



County Offices
Newland
Lincoln
LN1 1YL

27 September 2021

Executive

A meeting of the Executive will be held on **Tuesday, 5 October 2021** in the **Council Chamber, County Offices, Newland, Lincoln LN1 1YL** at **10.30 am** for the transaction of business set out on the attached Agenda.

Yours sincerely

A handwritten signature in cursive script that reads 'Debbie Barnes'.

Debbie Barnes OBE
Chief Executive

Membership of the Executive
(9 Members of the Council)

Councillor M J Hill OBE, Executive Councillor for Resources, Communications and Commissioning (Leader of the Council)

Councillor Mrs P A Bradwell OBE, Executive Councillor for Children's Services, Community Safety and Procurement (Deputy Leader)

Councillor Mrs W Bowkett, Executive Councillor for Adult Care and Public Health

Councillor R D Butroid, Executive Councillor for People Management, Legal and Corporate Property

Councillor L A Cawrey, Executive Councillor for Fire & Rescue and Cultural Services

Councillor C J Davie, Executive Councillor for Economic Development, Environment and Planning

Councillor R G Davies, Executive Councillor for Highways, Transport and IT

Councillor D McNally, Executive Councillor for Waste and Trading Standards

Councillor Mrs S Woolley, Executive Councillor for NHS Liaison, Community Engagement, Registration and Coroners

**EXECUTIVE AGENDA
TUESDAY, 5 OCTOBER 2021**

Item	Title	Forward Plan Decision Reference	Pages
1	Apologies for Absence		
2	Declarations of Councillors' Interests		
3	Announcements by the Leader, Executive Councillors and Executive Directors		
4	Minutes of the Meeting of the Executive held on 7 September 2021		5 - 8

KEY DECISIONS - ITEMS TO BE RESOLVED BY THE EXECUTIVE

5	<p>Invitation to join a working group on a Geological Disposal Facility in eastern Lincolnshire</p> <p><i>(To receive a report by the Executive Director – Place, which seeks approval for acceptance of the invitation from Radioactive Waste Management to join a working group to explore the potential for a geological disposal facility in eastern Lincolnshire)</i></p>	I022944	9 - 20
6	<p>Lincolnshire Fire and Rescue Technical Response Unit Refresh</p> <p><i>(To receive a report on behalf of the Chief Fire Officer which seeks approval for the proposed changes and investment to Lincolnshire Fire and Rescue Service)</i></p>	I022718	21 - 100
7	<p>Lincolnshire Enhanced Partnership Scheme & Bus Service Improvement Plan</p> <p><i>(To receive a report by the Executive Director – Place which seeks approval for the preparation and publication of a Bus Service Improvement Plan (BSIP) for Lincolnshire)</i></p>	I022772	101 - 120

NON KEY DECISIONS - ITEMS TO BE RESOLVED BY THE EXECUTIVE

8	<p>Report by the Local Government and Social Care Ombudsman</p> <p><i>(To receive a report by the Executive Director – Adult Care and Community Wellbeing and the Monitoring Officer which asks the Executive to consider and accept the report published by the Ombudsman on 6 July 2021)</i></p>	I022771	121 - 152
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Democratic Services Officer Contact Details

Name: **Rachel Wilson**
Direct Dial **07796 994874**
E Mail Address rachel.wilson@lincolnshire.gov.uk

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 [Agenda for Executive on Tuesday, 5th October, 2021, 10.30 am \(moderngov.co.uk\)](#)

All papers for council meetings are available on:
<https://www.lincolnshire.gov.uk/council-business/search-committee-records>



**EXECUTIVE
7 SEPTEMBER 2021**

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

Councillors R D Butroid (Executive Councillor for People Management, Legal and Corporate Property), L A Cawrey (Executive Councillor for Fire & Rescue and Cultural Services), C J Davie (Executive Councillor for Economic Development, Environment and Planning), R G Davies (Executive Councillor for Highways, Transport and IT), D McNally (Executive Councillor for Waste and Trading Standards) and Mrs S Woolley (Executive Councillor for NHS Liaison, Community Engagement, Registration and Coroners)

Councillor R B Parker, Chairman of the Overview and Scrutiny Management Board attended the meeting as an observer

Officers in attendance:-

Debbie Barnes OBE (Chief Executive), Pam Clipson (Head of Finance, Adult Care and Community Wellbeing), David Coleman (Chief Legal Officer), Andrew Crookham (Executive Director Resources), Glen Garrod (Executive Director - Adult Care and Community Wellbeing), Michelle Grady (Assistant Director – Finance), Andy Gutherson (Executive Director Place), Heather Sandy (Executive Director of Children's Services), Nigel West (Head of Democratic Services and Statutory Scrutiny Officer) and Rachel Wilson (Democratic Services Officer)

22 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs W Bowkett and Mrs P A Bradwell OBE.

An apology for absence was also received from James Drury, Executive Director – Commercial

23 DECLARATIONS OF COUNCILLORS' INTERESTS

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

24 ANNOUNCEMENTS BY THE LEADER, EXECUTIVE COUNCILLORS AND EXECUTIVE DIRECTORS

Councillor M J Hill OBE, Leader of the Council stated that the government had announced that it would be exploring the rolling out of devolution to non-metropolitan areas, including rural/county areas. The proposal was that this would be carried out through strategic authorities, and a letter from the Secretary of State had been received. Enquires

were underway to determine what would be involved and what governance would be required to devolve powers to local authorities. It was highlighted that it was important that this agenda was pursued. However, it was noted that there was currently no longer any additional funding being offered, but this may change in the future.

The skills agenda and matching training with business requirements would be focus locally, including a need for people to be re-skilled.

25 MINUTES OF THE MEETING OF THE EXECUTIVE HELD ON 6 JULY 2021

RESOLVED

That the minutes of the meeting of the Executive held on 6 July 2021 be confirmed as a correct record.

26 FLAT RATE RESPITE CARE (LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN REPORT)

The Executive Director Adult Care and Community Wellbeing introduced the report which informed the Executive of the actions taken by the Council in respect of charging for short term respite care. It was reported that the Council had changed the way it charged for respite care and detailed in the Adult Care Charging Policy, effective 14 April 2020, and had commenced reimbursing those individuals identified as overcharged.

Following discussion by the Executive, the following points were noted:

- It was highlighted that this report was the opinion of the Ombudsman, and was not an indication that the Council had done anything wrong. It was further highlighted that no complaints had been received regarding the flat rate charging policy whilst it had been in place.
- It was noted that there would have been approximately equal numbers of people who were undercharged for their care as well as overcharged under this policy. The Executive Councillor had previously taken the decision that those who had been overcharged would be reimbursed, but the authority would not seek to recover monies from those who had been undercharged.

RESOLVED

1. That the report published by the Ombudsman on 16 March 2021 be received.
2. That the findings and recommendation of the Ombudsman as set out in the Ombudsman report be accepted.
3. That the actions taken both in respect of the Adult Care Charging Policy and the reimbursement of those affected be confirmed.

27 REVENUE BUDGET MONITORING REPORT 2021/22 - QUARTER 1 TO 30 JUNE 2021

A report by the executive Director – Resources on Revenue Budget Monitoring set out the Council's expenditure of the approved budget for quarter 1 of 2021-22 with explanations for any significant variations.

It was reported that the current revenue position was that an underspend of £1.194m was forecasted. The report detailed the key impacts of this, with the largest variance reported for Adult Care and Community Wellbeing, however, this was due to the resources needed to support the Covid-19 response.

The Chairman of the Overview and Scrutiny Management Board presented the comments from the Board's consideration of the report on 26 August 2021. These included the acknowledgement that there were cost pressures in relation to the capital programme and that there was a variety of reasons for these cost increases including supply issues, labour shortages and increase in the cost of raw materials. The Board had also expressed an interest in further examining the forecasted overspend in Fire and Rescue due to the cost of covering long term sickness absences. The Chief Executive advised that she had agreed for more detailed work to be carried out in relation to the sickness absence rates and to examine how the Fire and Rescue service could be supported to reduce its sickness absence.

The Executive raised the following points:

- It was suggested that it was time for the Council to start thinking about the development programme in light of the various supply issues, and whether this needed to start being built into plans now.
- It was acknowledged that labour shortages in particular were likely to result in some major pressures for the Council, and there was a need to examine what mitigating circumstances there were. Consideration would also need to be given to whether there were some things the council would need to do differently.
- A potential risk for Lincolnshire County Council was around the shortage of HGV drivers, who also doubled up as gritter drivers during winter.
- It was commented that these were not likely to be short term issues, and the Council would need to plan for some significant changes, particularly around the labour market in relation to supply and wage costs. There were already significant challenges around home care on the east coast, and the situation was expected to worsen over the winter months if there was a re-emergence of Covid-19.
- It was highlighted that one of the major supermarkets had asked government for more flexibility in its apprenticeships schemes to pay for driving lessons. There would be a need to look at what the Council could do to make the jobs available more attractive in order to recruit a good cohort of staff.
- The current issues already being experienced by home care providers and the NHS across the county were highlighted to the Executive. It was noted that joint working across providers was already being seen, where providers were sharing staff across the county.

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EXECUTIVE
7 SEPTEMBER 2021

RESOLVED

That the current position on the revenue budget be noted.

28 CAPITAL BUDGET MONITORING REPORT 2021/22 - QUARTER 1 TO 30 JUNE 2021

Consideration was given to a report presented by the Assistant Director – Finance on Capital Budget Monitoring, which provided an update on capital spending for quarter 1 of 2021-22, with explanation for any significant variations.

It was reported that an underspend of £26.913m was currently forecasted for the Block schemes and Project schemes, however, it was emphasised that this underspend was a reflection of slippage in timing and not a suggestion that they were underspending in terms of costs of the schemes.

It was requested whether there could be clarity in terms of the over and under spend figures set out in Appendix D – Capital Programme Detail for Selected Projects and Blocks as at 30 June 2021. There was a suggestion that the narrative needed to be simplified. The Assistant Director advised that the comments would be taken on board.

The Chairman of the Overview and Scrutiny Management Board presented the comments from the Board's consideration of the report on 26 August 2021. These included reference to the risks to the capital programme, the Spalding Western Relief Road underspend and if there was an opportunity to bring forward any other schemes to reduce this underspend, and the forecasted overspend on Highways Asset Protection. However, it was acknowledged that this would be covered by a report seeking approval from the County Council for a further £10m to be added to the capital programme budget for highways.

RESOLVED

That the current position on the capital programme be noted.

The meeting closed at 11.17 am

Open Report on behalf of Andy Gutherson, Executive Director - Place

Report to:	Executive
Date:	05 October 2021
Subject:	Invitation to join a Geological Disposal Facility Working Group in eastern Lincolnshire
Decision Reference:	I022944
Key decision?	Yes

Summary:

Lincolnshire County Council (LCC) has been invited by Radioactive Waste Management (RWM) to join a Working Group to explore further whether eastern Lincolnshire, and the former Theddlethorpe Gas Terminal site in particular, would be an appropriate location for a geological disposal facility. The formation of a Working Group by RWM is a government requirement, and the government's preference is that a relevant principal local authority should be part of a working group. A similar invitation has been sent to East Lindsey District Council.

Joining a Working Group does not mean that Lincolnshire County Council supports the concept of a geological disposal facility.

It means that LCC wishes to understand more about the investment that the proposal could lead to and that LCC wishes to understand more about the risk and implications of the proposal.

RWM have described a geological disposal facility as "a multi-billion-pound UK infrastructure investment that will provide several hundred direct jobs and wider benefits to the local economy through the supply chain for more than 100 years. A geological disposal facility is also likely to involve major investments in local transport facilities and other infrastructure and create secondary benefits within industry, local education resources and local service industries."

One of the tasks of the Working Group is to identify a Search Area, this is the area where RWM would carry out more detailed feasibility studies within a Community Partnership, if one were to be formed. When a Community Partnership is formed, the community is given access to a substantial community grant fund each year. The other tasks of the Working Group are to begin to engage with the community and to identify members of a Community Partnership.

Before RWM seeks final regulatory approval and development consent to begin construction of a geological disposal facility in a particular community, there must be a Test of Public Support of residents in the potential host community to determine whether it is willing to host a geological disposal facility.

Because RWM see a relevant principal local authority's input as providing knowledge and experience of the local area, it is recommended that the Executive nominates a representative who can provide a clear overview of the factors which affect the area, the interests of the Lincolnshire public, and the investment requirements of the county.

Recommendation(s):

That the Executive: -

- (1) approves acceptance by the Council of the invitation from Radioactive Waste Management to join a Working Group to explore the potential for a geological disposal facility in eastern Lincolnshire;
- (2) approves the Council taking up membership of any subsequent Community Partnership that may be formed; and
- (3) identifies a Councillor to represent the Council on the Working Group and, if it is formed, the Community Partnership.

