paper and card contamination and that it was working well.
- Sickness Absence (M92) – the Board commended how well the Council was doing compared to other benchmarking authorities. It was confirmed that the sickness absence figures were showing a downward trend.
- Visits to Core Libraries and Mobile Library Services (M36) – the IT provision in libraries was provided independently from the Council by Greenwich Leisure Limited, and was now in a fit state due to the completion of the IT refresh. A marketing plan was now in place to encourage customers back to libraries which should have a positive impact on visitor numbers.
- Members questioned how Officers could ensure that the children in private care homes which were not Council ran were provided with an adequate level of safeguarding. It was noted that Children's Services were only responsible for the children that were placed by LCC. However, there were a large number of children placed within Lincolnshire from other Local Authorities, which was an issue. Although LCC should be notified when children were placed into Lincolnshire, this was not always the case. It was suggested that this issue could be considered by the Children and Young People Scrutiny Committee.
- Adults aged 18-64 with a mental health problem living independently (M117) – it was acknowledged that it could be difficult to meet the target every time as it was dependent on who was receiving support at that time.

The Board agreed to support the recommendations to the Executive, as set out in the report.

RESOLVED:

1. That the Board support the recommendations to the Executive, as set out in the report;

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2. That a summary of the above comments be passed on to the Executive as part of its consideration of this item

104 COUNCIL PERFORMANCE MEASURES 2020/2021

Consideration was given to a report by the Performance and Equalities Manager, which presented the proposals for the continuation of reporting of the Council's Business Plan Measures beyond March 2020, which was due to be considered by the Executive on the 3 March 2020.

Members were advised that new performance measures would be developed through the next phase in organisational planning and would be linked to the ambitions in the Corporate Plan.

The Board was advised that there had been a proposed amendment to Measure 72 – 'Flooding Incidents within a Property', which had been circulated by email prior to the meeting. The measure's title and description had been amended to avoid ambiguity.

Details of the proposed changes to reporting of the Council Business Plan 2020/21 were set out in Appendix A to the Executive report.

Members considered the report and as part of the discussion, the following points were noted:

- The Council Business Plan 2020/21 and the Corporate Plan Success Framework 2020-2023 would run alongside each other until the end of 2020/21.
- The number of victims of domestic abuse who received support (including Independent Domestic Violence Advisors IDVA, Outreach, and Targeted Support) including Children and Young People – this was a new measure which focussed on those aspects of performance that the Council could influence and control. It was noted that this new measure would not include all domestic abuse figures, and that the measures on reported incidents of domestic abuse (M7) and repeat referrals of domestic abuse to MARAC (M9) had been removed. It was suggested that the number of domestic abuse cases and repeat referrals to MARAC should be reinstated back into the Council Business Plan for 2020/21.
- The percentage gap in achievement between Free School Meals (FSM) Eligible pupils in Lincolnshire and non-FSM Eligible pupils nationally for Good Level of Development – this was a proxy indicator for measuring children living in financial poverty. The Board requested further information on whether there were any additional health benefits and outcomes for FSM Eligible pupils as a result of receiving healthy school meals.
- Average time between a local authority receiving court authority to place a child and the local authority deciding on a match to an adoptive family – the target had been increased from 150 days to 175 days to allow more time for the court process.

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- Number of children who are subject to a Child Protection Plan – the target had been increased from 330 to 370 to reflect the current increasing trend and provide scope to ensure the right number of children were on a plan at the right time. The national figure for children on a Child Protection Plan was also increasing.

RESOLVED:

1. That the Board support the recommendation to the Executive, as set out in the report;
2. That a summary of the above comments be passed on to the Executive in relation to this item.

105 TREASURY MANAGEMENT PERFORMANCE TO QUARTER 3 2019/20

Consideration was given to a report by the Treasury Manager, which detailed the treasury management activities and performance for Quarter 3 of 2019/20, in comparison to the Treasury Management Strategy and Annual Investment Strategy 2019/20 that was approved by the Executive Councillor for Resources and Communications on 21 March 2019.