Alternatives Considered:

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| 1. | <p>Not to accept the invitation to join the Working Group and any subsequent Community Partnership.</p> <p>RWM have indicated that the Working Group (and if it is formed, the Community Partnership) will explore the potential location, the critical infrastructure required, and the process of undertaking a Test of Public Support. The Community Partnership will also set the parameters for the proposed community investment funding.</p> <p>Unless LCC becomes a member of the Working Group and subsequent Community Partnership it will not be able to understand the detailed considerations relating to the proposal and nor will it be able to influence the important infrastructure requirements for the area which will be articulated in a community vision produced by the Community Partnership. Not being a member of the Community Partnership will mean that LCC cannot help to establish the parameters for the community grant fund. It is the principal local authorities within a Community Partnership who must decide whether to</p> |
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exercise the Right to Withdraw and to decide if or when to seek the community's views through a Test of Public Support.

LCC has a significant role of representing the county and its requirements and deciding whether to exercise the Right to Withdraw or hold a Test of Public Support. Not being a member of the Working Group or a Community Partnership if one is formed will mean that LCC cannot perform that representation role effectively, nor will it be able to decide whether to exercise the Right to Withdraw or hold a Test of Public Support, and therefore the alternative should not be pursued.

Reasons for Recommendation:

The reason that it is recommended that LCC becomes a member of the Working Group and any subsequent Community Partnership, is that it will enable LCC to represent the county and its requirements.

LCC's role will notably be to build up an understanding of the risk and opportunity associated with a potential geological disposal facility, to advocate the necessary infrastructure requirements from any potential investment, and to advise on the parameters of the community investment funding.

Being a member of the Working Group or Community Partnership does not commit LCC to supporting a geological disposal facility.

1. Background

Lincolnshire County Council has been invited by Radioactive Waste Management (RWM) to join a Working Group to explore further whether eastern Lincolnshire, and the former Theddlethorpe Gas Terminal site in particular, would be an appropriate location for a geological disposal facility. The formation of a Working Group by RWM is a government requirement, and the government's preference is that a relevant principal local authority should be part of a working group. A similar invitation has been sent to East Lindsey District Council.

Theddlethorpe Gas Terminal

The terminal and site, owned by National Grid, is now being decommissioned. Planning permission granted by the County Council in the 1970s requires the site to be restored to agricultural use. A scheme has been agreed to restore the site back to agriculture by 2025 and work is currently taking place to remove plant and machinery. The gas terminal provides a significant opportunity to the area. The gas pipes which run under the sea will remain in place, and the terminal is connected to the national gas grid via Hatton near Wragby and there is also a small high-pressure pipeline to the south bank of the Humber. This infrastructure provides the opportunity for the site to be used for energy purposes,

providing high quality jobs and investment. If the terminal were not to be operational then the Benefit Cost Ratio of Environment Agency investment in flood protection on Lincolnshire's coast would be likely to drop substantially.

Since the decommissioning, Lincolnshire County Council have been involved in a dialogue with National Grid to encourage them to seek productive uses of the site rather than return it to farmland. LCC has taken the lead on this dialogue because the site was granted permission as a mineral operation (gas transferred from off-shore is classed as a mineral) and any alternative from the site being returned to agriculture requires the approval of LCC as Mineral Planning Authority. This planning responsibility is in addition to our experience of investment and of major projects.

We are aware of several bodies who have expressed an interest in the site and have been in touch with National Grid.

Geological Disposal Facilities

Radioactive Waste Management Limited (RWM) is a wholly owned subsidiary of the Nuclear Decommissioning Authority (NDA). RWM are leading a Department of Business, Energy, and Industrial Strategy (BEIS) sponsored Nationally Significant Infrastructure Project to deliver a geological disposal facility to dispose of the UK's higher activity radioactive waste deep underground safely and permanently, in a suitable geological formation. Internationally, it is recognised that a permanent deep geological disposal facility (between 200m and 1000m underground), is the safest and most secure way to manage such waste in the longer term. RWM has already launched Working Groups in two other districts in England and is currently talking to several other local authorities and communities that might be interested in hosting this £multi-billion, inter-generational infrastructure project.

RWM has completed an Initial Evaluation of the East Lindsey area and has concluded that the area around the former Theddlethorpe Gas Terminal appears to hold strong potential to host such a facility, and in particular the area has strongly favourable geological conditions at around 500m depth under the inshore areas adjacent to the coast. The surface access facilities for a geological disposal facility can be located onshore, with the bulk of the deep underground elements offset laterally by several kilometres, including extending beyond the coastline at depth.

The Initial Evaluation has also highlighted that a geological disposal facility is expected to bring substantial benefits to the community which hosts it. As a major infrastructure project, a geological disposal facility is expected to generate several hundred well-paid, skilled jobs each year for over 100 years in construction, engineering, administration, safety, operations, and project management. The timescales involved mean there is a unique opportunity for skills and experience to be developed by people in the community and for the jobs to be undertaken by them. With geological disposal facilities due to be developed in every country around the globe with a significant nuclear industry, this is set to become a development of international significance that will attract collaboration with overseas partners and generate further opportunities.

Given the scale of a geological disposal facility, it is likely it could require a significant upgrade to local transport infrastructure which could bring significant wider benefits to local residents and businesses and make the area more attractive for inward investment. In addition, the community would benefit from opportunities to use community investment funding for locally important priorities early in the siting process. The Government has also committed to providing significant additional investment to the community that hosts a geological disposal facility. RWM have indicated that a Geological Disposal Facility could provide over 1000 construction jobs and then several hundred permanent technical and skilled jobs and would include investment in the area's infrastructure – through flood management, transport infrastructure road improvements, and potentially training and skills investment. The full identification and scoping of these requirements would take place through the National Significant Infrastructure Project process.

The RWM business model includes a substantial budget for community development during their testing and operational period: £1m per year during the local study period, and £2.5m per year during the drilling of boreholes and ground investigations. If RWM were to move ahead with a programme in Theddlethorpe then it would be the early to mid-2030s before any final decision on building the facility would be taken.

Working Group and Community Partnership structures

RWM operate a clear process of local engagement which involves the following, and from which the community can withdraw at any time:

- Production of an initial feasibility report
- Establishment of an independent working group, with an independent chairman, to narrow the location down
- Establishment of a community partnership to steer and comment on the detailed investigation work
- The right of withdrawal at any time for the community
- A test of public support ballot before any final investment takes place in the geological disposal facility

RWM are currently ready to establish an independent working group and have written to LCC –and also to East Lindsey District Council- to invite them to join the Working Group.

There are several main functions of a Working Group. The first is about fact finding - the gathering of information about the community and providing information to the community about geological disposal.

The second is to identify a Search Area. The Search Area is the geographical area within which RWM would seek to identify potentially suitable sites to host a Geological Disposal Facility. Defining the boundaries of the Search Area is important in order to identify appropriate membership for the Community Partnership, including relevant principal local

authorities, and to determine eligibility for Community Investment Funding. It is projects, schemes and initiatives within the Search Area which may be eligible for this funding.

The third main function is to work to identify members of the community who may be interested in joining a Community Partnership.

The role of the Community Partnership is to:

- facilitate discussion with the community;
- identify relevant information that people in the Search Area and potential host community want or need about the siting process;
- be the key vehicle for community dialogue with RWM;
- review and refine the boundaries of the Search Area as RWM's investigations progress;
- identify priorities for Community Investment Funding;
- make recommendations to the relevant principal local authorities on the Community Partnership on whether to invoke the Right of Withdrawal and if and when to launch a Test of Public Support;
- agree a programme of activities to develop the community's understanding of the siting process and the potential implications of hosting a Geological Disposal Facility;
- develop a community vision and consider the part a Geological Disposal Facility may play in that vision;
- monitor public opinion in relation to siting a Geological Disposal Facility within the Search Area and the potential host community.

Of particular importance are the Right of Withdrawal and the Test of Public Support.

Under the first of these the community can withdraw from the siting process at any point up until a Test of Public Support is taken. Once the Test of Public Support has been taken the Right of Withdrawal will cease.

The Test of Public Support reflects the Government's policy not to impose a Geological Disposal Facility on a community, but to seek to build community support through open and transparent engagement in a consent-based siting process. Before RWM seeks regulatory approval and development consent to begin construction of a Geological Disposal Facility in a particular community, there must be a Test of Public Support of residents in the potential host community to determine whether the community is willing to host a Geological Disposal Facility.

There are currently three main mechanisms that could be used: a local referendum, a formal consultation or statistically representative polling. The Test of Public Support would only be taken after extensive community engagement allowing time for the community to ask questions, raise any concerns and learn more about the proposals. There will only be one opportunity for a Test of Public Support.

LCC involvement in the Working Group and Community Partnership

The government have developed a siting process following consultation, in which RWM work in partnership with communities and the principal local authorities that represent those communities – i.e., district councils, county councils and unitary authorities. The government recognises that a successful consent-based process needs a willing community with relevant principal local authority support. The process itself is designed to be open, transparent, as flexible as possible and democratically accountable.

Principal local authorities are therefore central to the siting process. This is particularly clear at the Community Partnership stage. At that stage the Community Partnership must contain at least one principal local authority covering the whole of the Search Area.

In addition to this it is the principal local authorities within a Community Partnership who must decide whether to exercise the Right to Withdraw and to decide if or when to seek the community's views through a Test of Public Support.

While there is no requirement for the Council to join a Working Group, it is the government's preference and the central role that the Council would be called on to play in a Community Partnership strongly suggests that it should be involved in the early stages of this proposal so that it is fully informed both about the proposal and community attitudes.

LCC would be an equal partner in the Working Group with other members. In other parts of the country Working Groups have involved local authorities, local parish council representation, and other Interested Parties. RWM have indicated that they would cover any costs associated with LCC's membership of the Working Group.

Joining the Working group is not an indication that there is support from the council for a facility, it is simply agreement to be involved in the process to explore whether the proposal is feasible, a process that could proceed without Council involvement.

Unless LCC becomes a member of the Working Group and, should one be formed, a Community Partnership then it will not be able to understand the detailed considerations that RWM are making and nor will it be able to play the representative role envisaged by the process.

The Council is not required, either to be a member of any future Community Partnership.

However, not being a member of any future Community Partnership would mean that it would proceed with other principal local authority involvement in which case the Council would lose the ability to influence the outcome and the community leadership role of determining whether to exercise the Right of Withdrawal or carry out a Test of Public Support would be carried out by another principal local authority. LCC would also not be able to help to establish the parameters for the community grant fund.

Because RWM see a relevant principal local authority's input as providing knowledge and experience of the local area, it is recommended that the Executive appoints a representative who can provide a clear overview of the factors which affect the area, the interests of the Lincolnshire public, and the investment requirements of the county.

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.

This paper recommends that LCC joins a Working Group and as such attends meetings, prepares for meetings, etc. The LCC representative on the Working Group will ensure that the group's Terms of Reference include a clear, direct, and positive reference to implementing the Equality Act 2010.

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 & Wellbeing Strategy (JHWS) in coming to a decision.

The JSNA identifies a strong link between the economy/employment and health and wellbeing. The JSNA recognises that the east coast of Lincolnshire is an area which suffers from health and wellbeing difficulties, often as a result of economic disadvantage. The Working Group will explore how any proposed investment can be to the economic benefit of this part of the county, with a knock-on effect on the health and wellbeing of the residents.

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.

Many studies have shown a link between levels of unemployment and levels of crime. Should the proposed investment occur then it is hoped that a large number of jobs will be created which should have a positive impact by reducing the risk of increased crime and disorder in Lincolnshire.

3. Conclusion

In summary, a geological disposal facility would create substantial employment and infrastructure investment in an area whose economy is struggling. No investment in a facility would be imposed on the area, a formal process would be undertaken, and the community has the right to withdraw from that process at any time.

4. Legal Comments:

The Council has the power to take up membership of the proposed Working Group and any future Community Partnership.

The decision is consistent with the Policy Framework and within the remit of the Executive.

5. Resource Comments:

Participation in the Working Group and any subsequent Community Partnership as recommended is not expected to require any contribution from the Council's own resources beyond Officer and Member time which is already provided for in the approved revenue budget.

Should the level of input required be such that it cannot be contained within existing resources, RWM have indicated that they will cover any costs associated with LCC's membership of the Working Group.

The RWM business model includes a substantial budget for community development (including access to a community grant fund) each year during their testing and operational period: £1m per year during the local study period, and £2.5m per year during the drilling of boreholes and ground investigations.

6. Consultation

a) Has Local Member Been Consulted?

Yes

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

On 14 September 2021, the Environment and Economy Scrutiny Committee considered a report in relation to the Invitation to join a Geological Disposal Facility Working Group in Eastern Lincolnshire and supported the Recommendations to the Executive.

The following points were highlighted:

- The Chairman of the Committee welcomed the group of campaigners that attended the session and respectfully engaged with the group and their representative. The group representative Mr I. Smith accepted the Chairman's invitation, addressed the Members of the Committee, offered an account of the

group's views on the subject, and expressed the group's appreciation for being given the opportunity to be heard at the Committee Meeting.

- Members emphasised the importance of being part of the discussions of this working group, which was likely to go ahead regardless of whether Lincolnshire County Council participated or not. Being a member of the working group would enable LCC to influence and help shape the outcomes through sharing of knowledge and information. The report made clear points on the benefits of the proposed project, nevertheless, further engagement with the process on LCC's part would help to ensure that risks and potential problems (e.g., safety issues regarding the site, and/or transporting the materials to be stored etc.) were also being known and understood. Membership to this working group, further, allowed for subtleties and nuances, to be seen, as these would emerge. Any fear and uncertainties felt in the local community, would also be acknowledged.
- This was also an opportunity to engage with and support the local community that was being consulted on whether they wanted to have this facility in their local area.
- Members recognised that on face value the proposed project could potentially address issues around deprivation in eastern Lincolnshire.
- Members acknowledged that it was up to the residents to make the decision on whether to host a geological disposal facility in the future. Therefore, it was clarified that Members held no view on supporting the plans for the facility going ahead, rather, Members took a role to ensure that the local communities had access to information and knowledge for a fair, balanced and fully informed decision to be made.
- It was acknowledged that regardless of the decision to join the working group, there were factors such as the geology of the local area that were simple facts; the requirement for long-term storage of radioactive waste remained present and the discussions around this project would still go ahead even if LCC decided against joining the working group. Members agreed that it was in LCC's and the community's best interest for the former to have had a seat around the table, being thus able to access information and influence decisions.
- The process being undertaken and followed by Radioactive Waste Management was clearly prescribed and well defined by the Government in documents attached to the report. This document specifically described the location of the community as District Council level Wards in which the following are located: proposed surface development; associated development; transport links; and direct physical impacts (p. 59, §6.84 of [linked](#) document).
- Information being availed directly to the public was an important part of the Terms of Reference (TOR) of any working group; detailed account of how TOR was being shaped was also included in the government's document. The impact analysis attached to the report showed that LCC would wish to introduce additions to the terms of reference (e.g., ensuring equality of access to information). Equally, where members of the working group identified gaps in the TOR, they would be able to request additions to be considered at the first meeting of the working group. The process also recognised the importance of listening to the views of the community from the outset.

- For the purpose of high levels of transparency being maintained, it was agreed that TOR, agreed by the working group, as well as ongoing information about progress of the working group’s remit was fed back to this Committee and more widely.
- It was clarified that the working group was subject to the Freedom of Information Act.
- In other parts of the country Parish, Town Councils and local relevant bodies were being part of such working groups whereas in this paper LCC and East Lindsey District Council were mentioned as participants. Assurance was given that it was being asked of the Executive to consider that LCC’s position echoed the view that Parish, Town Councils, and local relevant bodies were part of the working group on this occasion.

d) Risks and Impact Analysis

This paper recommends that LCC joins a Working Group and as such that it attends meetings, prepares for meetings, etc. As such, a risk assessment is not necessary.

7. Background Papers

The following background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

Document title	Where the document can be viewed
Working with Communities	https://www.gov.uk/government/publications/implementing-geological-disposal-working-with-communities-long-term-management-of-higher-activity-radioactive-waste

This report was written by Justin Brown, Assistant Director - Growth, who can be contacted on 01522 554825, or justin.brown@lincolnshire.gov.uk.

Open Report on behalf of Mark Baxter, Chief Fire Officer

Report to:	Executive
Date:	5 October 2021
Subject:	Lincolnshire Fire and Rescue Technical Response Unit Refresh
Reference:	I022718
Key Decision?	Yes

Summary:

Lincolnshire Fire and Rescue (LFR) provides a number of technical response capabilities to assist in delivering its operational response. When responding to emergency situations LFR sometimes has to attend environments and incidents where the capabilities carried on a fire appliance are not suitable or adequate to resolve the situations and therefore require additional capabilities to deliver a successful outcome.

In our Community Risk profile 2020-2024 a number of community risks have been identified in which LFR can provide a response and within those risks it has been identified that additional capabilities are required to support the rescue of large animals, support other agencies in repositioning or removing large patients to access better medical care, allow operations to be conducted in water, support the response to incidents involving large transport and provide alternative rescue methods for incidents in commercial or industrial settings.

To ensure the Service is prepared for its known and future risks an assessment has been conducted on its known risks within the county and has reviewed its operational response to incidents involving these capabilities over a five-year period. The findings have identified that in order to ensure LFR can continue to provide a sustainable response in the future our response model needs updating to meet the demand and capital investment is needed in vehicles and equipment.

This Report describes and seeks approval for the proposed changes and investment.

Recommendation(s):

That the Executive: -

- (1) approves the operational changes specified in Table 1 of the Report;

- (2) approves the capital scheme business case for the expenditure of the capital budget of £1.218m on replacement vehicles, equipment and other assets in accordance with the Technical Response Units Capital Plan at Appendix J to the Report;
- (3) approves the carrying out of a procurement to secure the replacement vehicles, equipment and other assets as described in the Technical Response Units Capital Plan at Appendix J to the Report;
- (4) Delegates to the Chief Fire Officer in consultation with the Executive Councillor: Fire and Rescue and Cultural Services authority to take all decisions and detailed steps necessary to give effect to the above decisions.

Alternatives Considered:

Throughout the planning phase of the project and understanding where the risks are, and will be, in the county all alternatives were considered in regards to type of capability, amount of capability and disposition. The risk data presented the option that is recommended with consultation with stakeholders for views. The presented option is felt the most effective way of meeting the operational risks in this area in the most cost-effective manner. The option of not changing would have meant an annual increase in the revenue budget of £168K.

Reasons for Recommendation:

This gives us a resource to risk response capability for all of our technical and specialist response assets. It also offsets the significant increase in costs that we have incurred due to the changes by DEFRA to maintain competent water rescue assets to be able to respond to the flood risk we have within the county. The other capabilities have been either reduced or realigned to reflect current and future need.

1. Background

1.1 As part of the ongoing programme to ensure that Lincolnshire Fire and Rescue's Operational response as identified in the IRMP is delivered in the most appropriate way, all operational assets are part of a scheduled replacement programme.

The current technical response provision which provides 2 Rescue Support Units (RSUs), and 7 Technical Rescue Vans (TRVs) are stationed at the 8 Lincolnshire Crewed stations.

The current provision provides a range of technical responses to support the initial attendance at incidents where a greater degree of specialist knowledge and equipment is required. This provision has developed since both the RSUs and the TRVs came into

Service and using performance information we are now able to demonstrate the locations of the risks and historic incidents (over a 5-year period) that have occurred.

Following a review of the performance information it is clear the Service can now identify the demand based on the historical incident data, the risk profile of the county and the competency requirements of the capabilities.

The Fire and Rescue Services Act 2004 places a statutory duty on Fire and Rescue Authorities (FRAs) to make provision, in its area, for the purposes of: extinguishing fires; protecting life and property from fire; rescuing people from road traffic collisions; and responding to other emergencies. This duty is reinforced through our IRMP process which identifies the key fire and rescue related risks in the county which the Service is required to help mitigate.

1.2 The current technical provision and their capabilities, the changes we are proposing, and the reasons why are dealt with in this section:

Bariatric (Large people) response

Why we do it?

In 2011 Lincolnshire Fire and Rescue was approached by Adult Social Care to determine if we could assist East Midlands Ambulance Service (EMAS) to respond and assist with the lifting and moving of +sized patients. Initially we provided one team which was facilitated by the Urban Search and Rescue (USAR) crew based in Lincoln North fire station. In 2013 the capability was expanded to 4 teams working from Grantham, Lincoln North, Skegness, and Spalding in response to the location of the then known +sized patients. As our role is to support another agency the Service does not have to respond within a specific timeframe and therefore EMAS will always be the first person on scene.

Why do we need to change?

We have reviewed Incident data over a 5-year period between April 2014 and April 2019 and during that time we have attended 120 bariatric incidents across the county. The team from Grantham has attended only 10 of those incidents, with Sleaford and Spalding attending 34 each and Lincoln North attending 31. Risk data also shows that of the known +sized people living in the county over 75% live in the east and less than 5% in the southwest of the county.

What change do we propose to make?

Capability removed from - Grantham

Capability maintained at - Lincoln North, Skegness, Spalding

Financial Savings

This change together with the proposals for asset replacement set out in section 1.4 shall realise the following financial savings:

- Annual revenue savings £1,926.00
- Capital equipment savings (5-year replacement programme) £5,500.00

Large Animal Rescue

Why we do it?

Whilst there is no legal responsibility for the Fire and Rescue Service to attend incidents involving animals (responsibility falls to the owner to have suitable means of managing an animal's requirements; where this has not been achieved the RSPCA should be informed), most people will request the Fire Service if a large animal is found in an unsafe position.

Whilst the response to the animal is not primarily the reason for a Fire and Rescue attendance the recognition is that people may put themselves at danger if the Fire Service does not attend. In 2008/09 LFR sent members of the USAR team down to Hampshire to become Animal Rescue Large Instructors and used techniques and equipment on this course to build our response. Originally our response was the USAR crew from Lincoln North Station; currently it is delivered by 6 stations (Corby Glen, Grantham, Lincoln North, Louth, Sleaford, and Spalding).

Why do we need to change?

We have reviewed incident data over a 5-year period between April 2014 and April 2019 and during that time we have attended 88 incidents involving large animals across the County. The team from Grantham has attended only 8 of those incidents, Sleaford 2 and Corby Glen 2, whereas Spalding has attended 21, Lincoln North 29 and Louth 20 with most of these incidents occurring on the east coast with Skegness as the closest station. Risk data shows the County has 98 farms however it is unknown how many of these farms have animals. We have limited risk data on equine locations but recognise there are also a number of areas of common land within the county allowing the legal grazing of horses. The known areas are mainly in the north and east of the county.

What change do we propose to make?

Capability removed from - Grantham & Louth

Capability maintained at - Lincoln North and Spalding

Capability added to - Skegness

Finance

This change together with the proposals for asset replacement set out in section 1.4 shall realise the following financial savings:

- Annual revenue savings £8,297.00
- Capital equipment savings (5-year replacement programme) £2,400.00

Technical Rope Rescue

Why we do it?

To ensure the appropriate health and safety provision is suitable for our operational personnel to complete their work, it is imperative we have the appropriate systems and equipment to make access to locations where we may be called upon. Standard fire service high level access equipment has been supplemented by some form of high-level specialist capability (previously high line rescue team 1980/90s) however following the creation of USAR; personnel were trained to a nationally recognised level of competency

by external providers. Within the county some structures have been identified which would benefit from having a technical rope aspect, but do not necessarily require all of the skills of the qualified rope rescue operator. Due to the technical nature of the capability, there is also a requirement to have trained supervisors. Lincolnshire has maintained one Technical Rope team since 2006/07. This is now split between Sleaford and Skegness. It must be noted that since the creation of the technical rope team other responses have changed and we now provide a better range of assets to deliver this response, including having station rope rescue at all whole-time stations, our hydraulic platforms have been replaced by aerial ladder platforms which have an increased capacity and our USAR team have line access casualty extrication systems.

Why we need to change?

We have reviewed incident data over a 5-year period between April 2014 and April 2019 and during that time we identified our technical rope rescue teams have been mobilised to 17 incidents of which there is no recorded evidence to suggest it was used in a situation that couldn't have been resolved using station rope rescue and other means.

The known sites in which technical rope rescue was considered was at the rollercoasters at the amusement parks in the east of the county. Under the Work at Height regulations 2005 owners and operators of these structures have a responsibility to develop an Emergency plan. However, Lincolnshire Fire and Rescue regularly exercises at this site and have developed new rescue plans using the aerial ladder platform, station rope rescue and line access casualty extrication.

The training requirements to maintain this skill outweigh the need to provide the asset, the majority of technical rope skills were developed for mountain rescue and the natural terrain in Lincolnshire doesn't present the same challenges.

What change do we propose to make?

Capability currently at- Skegness and Sleaford
Proposal - Capability to be retired from Service

Finance

This change together with the proposals for asset replacement set out in section 1.4 shall realise the following financial savings:

- Annual revenue savings £11,788.00
- Capital equipment savings (5-year replacement programme) £9,500.00

Water Response

Why we do it?

Whilst there is no specific legal responsibility for the Fire and Rescue Service to attend incidents involving water, most people will request the Fire Service if assistance is required. Fire and Rescue Services do fulfil the response under the nationally agreed DEFRA concept of operations and as flooding is an ever-increasing risk, Fire and Rescue Services under the Civil Contingencies Act 2004, will take on the role of search and rescue in these events.

Lincolnshire hosts 2 different team types as defined by DEFRA:

Type B – boat team with an engine

Type C – boat team without an engine. Boat manoeuvred using paddles and other manual techniques.

Why do we need to change?

Data of incidents attended from April 2014 to April 2019 identified our swift water rescue teams have been mobilised to 286 incidents of which the majority were resolved before our arrival or by initial attending fire crews using basic water rescue equipment. The majority of incidents have occurred in the northeast and south of the county. Spalding has been mobilised to 78 incidents, Boston 61, Lincoln North 57, Louth 38, Sleaford 27, Gainsborough 24, and Woodhall Spa 1.