Members were advised that there had been no movement in short term rates in Quarter 3 due to market uncertainties over the period.. Long term rates had fallen to historic lows as uncertainties continued, until early October, when the PWLB raised rates by 1% across all periods, to deter public sector borrowing. Since October, rates have continued to fall ending the period around 0.6% higher than at the start

Further detail of interest rate and investment activity was set out at Appendices A – E to the report.

Members considered the report and as part of the discussion the following points were noted:

- Members were advised that the Coronavirus added another uncertainty for interest rates, investment and borrowing. If the virus was to spread more widely global growth and the British economy would be adversely affected and banks would need to adjust their interest rates accordingly.
- The Director (Link Asset Services) advised that LCC was in a good position with regards to its treasury management. The Council had healthy cash balances and had the opportunity to lock into a reasonable interest rate with a low risk counterparty for a maximum period should the opportunity arise.
- The Board was informed that Credit Default Swap (CDS) Spreads would not rule out the risk of collusion within this sector However, many other market indicators were used to help form the Council's view on credit worthiness

RESOLVED:

That a summary of the comments made above be passed on to the Executive Councillor for Resources and Communications.

106 TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY FOR TREASURY INVESTMENTS 2020/21

Consideration was given to a report by the Treasury Manager, which invited the Board to consider a report on the Treasury Management Strategy Statement 2020/21, which was due to be considered by the Leader of the Council (Executive Councillor for Resources and Communications) on 20 March 2020.

The Board was informed that there had not been any major changes to the Treasury Management Strategy from the year before and there were no inflation concerns over the next 12 months.

Members were referred to the Executive Councillor report for a breakdown of each of the strategies.

The Director (Link Asset Services) commented that the overall strategy and parameters set out in the report were appropriate based on current knowledge and assessment that had been made for the future and based on the current economic and interest rate background.

The Director (Link Asset Services) advised that the interest rate outlook lends weight to continuing with LCC's proposed rate of internal borrowing. Overall, the Director (Link Asset Services) suggested that the Council was in good stead for the year ahead.

The Executive Director – Resources was of the view that the strategy was sensible and felt that the positive comments by the Director (Link Asset Services) had provided assurance to the Board that the strategy was within normal practice.

Members considered the report and during the discussion the following points were noted:

- Assurance was provided by Link Asset Services that the Treasury Management Strategy Statement and Annual Investment Strategy for Treasury Investments 2020/21 was appropriate and in line with other local authorities.
- An agreement had been in place with the Pension Fund since 2010, to pool pension fund cash with the Council's investments. Treasury investments included an element of pension fund cash and the Pension Fund received a pro rata amount of interest back for its element of investment.

RESOLVED:

1. That the Board support the recommendation to the Leader of the Council (Executive Councillor for Resources and Communications) as set out in the report;
2. That a summary of the comments made above be passed to the Leader of the Council in relation to this item.

107 PROPERTY SERVICES CONTRACT YEAR FOUR REPORT

Consideration was given to a report by the Assistant Director – Corporate Property and the Contract Manager, which provided an update on the performance of the Property Services Contract with VINCI Facilities Partnership Limited (VFPL) at the end of the fourth year of the contract.

Members were informed that the contract was performing well and VFPL had achieved an overall rating of 96% on key performance indicators for year four. The contract performance against a number of measures was detailed within the report.

The Contract Manager outlined the performance of the contract in relation to a number of measures, as set out in the report. Members were advised that Corporate Property continued to work hard to deliver and identify further opportunities for efficiencies, savings and to work more effectively within One Team.

Members considered the report and during the discussion the following points were noted:

- Members thanked the team for their hard work, particularly the work Corporate Property and VFPL had carried out on the new South Park Blue Light Centre.
- The Assistant Director – Corporate Property confirmed that apart from property for the Council's Fire and Rescue Service, Corporate Property was not responsible for any other property outside of Lincolnshire County Council's estate.
- Members were advised that as well as winning the Development of the Year (Under £5m) category at the Greater Lincolnshire Property Awards 2019, the team had also been named a finalist in the Premises and Facilities Management – Corporate Property Awards 2019, which was to be commended.
- Members were informed that a feasibility study was being undertaken on the Council's main building 'County Offices', which would improve office and environmental conditions within the building. Significant investment had also been made into a programme of improvements to the Council's County Offices, which would resolve a number of structural issues as well as involve the replacement of windows and introduction of solar panels on the Orchard House building.