The rivers Haven and Trent are the rivers in which our boat teams have mostly been deployed and used. These rivers, due to them being tidal flow and that they flow through town centres, are the greatest risk. During flooding incidents our boats have never been used with their engines and when deployed the teams have completed rescues by wading through floodwater.

To maintain this skill requires crews to complete training in class 2 water (relates to the speed of flow). This requires crews to attend training courses in Wales as this is the nearest suitable Class 2 provider and therefore the cost in training has risen significantly to meet the identified competencies

Whilst the proposal is to reduce the number of 'boat teams' it must be noted that all operational responders now have water training and PPE to complete water rescues via a range of other techniques.

What change do we propose to make?

Water Rescue (Type B)

Capability removed from - Louth, Sleaford

Capability maintained at Boston, Gainsborough, Lincoln North & Spalding

Water Rescue Type C

Capability removed from - Louth, Spalding

Capability maintained at - Bourne, Lincoln South

Capability added to – Skegness

Finance

This change together with the proposals for asset replacement set out in section 1.4 shall realise the following financial changes:

- Annual revenue compared like for like based on current teams will realise of savings £62,182.00. However, this standard of training is not an option so the actual cost of training based on the new standard for the proposed amount of teams shall cost £99,228.00 which in real terms shall mean an increase of £37,046.00.
- Capital equipment savings (10-year replacement programme) £65,500.00.

Large Transport

Why we do it?

As part of the Fire and Rescue Services Act 2004 under Part 2 Core Services, Sections 8 and 9, the Fire Service has responsibility to make provision for response to road traffic collisions and other emergencies.

Why do we need to change?

Data of incidents attended from April 2014 to April 2019 identified that our crews have mobilised to 526 incidents of which 252 involved LGVs, 178 involved multiple vehicles, 42 involved buses/coaches, 17 involved minibuses, 17 involved aircrafts and 11 involved trains. Our two busiest stations were Grantham and Louth.

The road infrastructure in Lincolnshire is complex and busy with a range of traffic users. The roads have to contend with changes in traffic flow and capacity due to seasonal use related to holidaymakers and agricultural use. Most incidents occurred on the A17, A1 & A16.

The proposal is to increase the number of assets from two to three by maintaining Grantham, moving the Lincoln North asset to Louth and upskilling Boston. This will provide relevant assets at the locations closest to the highest risks.

The main aim of this upskill is to provide assets that can provide further support to initial attending crews.

What change do we propose to make?

Capability removed from - Lincoln North

Capability maintained at - Grantham

Capability added to - Boston, Louth

Finance

This change together with the proposals for asset replacement set out in section 1.4 shall incur the additional finance requirements:

- Annual revenue cost £5,595.00.
- Capital equipment costs will be realised as part of the replacement programme.

Heavy Rescue

Why we do it?

As part of the Fire and Rescue Services Act 2004 under Part 2 Core Services Sections 9, the Fire Service has responsibility to make provision for other emergencies.

Why do we need to change?

Lincolnshire Fire and Rescue currently provides a limited response to these incidents with further support coming from the USAR team, however, the attendance of USAR is not an immediate response and can take 60 minutes to mobilise. An interim response from an

improved level 3 capability will provide more timely support to our immediate frontline response.

Data of incidents attended from April 2014 to April 2019 identified that USAR has mobilised to 13 incidents which may involve the mobilisation of at least 3 vehicles and 10 personnel. Often when in attendance the requirement has been relatively small and could have been achieved with fewer personnel and minimal equipment.

What change do we propose to make?

Capability removed from - Lincoln North

Capability maintained at - Grantham

Capability added to - Louth

Finance

This change together with the proposals for asset replacement set out in section 1.4 shall incur the additional finance requirements

- Annual Revenue cost £3,730.00
- Capital equipment costs will be realised as part of the replacement programme

Command Support

Why we do it?

Part two of the Fire and Rescue Services Act 2004 identifies the core functions of a fire and rescue authority, to ensure the authority is able to fulfil these core functions it must ensure the provision of personnel, services and equipment necessary efficiently to meet all normal requirements. Every emergency response requires the function of incident command which will become more involved as the size and intensity of the incident increases. To assist the incident command function, it is essential that the appropriate support is afforded to coordinate the response.

Why do we need to change?

In 2012 when the current command support unit was rolled out there was no national standard which identified what an enhanced command support function should provide and many services developed a single vehicle which could incorporate technology to assist in the communications and recording of activity at an incident. Following the launch of national operational guidance and learning from significant national incidents (e.g., Grenfell tower, Manchester arena and major flooding in the Southeast in 2013) a better understanding of the command support function is known and expected. In association with this are the technological enhancements which have been developed since the launch of our current asset.

What change do we propose to make?

Through market research with other fire services and suppliers it has been assessed that the best way to achieve this is not to provide a specific vehicle but to provide equipment to create a command support environment (e.g., shelter, workstations and logistical support). To provide the technical element this shall be provided by utilising our recently upgraded mobile data terminals, command support software and connectivity

to deliver a command support function that is futureproofed. By utilising equipment that is available on all operational vehicles this shall increase competence as the operation shall be the same for all incidents but the function will be scalable.

Finance

This change together with the proposals for asset replacement set out in section 1.4 shall incur the additional finance requirements:

- Annual revenue £2,527.00
- Capital equipment costs will be realised as part of the replacement programme.

1.3 The current disposition of capabilities was based on the professional opinions of previous officers and some of these have now been superseded by an advance in equipment and the competency of responders on the front-line appliances. (Example – our aerial ladder platforms have an extended reach which is further than the hydraulic platforms which we had in Service when technical rope rescue was developed and introduced to the Service. This enhanced capability has now removed the need for technical rope rescue at specific risks.)

To ensure the most appropriate assessment of risk has been completed the following data sets have been reviewed.

- Reason why LFR provides these capabilities
- Known risks within the county
- Incidents in which technical assets have been mobilised to in the last 5 years (2015 – 2019)
- Training competencies to acquire, maintain and requalify

The purpose was to provide an evidence-based decision and to ensure all future trends and issues could be considered as part of the analytical process.

The changes proposed which are described in more detail above are summarised in Table 1 below (next page):

Table 1- Level 3: Technical Rescue Units

LEVEL 3: Technical Rescue Units		
	CURRENT	PROPOSED
	<p>Animal Rescue Large (AR2) Corby Glen Grantham Lincoln North Louth Sleaford Spalding</p>	<p>Animal Rescue Large (AR2) Lincoln North Skegness Spalding</p>
	<p>Bariatric Response Grantham Lincoln North Skegness Spalding</p>	<p>Bariatric Response Lincoln North Skegness Spalding</p>
	<p>Heavy Rescue Limited Capability Grantham Lincoln North</p>	<p>Heavy Rescue Grantham Louth</p>
	<p>Large Transport Limited Capability Grantham Lincoln North</p>	<p>Large Transport Boston Grantham Louth</p>
	<p>Technical Rope 1 Team split between Skegness Sleaford</p>	<p>Technical Rope Discontinued and supplemented by Station Rope, ALP, LACE</p>
	<p>Water Rescue Type B Boston Gainsborough Lincoln North Louth Sleaford Spalding</p> <p>Type C Bourne Lincoln South Louth Spalding</p>	<p>Water Rescue Type B Boston Gainsborough Lincoln North Spalding</p> <p>Type C (Local) Bourne Lincoln South Skegness</p>
	<p>Command Support Market Rasen</p>	<p>Command Support Gainsborough Grantham Louth</p>

1.4 The current technical response vans have now reached and exceeded their end of service life, and the rescue support units shall reach theirs in 2020/21. In addition to the vehicles the Service has also identified the need to improve equipment used to deliver the appropriate outcome; this equipment includes our swift water boats and our command support provision. Command support doesn't deliver a specific function to the resolution of an incident but does provide the ability to support commanders at a range and scale of incidents.

A total capital budget of £1,218,000.00 has been allocated to deliver this project and this will be used to purchase the replacement vehicles, replacement boats and the supplementary equipment for the new heavy rescue and large transport requirement and the new command support function. The Identified Capital Budget is taken from the fleet and equipment replacement programme within LFR Capital Plan and specifically relates to the replacement of current fleet of Rescue Support Units, Technical Rescue Vans, and specialist equipment. Further breakdown and details are within Appendix J.

Approval is sought for proceeding with this programme of replacement and for undertaking the procurement associated with it. The proposal is to submit an invitation to tender by way of mini competition through the Devon and Somerset framework for the replacement vehicles

Until that has been done the price at which any vehicles and equipment will be available is not known but experience and research give reasonable confidence that the cost of the replacement can be met from within the available budget. We have the option not to award post tender if the costs are prohibitive due to available budget.

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.

A full EqIA has been completed and has been included as Appendix I. No differential impacts have been identified on people with a protected characteristic.

The impacts identified are:

Negative Impact - *Employees at those stations who lose this specialist resource may be impacted through reduced call out (economic impact) / losing skill set. Decision based on sound analysis over a period of time.*

Positive Impact - *Employees at those stations who gain this specialist resource may be impacted through increased call out/gaining additional skill set. Decision based on sound analysis over a period of time*

The mitigation actions to support the negative impacts are - *Communicate with staff the statistical information behind the decision to relocate the resource. Support staff who may be adversely affected by losing their skill sets, or reduced call out*

Consider:

Leading and Managing Change - e-course on Lincs2Learn (may help support change)

Personal Resilience (Health and Wellbeing) - e-learning course on Lincs2 Learn (may help build upon and improve personal resilience)

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 & Wellbeing Strategy (JHWS) in coming to a decision.

The JSNA and JHWS have been considered. The proposals in this Report are designed to improve the Service's response and therefore keeping residents of Lincolnshire safe thereby contributing to their health and wellbeing.

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 is no impact under Section 17 of the Crime and Disorder Act 1998.

3. Conclusion

The Service has now completed the relevant assessment of risks, incident data and has consulted with the workforce and partners. Approval is sought to a number of operational changes together with a programme of capital asset replacement.

A total capital budget of £1,218,000.00 has been allocated to purchase replacement vehicles, replacement boats and the supplementary equipment for the new heavy rescue and large transport requirement and the new command support function. As identified the proposal will deliver the following financial savings:

- Against previous standards and comparing current composition against proposed composition this proposal shall realise annual revenue savings of £74,868.00, however due to changes in competence requirements shall incur an annual revenue pressure of £24,360.00. If the current composition was to be maintained the service would incur an annual revenue pressure of £168,094.00.
- Capital savings based on an averaged 5-year programme £35,200.00.

The following recommendations are proposed:

- The Service changes its technical response delivery to the model indicated in table 1.
- The Service submits an invitation to tender through the Devon and Somerset framework for the replacement vehicles.
- The Service begins a mini competition process to identify suitable equipment to replace and improve current inventories.

What can be noted is that through this improved model we will be able to increase our command support capability. This capability, whilst not part of our Level 3 response, is used at every incident. However, as the size and intensity of an incident increases the need for greater control is required. Command support provides the relevant equipment and processes to ensure an incident can be managed safely.

4. Legal Comments:

The Council has the power to make the changes and procure the equipment proposed.

The decision is consistent with the Policy Framework and within the remit of the Executive.

5. Resource Comments:

There is available funding within the Fire & Rescue Fleet and Equipment capital budget to support this scheme.

It will also result in £76,000 cost avoidance from 2023/24 which would be incurred if no investment was undertaken, and this is reflected in the service's medium term finance plan.

6. Consultation

a) Has Local Member Been Consulted?

N/A

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

On 21 September 2021, the Public Protection and Communities Scrutiny Committee considered the report on the Lincolnshire Fire and Rescue (LFR) Technical Response Unit Refresh, and unanimously supported the Recommendations to the Executive.

The following points were highlighted:

- Clarity was sought around FRS legal requirement to respond to incidents that involve among other large animal rescue, bariatric response, technical road response, heavy rescue as well as to flooding incidents (water response) for which FRS was not funded. It was clarified that the FRS had a statutory duty to respond to fires and Road Traffic Collisions and, under the Civil Contingencies Act, to respond to significant emergencies within the County of Lincolnshire and

beyond. When an incident is attended to, the requirements may be unknown until the point of these being assessed, thus it is required that appropriate resources and training were available at all times for the staff to be enabled to service the public. It was emphasised that water rescue was the most significant type of incident where despite not having a statutory duty to respond to flooding incidents, FRS has the duty to respond to large scale events that go beyond the scope of single agency response to demand. Information and risk data accumulated historically indicate that what is required is low level water, static and floodwater technical rescue equipment that allowed for Fire Crews to reach incidents swiftly. In relation to bariatric equipment, it was reinforced that these were pertinent to fire incidents (among other) where the people involved were classed as bariatric.

- Reference was made to risk data (page 121 of the report) that indicated that the County had 98 farms at which an unknown number of animals resided. It was clarified that these were farms across the county of Lincolnshire classed as high-risk areas. High-risk areas were identified through historical data including demographics of the county, known facilities such as storage located on farm premises and other concurrent factors that increase the risk of a fire hazard. This was not however, an indication that these farms were routinely operating in a high-risk environment.
- In relation to technical rope rescue, required for operating below ground level, Members enquired if there were many incidents in the county where these were employed. It was clarified that there had not been such rescues however, the services had improved other capabilities in this response which could be used in this type of incident.
- In reference to Command Support Provision comments (page 133) Members sought assurance that appropriate station support was in place. Assurance was given that FRS had all assets required allocated at the appropriate stations, in appropriate locations, based on levels of risk and added that the point raised in those comments was in regards to the Sleaford station losing some of the technical skills they possessed; it was explained that there was a level that was seen as being technically higher than what is delivered at every Fire Station. The proposal aimed to deliver command support from low level to complex incidents and the proposed structures and equipment allowed for this to be completed. It was clarified that capability would not change, however, what differed was the ability for command support to be implemented from the very first attendance which also enabled greater geographical coverage across the county.
- Members reiterated that shifting resources, specialisms, and equipment to where these were needed more imminently was reducing activity at already quiet stations. Assurance was given that the initial assessment accounted for all operational activity over a five-year period. Preventative and protective work

carried out in line with a number of incidents across the county had improved the way in which local businesses were managing their own risks; this had reduced operational activity. Confidence was placed in the allocation of assets across the county, that could manage future demand. A flexible model, operated already, allowed for resources to be moved within the county as required.

- It was emphasised that Lincolnshire FRS had some of the most excellent fire appliances and equipment in the Country. It was noted that Lincs FRS was conscious that it requires to ensure it has sufficient people resources to enable the appliances and equipment to be available. Assurance was also given that skilled human resources were allocated to operate vehicles and advanced technological equipment acquired at this moment in time.
- Members requested for further information around the Capital Plan of circa £1.2m allocated to the project. The breakdown of proposed expenditure combined, covered the replacement of seven (7) vehicles, four (4) boats and funding of the Command Support Unit -among other- as per the needs described throughout the report. Rather than requesting like-for-like replacements of vehicles, it was proposed that FRS would pull the Capital replacement programme and subsequently would proceed with tender recognising that there is £1.2m ceiling to look at procuring the proposed assets after the existing Capital programme was utilised.
- Members asked that the final comment on page 135 of the report [*“What is vitally important (...) within the job function.”*] be noted as one representing a substantial percentage of the survey respondents. It was recognised by officers that a comprehensive spending review that would be put forward to the Home Office and the government in request of additional funding to support FRS to deliver its statutory duties including its public protection and prevention statutory duties, would satisfy these comments. Assurance was given that current and future resourcing was utilised in the most effective, advantageous and efficient manner.

d) Risks and Impact Analysis

The process to identify the proposed response structure has been based on known operational risks and historical demand. The conclusions have identified the Service needs to change its delivery model to ensure it can provide an effective and efficient technical response capability.

The Service undertook both an internal and external consultation, the results of the internal consultation can be found in appendix H and the majority of the workforce supports the proposed changes. The few responses that disagreed with the proposals were from staff that would be losing specific skills; however, the risk and demand analysis doesn't support the anecdotal conclusions drawn from their responses. Internal consultation opened on the 12th of April 2021 and closed on the 7th of May 2021,

responses were submitted by both staff and trade union representatives. External Consultation opened on the 6th of May 2021 and closed on the 21st of May 2021; this shorter consultation period was due to the recent local elections. The external consultation was sent to specific stakeholders as identified in Appendix G and the Service received no responses.

Legal advice was sought from Lincolnshire County Council legal services by the chief fire officer prior to LFR commencing consultation.

An equality impact assessment (Appendix I) has been conducted, and the conclusions have identified no impact on people with a protected characteristic.

7. Appendices

These are listed below and attached at the back of the report	
Appendix A	Review of Technical Response units
Appendix B	Animal Rescue Analysis 2019
Appendix C	Bariatric Rescue 2019
Appendix D	Rescue from height 2019
Appendix E	Large Vehicle analysis 2019
Appendix F	USAR Analysis 2019
Appendix G	Technical Response Units - Consultation brief
Appendix H	Internal Consultation Survey results
Appendix I	Equality Impact assessment
Appendix J	Capital Plan

8. Background Papers

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

Document title	Where the document can be viewed
Community Risk profile 2020 - 2024	lfr-community-risk-profile-crp-2020 (lincolnshire.gov.uk)
IRMP 2020-2024	irmp-2020-24 (lincolnshire.gov.uk)
LFR Response Framework 2020 - 2024	Service planning and values – Lincolnshire County Council

This report was written by Spencer Creek, Area Manager Response, who can be contacted on 077 8551 6664 or spencer.creek@lincoln.fire-uk.org.

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Review of Lincolnshire Fire and Rescue technical capabilities

The key changes are:

Technical rope rescue

The service is proposing to stop offering technical rope rescue as a bespoke service. The training is based predominantly on mountain rescue, of which rescues are not common in Lincolnshire, and rescues from height are now predominantly carried out using an Aerial Ladder Platform. All crews will be trained in rescues from height and will continue to carry out regular exercises at sites such as tall heritage structures and fairground attractions.

Command support

Another proposal is to increase the availability of command support from being offered at one station, to three. These are hugely important, especially at larger incidents, providing a base for senior officers to control activity and review what response is needed.

Bariatric rescue

To allow Grantham to provide Command Support, the team would no longer carry out bariatric rescue. Over a five year period, Lincolnshire Fire and Rescue has attended 120 bariatric incidents across the county, with Grantham only attending 10 of these.

Swift water rescue

To enable an appliance from Louth to provide Command Support, the crew will no longer carry out water rescues – the crew has only attended seven incidents in the five year period out of 286 incidents in total.

Large transport/heavy rescue

The service is suggesting that in two areas, to reduce the reliance on the service's Urban Search and Rescue team, that crews from Boston, Grantham and Louth attend these types of incident.

Large animal rescue

Although we're not required to carry out large animal rescues, in Lincolnshire we feel this is a valuable service to our rural communities, working alongside the RSPCA. We are proposing to keep this expertise at our busiest three stations where 84% of the large animal rescues have taken place in five years.

Other proposed changes

Sleaford station is home to our Urban Search and Rescue team. As the Sleaford crew has only carried out one water rescue and two large animal rescues over the five years, the proposal would be to stop this activity to enable the crew to focus on their USAR activity, both in Lincolnshire, and as a national asset.

Similarly, Lincoln North fire station has had some limited capacity to carry out large transport and heavy rescues. The proposal is to stop this activity to allow the crew to be more focused on bariatric rescue, large animal rescue and water rescue.

Consultation

We would like to hear your views on these proposals by completing a short survey, accessed through the following link <https://snaps.lincolnshire.gov.uk/snapwebhost/s.asp?k=161588900718>. This should take no longer than fifteen minutes to complete. You can also find attached more detailed documents on the changes being considered.

We will use any feedback to finalise our plans as we look to deliver an even better service to Lincolnshire residents and communities.

Should you require any further information, please contact Area Manager Spencer Creek, spencer.creek@lincoln.fire-uk.org.

Animal Rescue Incident Analysis

April 2014 – March 2019



Using the Initial Incident Type to filter the data to show only Large Animal Rescues

STATION NAME	FISCAL_YEAR					Grand Total
	2014-15	2015-16	2016-17	2017-18	2018-19	
Alford		1	1			2
Bardney					1	1
Billingborough		1				1
Billinghay	1		2			3
Binbrook		1				1
Boston	3		2	1	1	7
Bourne		1				1
Brant Broughton	1				1	2
Caistor			1	1	1	3
Donington		1				1
Gainsborough	2			2	1	5
Grantham		5		2	1	8
Horncastle		3				3
Kirton			3			3
Lincoln North	2					2
Lincoln South			1			1
Long Sutton	2	3				5
Louth	2		1	1		4
Mablethorpe		1	1	1		3
Market Rasen		1		1	1	3
North Hykeham				1	1	2
North Somercotes			1			1
Saxilby		2	4		3	9
Skegness	2	1				3
Sleaford			1	1		2
Spalding		1	1	3	2	7
Spilsby		1				1
Wainfleet			3		1	4
Grand Total	15	23	22	14	14	88



EAST DIVISION

STATIONNAME	FISCAL_YEAR					Grand Total
	2014-15	2015-16	2016-17	2017-18	2018-19	
Alford		1	1			2
Binbrook		1				1
Boston	3		2	1	1	7
Horncastle		3				3
Kirton			3			3
Louth	2		1	1		4
Mablethorpe		1	1	1		3
North Somercotes			1			1
Skegness	2	1				3
Spilsby		1				1
Wainfleet			3		1	4
Grand Total	7	8	12	3	2	32

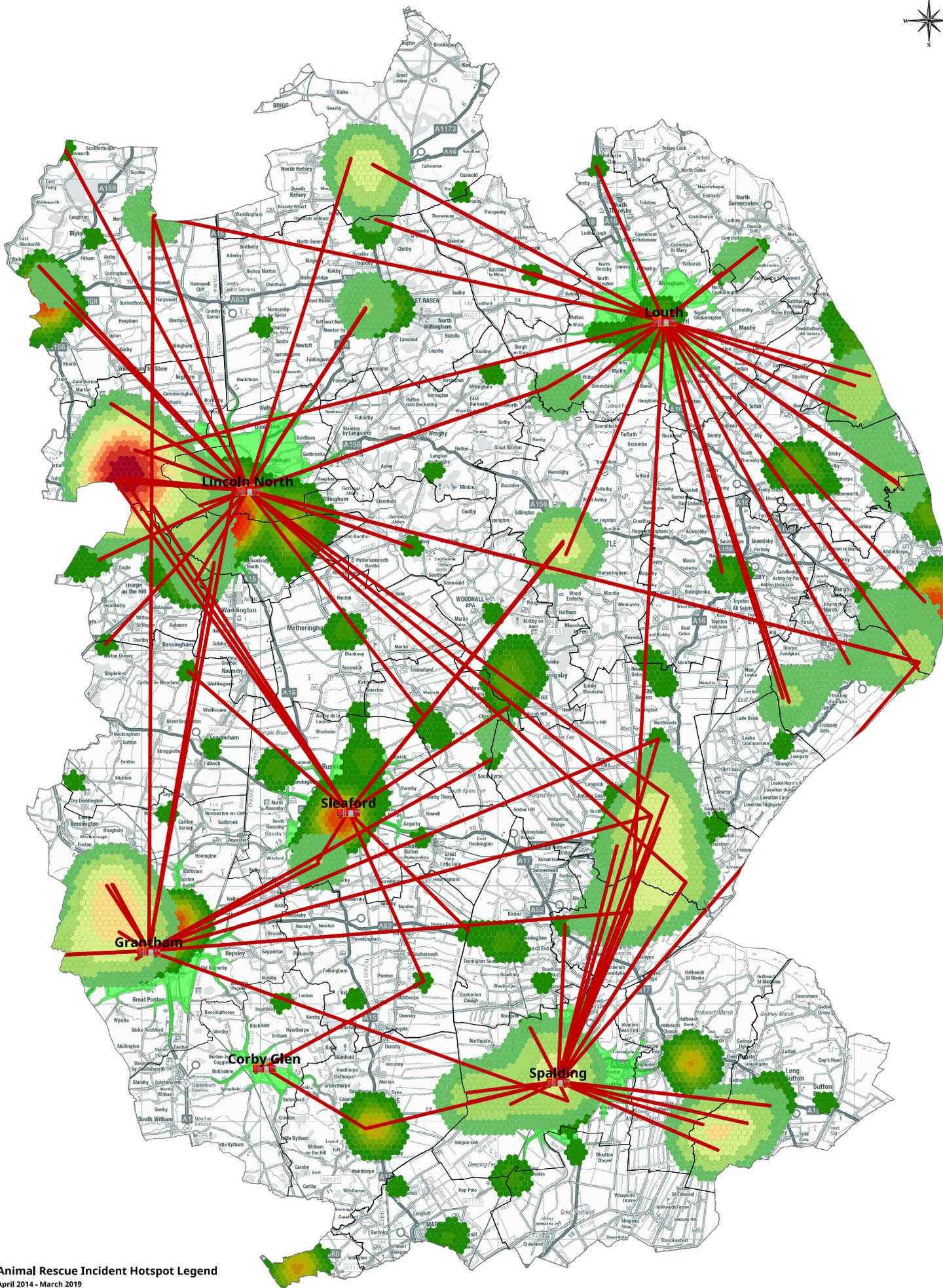
SOUTH DIVISION

STATIONNAME	FISCAL_YEAR					Grand Total
	2014-15	2015-16	2016-17	2017-18	2018-19	
Billingborough		1				1
Bourne		1				1
Brant Broughton	1				1	2
Donington		1				1
Grantham		5		2	1	8
Long Sutton	2	3				5
Sleaford			1	1		2
Spalding		1	1	3	2	7
Grand Total	3	12	2	6	4	27

WEST DIVISION

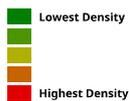
STATIONNAME	FISCAL_YEAR					Grand Total
	2014-15	2015-16	2016-17	2017-18	2018-19	
Bardney					1	1
Billinghay	1		2			3
Caistor			1	1	1	3
Gainsborough	2			2	1	5
Lincoln North	2					2
Lincoln South			1			1
Market Rasen		1		1	1	3
North Hykeham				1	1	2
Saxilby		2	4		3	9
Grand Total	5	3	8	5	8	29





Animal Rescue Incident Hotspot Legend

April 2014 - March 2019



AR2 stations

10 min drivetime

Bariatric Rescue Incident Analysis

April 2014 – March 2019



This table shows the number of Bariatric incidents per station ground over 5 years.