RESOLVED:

That the Board were assured on the performance of the Property Services Contract.

108 SCRUTINY COMMITTEE WORK PROGRAMMES

Consideration was given to a report which set out the work programmes of the Highways and Transport Scrutiny Committee; Environment and Economy Scrutiny Committee and the Flood and Water Management Scrutiny Committee.

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In the absence of the Chairman of the Environment and Economy Scrutiny Committee, the Scrutiny Officer provided a summary of the work of the Environment and Economy Scrutiny Committee since its last update to the Board, which was set out at pages 158 – 160 of the agenda. Members were referred to the Committee's prospective work programme, which included reports on the Agriculture Bill; Development of a Greater Lincolnshire Tourism Sector Deal and a Review of the Carbon Management Plan and development of a Green Masterplan.

Members were invited to ask questions on the Environment and Economy Scrutiny Committee Work Programme, in which the following points were noted:

- The Lincolnshire Rural Support Network was heavily focussed on supporting the farming industry with mental health and other support needs.
- The Scrutiny Officer agreed to liaise with the Chairman over whether the Committee would be considering the economic impact of EU workers leaving the UK as a result of Brexit.

The Committee received an update from the Chairman of the Highways and Transport Scrutiny Committee of the recent work undertaken by the Committee since its last update to the Board, which was set out at pages 161 – 163 of the agenda. Members were advised that the Committee would receive a report on the Lincoln Transport Strategy in March 2020.

In response to a question, the Chairman of the Highways and Transport Scrutiny Committee agreed to investigate the possibility of employing enforcement officers between Lincolnshire County Council and the neighbouring District Councils, and would liaise with Lincolnshire Police Community Support Officers as they now had powers around parking enforcement.

The Committee also received an update from the Chairman of the Flood and Water Management Scrutiny Committee on the recent work of the Committee since the last update to the Board. Members were advised that there had been 150 new Section 19 incidents reported since May 2019 and the flood risk department had received extra resource due to the growing number of flooding incidents.

The Chairman of the Flood and Water Management Committee was pleased to report back to the Committee that all partners were now attending meetings of the committee and contributing to the same level.

Members were advised that the Committee had considered the Wainfleet Flooding report at its last meeting on the 24 February 2020, which was well attended by the public. The report had been well received and the meeting was positive overall. The Chairman planned to invite the Steeping Strategy Group to the meeting of the Flood and Water Management Scrutiny Committee on the 18 May 2020 to receive a formal report on the progress.

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Members were invited to ask questions, in which the following points were noted:

- The Chairman advised Members that a number of the outstanding S19 incidents were historic and could not be completed as work was outstanding from external partners. The Chairman was liaising with officers to provide a solution to this issue.
- The Executive Director – Resources informed Members that the recently approved budget had set aside £2m in the development fund for further work on drainage issues across the County, as well as an additional proportion of £4m for highways work to reduce the risk and effects of flooding. The Executive Director – Resources agreed to provide the Board with details of any further financial resource that had been provided to the Flood Risk team to deal with the increase in S19 incidents.
- It was suggested that the Flood and Water Management Committee consider flood relief systems and put forward a case for making space for water using agricultural land.
- It was suggested that a councillor development event on the flooding responsibilities of different agencies, and who to contact in an emergency, would be useful for members.

RESOLVED:

That the work programmes of the Highways and Transport Scrutiny Committee; Environment and Economy Scrutiny Committee and the Flood and Water Management Scrutiny Committee be noted.

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This item had been circulated to the Board for information only and was not discussed at the meeting.

The meeting closed at 12.58 pm