Stations highlighted are the stations with bariatric specialist teams.

Station Name	Financial Year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
Skegness	1	6	4	3	7	21
Spalding	4		7	5	2	18
Lincoln North	1	4	3	4	4	16
Boston	1	1	1	5	2	10
Mablethorpe	1	1	1	1	2	6
Lincoln South		2		1	3	6
Horncastle	1		1	2	1	5
Gainsborough	2	1		1	1	5
Grantham		1	2		1	4
Stamford		1	1	1	1	4
Holbeach		1		1		2
Crowland		1			1	2
Sleaford				1	1	2
Wragby				1	1	2
Kirton		2				2
Billingham			1	1		2
Louth	1			1		2
Long Sutton		2				2
Woodhall Spa				1		1
Market Deeping				1		1
Metheringham					1	1
North Somercotes					1	1
Wainfleet		1				1
Caistor		1				1
Market Rasen	1					1
Donington					1	1
Corby Glen				1		1
Grand Total	13	25	21	31	30	120



EAST DIVISION

East Division	Financial Year					
Row Labels	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	Grand Total
Skegness	1	6	4	3	7	21
Boston	1	1	1	5	2	10
Mablethorpe	1	1	1	1	2	6
Horncastle	1		1	2	1	5
Stamford		1	1	1	1	4
Louth	1			1		2
Kirton		2				2
North Somercotes					1	1
Woodhall Spa				1		1
Wainfleet		1				1
Grand Total	5	12	8	14	14	53

SOUTH DIVISION

South Division	Financial Year					
Row Labels	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	Grand Total
Spalding	4		7	5	2	18
Grantham		1	2		1	4
Crowland		1			1	2
Sleaford				1	1	2
Long Sutton		2				2
Holbeach		1		1		2
Market Deeping				1		1
Donington					1	1
Corby Glen				1		1
Grand Total	4	5	9	9	6	33

WEST DIVISION

West Division	Financial Year					
Row Labels	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	Grand Total
Lincoln North	1	4	3	4	4	16
Lincoln South		2		1	3	6
Gainsborough	2	1		1	1	5
Billinghay			1	1		2
Wragby				1	1	2
Metheringham					1	1
Market Rasen	1					1
Caistor		1				1
Grand Total	4	8	4	8	10	34



This table shows the number of incidents each station was mobilised to bariatric incidents.

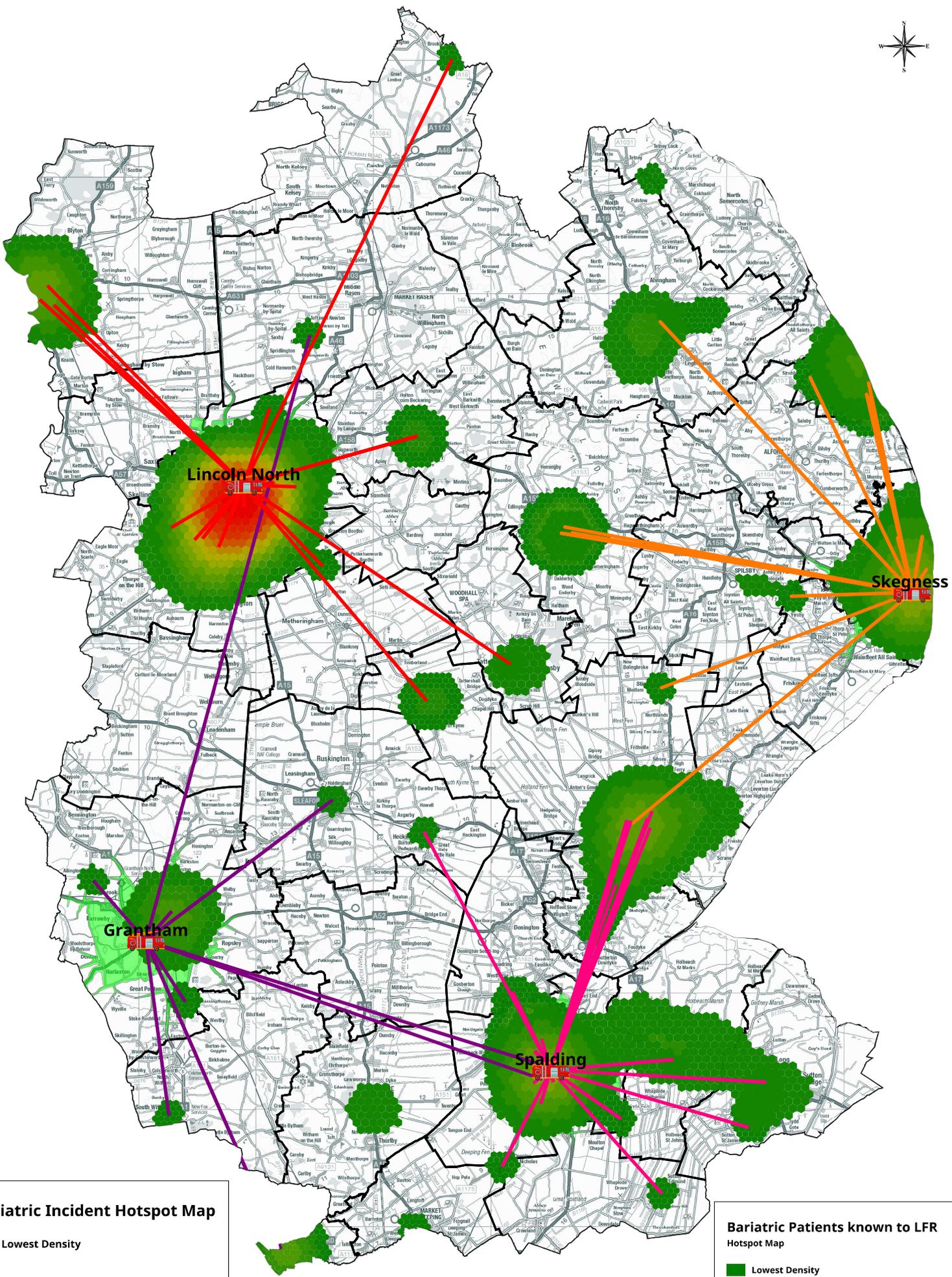
Mobilised from.... Row Labels	Financial Year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
Spalding	2	7	8	11	6	34
Skegness	4	8	5	7	10	34
Lincoln North	3	7	4	8	9	31
Grantham	3	2	2	1	2	10
Stamford			1	1	1	3
Market Deeping				1		1
Gainsborough		1				1
North Somercotes					1	1
Billinghay				1		1
Horncastle				1		1
Mablethorpe			1			1
Lincoln South					1	1
Louth	1					1
Grand Total	13	25	21	31	30	120

This table shows the number of times an appliance was mobilised to bariatric incidents.

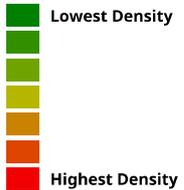
Appliance that mobilised	Financial Year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
EC32R3 - Spalding	2	7	8	10	6	33
EC30R3 - Skegness	4	8	4	6	10	32
EC19R1 - Lincoln North	2	6	4	7	8	27
EC14R1 - Grantham	3	2	2		1	8
EC34P1 - Stamford				1	1	3
EC19P1 - Lincoln North			1		1	3
EC30P1 - Skegness				1	1	2
EC14P1 - Grantham					1	2
EC24P1 - Market Deeping					1	1
EC16V1 - Horncastle					1	1
EC28P1 - North Somercotes						1
EC22P1 - Louth		1				1
EC23P1 - Mablethorpe				1		1
EC13P1 - Gainsborough			1			1
EC32P1 - Spalding					1	1
EC19R3 - Lincoln North		1				1
EC04P1 - Billinghay					1	1
EC20P1 - Lincoln South						1
Grand Total	13	25	21	31	30	120



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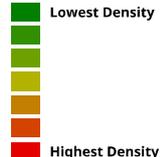
Bariatric Incident Hotspot Map



Bariatric Station Teams



Bariatric Patients known to LFR Hotspot Map



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Rescue from Height Incident Analysis

April 2014 – March 2019



This table shows the number of Rescue from Height incidents per station ground over 5 years.

Stations highlighted are the stations with Technical Rope specialist teams.

Location of Incidents Station Name	Financial Year					Grand Total		
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019			
Grantham		1	1	4		2	8	
Lincoln South		1	3	1		2	1	8
Gainsborough		2	3	1			1	7
Lincoln North		4	1			1	1	7
Skegness		1	2	1		1	1	6
Louth		2		1			2	5
Spalding		1	1	2		1		5
Boston		2	2					4
Caistor						3		3
Sleaford		1				1		2
Brant Broughton		2						2
Mablethorpe			1	1				2
Long Sutton		2						2
Woodhall Spa				1				1
Alford		1						1
Wragby				1				1
Billingham						1		1
Market Deeping				1				1
Grand Total		20	14	14	10	8		66

EAST DIVISION

East Division Station Name	Financial Year					Grand Total		
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019			
Skegness		1	2	1		1	1	6
Louth		2		1			2	5
Boston		2	2					4
Mablethorpe			1	1				2
Woodhall Spa				1				1
Alford		1						1
Grand Total		6	5	4	1	3		19



SOUTH DIVISION

South Division Station Name	Financial Year					Grand Total	
	2014- 2015	2015- 2016	2016- 2017	2017- 2018	2018- 2019		
Grantham		1	1	4		2	8
Spalding		1	1	2	1		5
Sleaford		1				1	2
Brant Broughton		2					2
Long Sutton		2					2
Market Deeping				1			1
Grand Total		7	2	7	2	2	20

WEST DIVISION

West Division Station Name	Financial Year					Grand Total		
	2014- 2015	2015- 2016	2016- 2017	2017- 2018	2018- 2019			
Lincoln South		1	3	1	2	1	8	
Lincoln North		4	1			1	1	7
Gainsborough		2	3	1			1	7
Caistor						3	3	
Wragby				1			1	
Billingham						1	1	
Grand Total		7	7	3	7	3	27	

This table shows the number of incidents each base station was mobilised to Rescue from Height incidents.

Mobilised from... Station	Financial Year					Grand Tot	
	2014- 2015	2015- 2016	2016- 2017	2017- 2018	2018- 2019		
Lincoln North	10				1	1	12
Sleaford	3	5	1	3			12
Lincoln South	1	3	3	3	1		11
Skegness	1	2	2	2	3		10
Grantham	1		3			2	6
Spalding	1		2	1			4
Gainsborough		3					3
Boston	2	1					3
Alford	1		1				2
Louth			1			1	2
Market Deeping			1				1
Grand Total	20	14	14	10	8		66

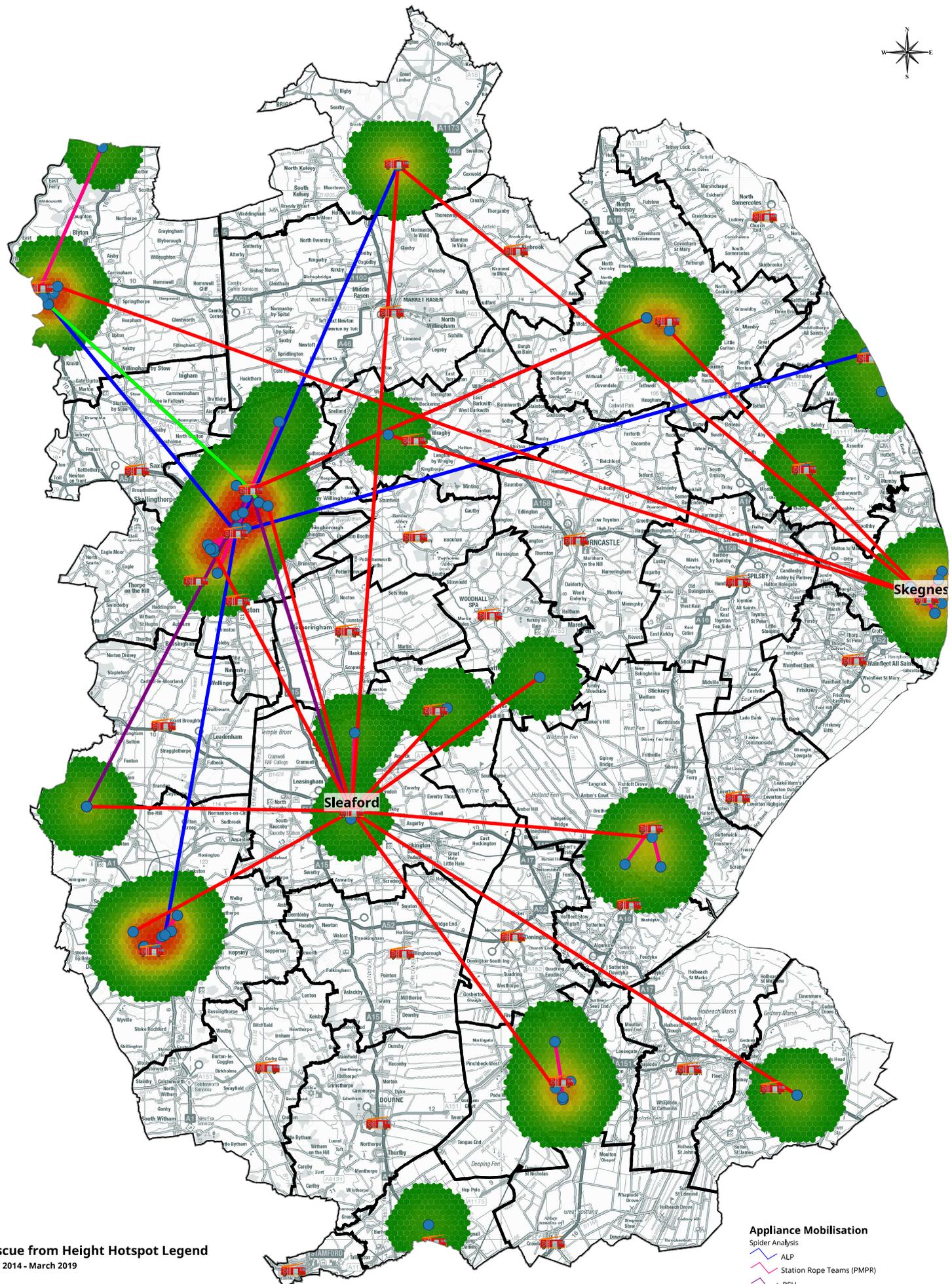


This table shows the number of times an appliance was mobilised to Rescue from Height incidents. Grouped by appliance type.

App Mobilised Appliance	Financial Year					Grand Total
	2014- 2015	2015- 2016	2016- 2017	2017- 2018	2018- 2019	
ALP			2	2	1	5
EC20A1 - Lincoln South			1	2	1	4
EC99A1			1			1
PMPR	9	7	10	6	5	37
EC20P1 - Lincoln South	1	2	1	2	1	7
EC30P1 - Skegness	1	2	1	1		5
EC14P1 - Grantham	1		3		1	5
EC32P1 - Spalding	1		2	1		4
EC13P1 - Gainsborough		3				3
EC19P1 - Lincoln North	2				1	3
EC01P1 - Alford	1		1			2
EC06P1 - Boston	2					2
EC22P1 - Louth			1		1	2
EC24P1 - Market Deeping			1			1
EC31P1 - Sleaford					1	1
EC14P2 - Grantham					1	1
EC19P2 - Lincoln North					1	1
RSU	5					5
EC19R1 - Lincoln North	5					5
TechRescue	2					2
EC19R3 - Lincoln North	2					2
TRU	4	5	2	3	3	17
EC31R3 - Sleaford	2	5	1	2		10
EC30R3 - Skegness			1	1	3	5
ECUSAR - Sleaford	1					1
EC19R3 - Lincoln North	1					1
Grand Total	20	14	14	10	8	66

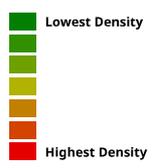
For mapping purposes EC01P1 - Alford and EC24P1 – Market Deeping mobilisations were not included.





Rescue from Height Hotspot Legend

April 2014 - March 2019



Appliance Mobilisation

- Spider Analysis
- ALP
- Station Rope Teams (PMRP)
- RSU
- TechRescue
- TRU

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Large Transport Vehicle Incident Analysis

April 2014 – March 2019



Large Vehicle Incidents

Table shows the number of incidents occurring in each station ground.

STATION NAME	Financial year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
Grantham	17	10	9	17	10	63
Louth	5	9	8	6	4	32
Sleaford	8	8	3	8	4	31
Corby Glen	3	10	5	6	6	30
Lincoln North	6	7	5	3	3	24
Boston	4	4	6	6	1	21
Spalding	3	5	4	6	3	21
Gainsborough	5	2	6	5	2	20
Caistor	1	4	6	5	4	20
Long Sutton	3	5	4	6	1	19
Market Rasen	4	6	1	3	4	18
North Hykeham	1	4	2	7	4	18
Holbeach	4	3	4	4	3	18
Skegness	2	3	2	5	5	17
Saxilby	1	4	5	6	1	17
Brant Broughton	5	1	2	3	3	14
Kirton	4	3	1	3	2	13
Bourne	1	4	4	4		13
Donington		2	7	1	2	12
Lincoln South	2	1	3	1	5	12
Market Deeping	4	3	3	1		11
Horncastle	2	1	2	3	2	10
Billingborough		1		4	3	8
Wragby		2	2		4	8
Wainfleet	1	1	1	4	1	8
Spilsby	1	1	1	2	2	7
Binbrook	1	2	1	1	1	6
Crowland	3	1		1	1	6
Mablethorpe	1		1	2	1	5
Alford	2		1		2	5
North Somercotes	3	1		1		5
Metheringham	3	1				4
Waddington			2			2
Leverton			1	1		2
Bardney		1		1		2
Billingham	1		1			2
Stamford			1			1
Woodhall Spa				1		1
Grand Total	101	110	104	127	84	526



EAST DIVISION

STATIONNAME	Financial year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
Louth	5	9	8	6	4	32
Boston	4	4	6	6	1	21
Skegness	2	3	2	5	5	17
Kirton	4	3	1	3	2	13
Horncastle	2	1	2	3	2	10
Wainfleet	1	1	1	4	1	8
Spilsby	1	1	1	2	2	7
Binbrook	1	2	1	1	1	6
North Somercotes	3	1		1		5
Mablethorpe	1		1	2	1	5
Alford	2		1		2	5
Leverton			1	1		2
Woodhall Spa				1		1
Grand Total	26	25	25	35	21	132

SOUTH DIVISION

STATIONNAME	Financial year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
Grantham	17	10	9	17	10	63
Sleaford	8	8	3	8	4	31
Corby Glen	3	10	5	6	6	30
Spalding	3	5	4	6	3	21
Long Sutton	3	5	4	6	1	19
Holbeach	4	3	4	4	3	18
Brant Broughton	5	1	2	3	3	14
Bourne	1	4	4	4		13
Donington		2	7	1	2	12
Market Deeping	4	3	3	1		11
Billingham		1		4	3	8
Crowland	3	1		1	1	6
Stamford			1			1
Grand Total	51	53	46	61	36	247

WEST DIVISION

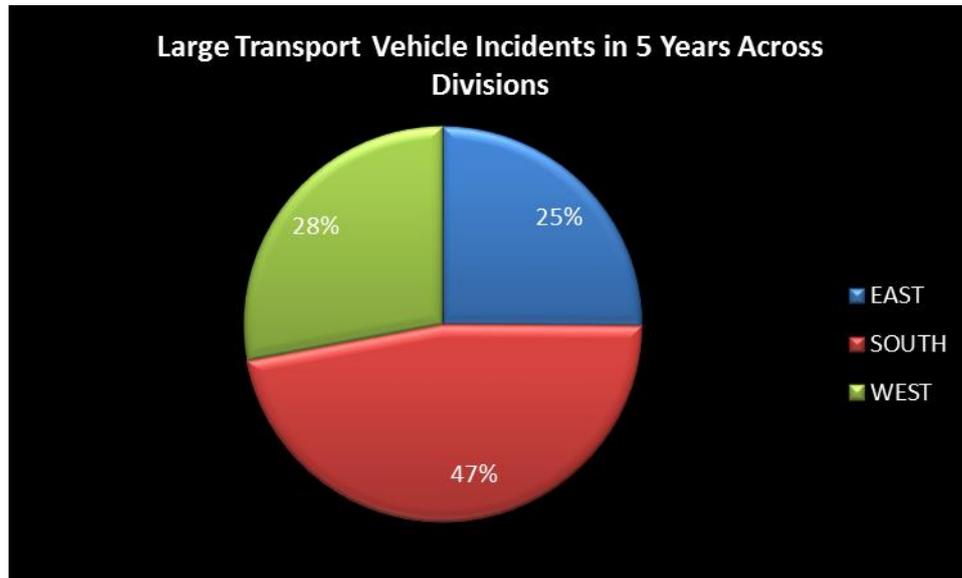
STATIONNAME	Financial year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
Lincoln North	6	7	5	3	3	24
Caistor	1	4	6	5	4	20
Gainsborough	5	2	6	5	2	20
North Hykeham	1	4	2	7	4	18
Market Rasen	4	6	1	3	4	18
Saxilby	1	4	5	6	1	17
Lincoln South	2	1	3	1	5	12
Wragby		2	2		4	8
Metheringham	3	1				4
Waddington			2			2
Bardney		1		1		2
Billingham	1		1			2
Grand Total	24	32	33	31	27	147



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Percentage of incidents in each division over 5 years.



Number of Incidents by Property Type in Lincolnshire

PROPERTYNAME	Financial year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
RoadVehicle- Lorry/HGV	54	44	39	63	52	252
RoadVehicle- Multiple Vehicles	27	49	47	42	13	178
RoadVehicle- Bus/Coach	7	8	10	13	4	42
RoadVehicle- Minibus	1		4	5	7	17
Aircraft- Light aircraft	3	5	1	1	3	13
RoadVehicle- Tanker	5	1		1	2	9
RailVehicle- Passenger Train (above ground)	1		2	2	1	6
RailVehicle- Freight Train	2	2			1	5
Aircraft- Military Plane	1		1			2
Aircraft- Other		1			1	2
Grand Total	101	110	104	127	84	526

Number of Incidents by Revised Incident Type in Lincolnshire

REVISED_INCIDENT_TYPE	Financial year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
SPECIAL SERVICE	66	86	83	89	55	379
FIRE PRIMARY	29	20	16	27	25	117
FALSE ALARM GOOD INTENT	6	4	3	10	4	27
FALSE ALARM SPECIAL SERVICE			2			2
FIRE LATE				1		1
Grand Total	101	110	104	127	84	526



Number of Incidents by Special Service Incident Type (IRS) in Lincolnshire

Please note that this does not include Fire or False Alarm incident types.

Number of Incidents PARENTCODEDESC	Financial year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
Advice only					2	2
Animal assistance incidents	1		1	1		3
Assist other agencies	1	2		2		5
Effecting entry/exit			1			1
Hazardous Materials incident	2	1	1			4
Making Safe (not RTC)	1	1				2
Medical Incident- Co-responder	4	2	6	9	7	28
Medical Incidents- First responder				1	1	2
No action (not false alarm)	2	1	2	4	1	10
Other rescue/release of persons				1		1
Other Transport incident	4	3		1	4	12
RTC	44	66	67	68	35	280
Spills and Leaks (Not RTC)	5	9	4	2	5	25
Stand By	2		1			3
Water Provision			1			1
Grand Total	66	85	84	89	55	379

Number of Fatalities, Casualties and Rescues on a County level

Financial year	Number of Fatalities (Not FS)	Number of Casualties (Not FS)	Number of Rescues (by FS)
2014-2015	3		8
2015-2016	4		31
2016-2017	6		27
2017-2018	8		22
2018-2019	4		11
Grand Total	25		99

Splitting the table above to show the property type involved when a casualty, fatality or rescue was occurred.

PROPERTY NAME	Number of individuals per property type across 5 years		
	Sum of FATALITIES_NOT_FS	Sum of CASUALTIES_NOT_FS	Sum of RESCUES_FS
Aircraft- Light aircraft			5
Aircraft- Military Plane			0
Aircraft- Other	1		0
RailVehicle- Freight Train	2		0
RailVehicle- Passenger Train (above ground)			0
RoadVehicle- Bus/Coach	1		3
RoadVehicle- Lorry/HGV	2		11
RoadVehicle- Minibus			2
RoadVehicle- Multiple Vehicles	19		77
RoadVehicle- Tanker			1
Grand Total	25		99



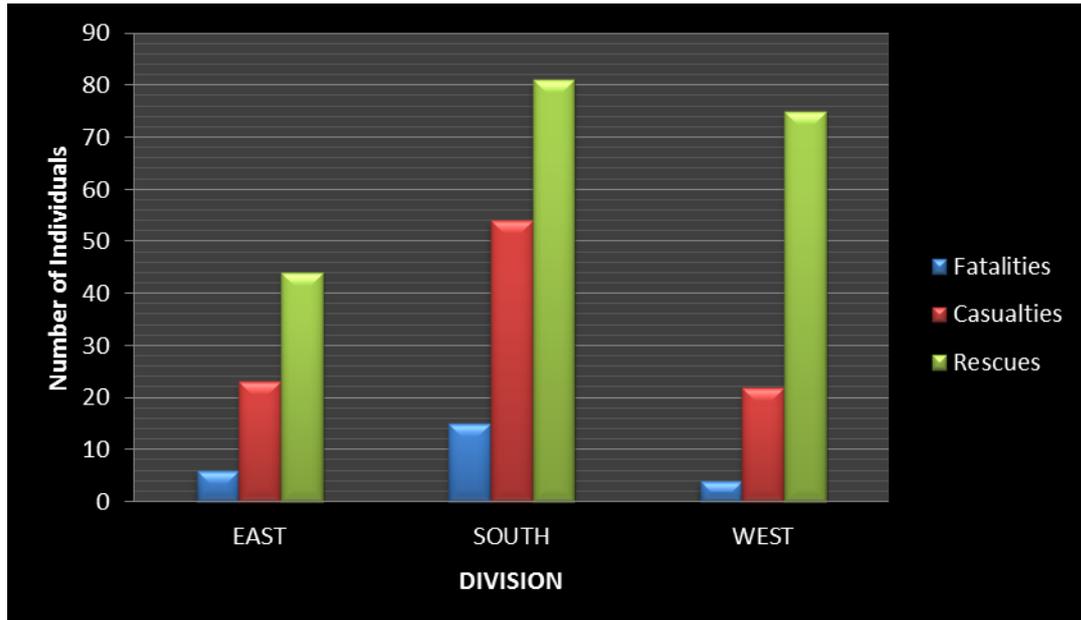


Chart showing the Fatalities, Casualties and Rescues split by division.



Mobilising

This table shows the number of incidents each station mobilised to.

Mobilised from... BASE STATION	Financial Year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
Grantham	35	38	40	49	32	194
Lincoln North	51	33	38	31	22	175
Sleaford	25	21	27	18	8	99
Spalding	14	22	15	18	7	76
Louth	10	19	18	12	10	69
Lincoln South	13	15	13	11	16	68
Corby Glen	8	13	8	8	8	45
Boston	9	7	12	11	5	44
Gainsborough	9	7	11	10	5	42
Donington	7	7	10	10	8	42
Skegness	7	4	5	11	7	34
Market Rasen	2	6	10	2	8	28
Holbeach	8	4	7	5	4	28
Caistor	3	6	8	7	2	26
Bourne	2	4	8	7	1	22
Kirton	6	2	5	5	3	21
Long Sutton	5	5	4	5	2	21
Saxilby	1	4	4	6	4	19
North Hykeham	1	3	1	7	7	19
Brant Broughton	8	3	2	4	2	19
Horncastle	3	2	6	3	4	18
Billingborough	3	4	1	6	3	17
Spilsby	3	2	4	2	4	15
Binbrook	1	6	4		3	14
Market Deeping	4	4	4	2		14
Alford	3	2	4	1	3	13
Stamford		3	4	4	1	12
Woodhall Spa	2	3	2	3	1	11
Mablethorpe	3	1	1	2	3	10
Wainfleet	1	1	2	3	2	9
North Somercotes	3	2		3		8
Wragby		2	1		5	8
Leverton		2	2	2	2	8
Crowland	4	1	1		1	7
Metherington	2	1	1	1	1	6
Bardney			1	2	1	4
Waddington	1		2	1		4
Billinghay		1	1			2
Headquarters (EC00)	1					1
Grand Total	258	260	287	272	195	1272

On the next page is a table showing the number of times each callsign was mobilised.



RESOURCE CALLSIGN	Financial Year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
EC14P1 - Grantham	18	16	14	19	13	80
EC14R1 - Grantham	10	15	19	19	14	77
EC19R1 - Lincoln North	7	15	21	18	13	74
EC32P1 - Spalding	10	19	13	14	6	62
EC20P1 - Lincoln South	9	14	12	10	13	58
EC31P1 - Sleaford	10	15	10	14	6	55
EC19P1 - Lincoln North	9	13	13	10	7	52
EC22P1 - Louth	5	14	13	10	6	48
EC12P1 - Donington	7	7	9	10	8	41
EC10P1 - Corby Glen	4	13	7	8	7	39
EC14P2 - Grantham	7	7	7	11	5	37
EC06P1 - Boston	9	5	9	9	4	36
EC13P1 - Gainsborough	6	5	8	8	4	31
EC09P1 - Caistor	3	6	8	7	2	26
EC30P1 - Skegness	6	3	4	6	5	24
EC25P1 - Market Rasen	2	6	7	2	6	23
EC07P1 - Bourne	2	4	8	7	1	22
EC31P2 - Sleaford	5	5	5	4	2	21
EC15P1 - Holbeach	6	4	4	4	2	20
EC08P1 - Brant Broughton	8	3	2	4	2	19
EC27P1 - North Hykeham	1	3	1	7	7	19
EC29P1 - Saxilby	1	4	4	6	4	19
EC17P1 - Kirton	4	2	4	5	3	18
EC03P1 - Billingborough	3	4	1	6	3	17
EC21P1 - Long Sutton	4	5	3	3	2	17
EC16P1 - Horncastle	3	2	6	3	2	16
EC22P2 - Louth	3	5	4	2	2	16
EC19P2 - Lincoln North	4	4	2	3	2	15
EC05P1 - Binbrook	1	6	4		3	14
EC33P1 - Spilsby	3	2	4	1	4	14
EC01P1 - Alford	3	2	4	1	3	13
EC24P1 - Market Deeping	2	4	4	2		12
EC32P2 - Spalding	4	3	2	2	1	12
EC34P1 - Stamford		3	4	3	1	11
EC13P2 - Gainsborough	3	2	3	2	1	11
EC37P1 - Woodhall Spa	2	2	2	3	1	10
EC36P1 - Wainfleet	1	1	2	3	2	9
EC19R3 - Lincoln North	6	1	2			9
EC23P1 - Mablethorpe	2	1	1	2	3	9
EC38P1 - Wragby		2	1		5	8
EC06P2 - Boston		2	3	2	1	8
EC20P2 - Lincoln South	4	1	1		1	7
EC28P1 - North Somercotes	2	2		3		7
EC11P1 - Crowland	4	1	1		1	7
EC19T7 - Lincoln North	6					6
EC18P1 - Leverton		1	2	1	2	6
EC30P2 - Skegness	1	1	1	2	1	6
EC25C1 - Market Rasen			3		2	5
EC19T8 - Lincoln North	5					5
EC26P1 - Metherington	1	1	1	1	1	5
EC30V1 - Skegness				3	1	4
EC22V1 - Louth	1		1		2	4
EC15V1 - Holbeach			1	1	2	4
EC10P2 - Corby Glen	4					4
EC21V1 - Long Sutton	1		1	2		4
EC15W1 - Holbeach	2		2			4
EC19T9 - Lincoln North	3					3
EC35P1 - Waddington			2	1		3
EC31T9 - Sleaford	2		1			3
EC02P1 - Bardney				2	1	3
EC99S1 - Sleaford				1	2	3
EC31T7 - Sleaford	1		2			3
EC10V1 - Corby Glen			1		1	2
EC04P1 - Billinghay		1	1			2
EC17P2 - Kirton	2					2
EC31R3 - Sleaford	1		1			2
EC16V1 - Horncastle					2	2
EC18V1 - Leverton		1		1		2
EC24V1 - Market Deeping	2					2
EC31T8 - Sleaford	1		1			2
EC35P2 - Waddington	1					1
EC19R4 - Lincoln North	1					1
EC23P2 - Mablethorpe	1					1
EC32V1 - Spalding				1		1
EC32R3 - Spalding				1		1
EC22R3 - Louth	1					1
EC12V1 - Donington			1			1
EC33V1 - Spilsby				1		1
EC37R0 - Woodhall Spa		1				1
EC28P2 - North Somercotes	1					1
EC99S9 - Sleaford			1			1
EC34V1 - Stamford				1		1
EC17V1 - Kirton			1			1
EC26P2 - Metherington	1					1
Grand Total	242	259	280	272	195	1248

MAKING OUR COMMUNITIES SAFER, HEALTHIER AND MORE RESILIENT



The number of time Over the Border appliances were mobilised to incidents within our borders.

Mobilised from...OTB Stations BASE STATION	Financial Year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
ET16 - Newark	11	6	9	9	15	50
GC14 - Dogsthorpe	4	13	4		2	23
DH23 - Scunthorpe		2	4	7	5	18
DH17 - Peaks Lane	1	5	4	3	2	15
ES33 - Oakham	1	4	3	2	3	13
DH28 - Kirton in Lindsey	1	1	1	4	1	8
ET15 - Collingham	1	1	2	1	3	8
GC20 - Wisbech		1		2	1	4
DH20 - Immingham East			2	1	1	4
ET13 - Tuxford	1	1	2			4
ET17 - Bingham		2		1		3
GC19 - Thorney		1		1		2
GN91 - Kings Lynn South		1	1			2
ET11 - Misterton	1		1			2
ES21 - Melton Mowbray				1		1
GN53 - Terrington			1			1
GN59 - West Walton			1			1
GN90 - Kings Lynn North			1			1
DH31 - Brigg				1		1
DH32 - Immingham West		1				1
GC16 - Stanground				1		1
Grand Total	21	39	36	34	33	163

The number of times each asset type was mobilised (LFR only)

Appliance Type	Financial Year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
PMPR	183	237	236	235	177	1068
RSU	21	41	46	43	33	184
Pump	26	17	12	16	5	76
CO-R	1	1	6	10	8	26
TRU	8	3	6	1		18
PMNR	11		4			15
USAR	9		4			13
Other			6	2	2	10
NDPM	10					10
CSU			3		2	5
WrC	1		2			3
CO-RCar	3					3
FESS				1	2	3
NDPod	2					2
TechRescue	2					2
DogSR	1					1
Welfare			1			1
WaterSuppo	1					1
ALP					1	1
DogFI	1					1
Grand Total	280	299	326	308	230	1443

RTC Incidents where Large Transport Vehicles were involved

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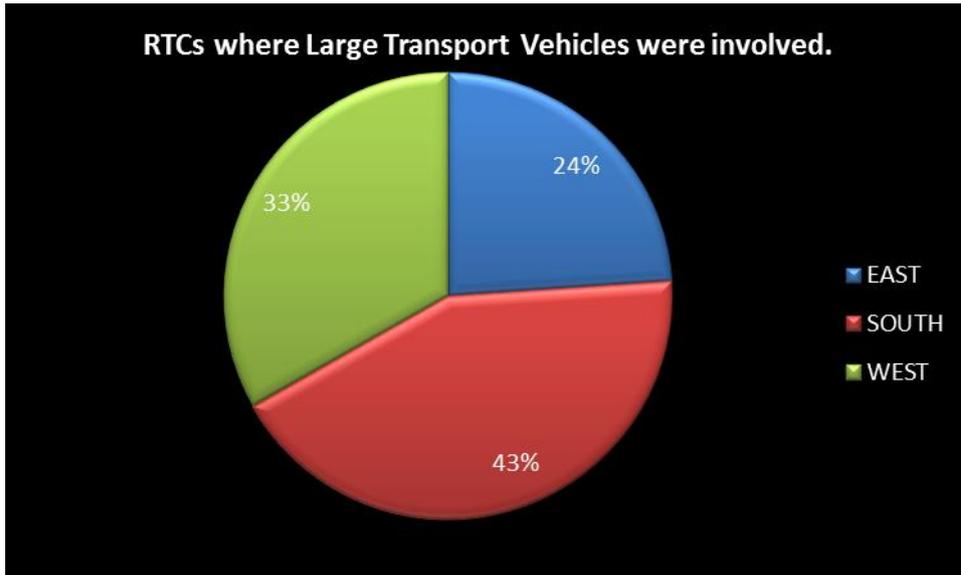
Table shows the number of incidents occurring in each station ground.

Number of RTC incidents Station Name	Financial Year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
Grantham	4	5	7	7	3	26
Sleaford	2	4	3	6	4	19
Louth	2	7	6	1	1	17
Caistor	1	2	5	5	3	16
Lincoln North	3	4	4		3	14
Market Rasen	3	5	1	3	1	13
Gainsborough	3	1	5	3		12
North Hykeham	1	3	1	5	2	12
Boston	2	1	4	4	1	12
Corby Glen		4	1	3	2	10
Saxilby		2	3	4	1	10
Holbeach	2	2	3	2	1	10
Spalding	2	2	2	2	2	10
Bourne	1	3	2	2		8
Donington		1	5	1	1	8
Kirton	2	3	1	1	1	8
Long Sutton	1	3		2	1	7
Horncastle	2	1	1	3		7
Brant Broughton	3		2	2		7
Billingborough		1		3	2	6
Skegness	1	1	2		2	6
Market Deeping	1	2	2	1		6
Lincoln South		1	1	1	2	5
Wragby		2	2		1	5
Binbrook	1	2		1		4
Wainfleet			1	1	1	3
Crowland	1	1		1		3
Spilsby	1	1		1		3
North Somercotes	2					2
Bardney		1		1		2
Alford	1		1			2
Metheringham	1	1				2
Leverton			1	1		2
Waddington			1			1
Mablethorpe				1		1
Billingham	1					1
Grand Total	44	66	67	68	35	280



Chart showing the percentage of RTCs across divisions over 5 years.

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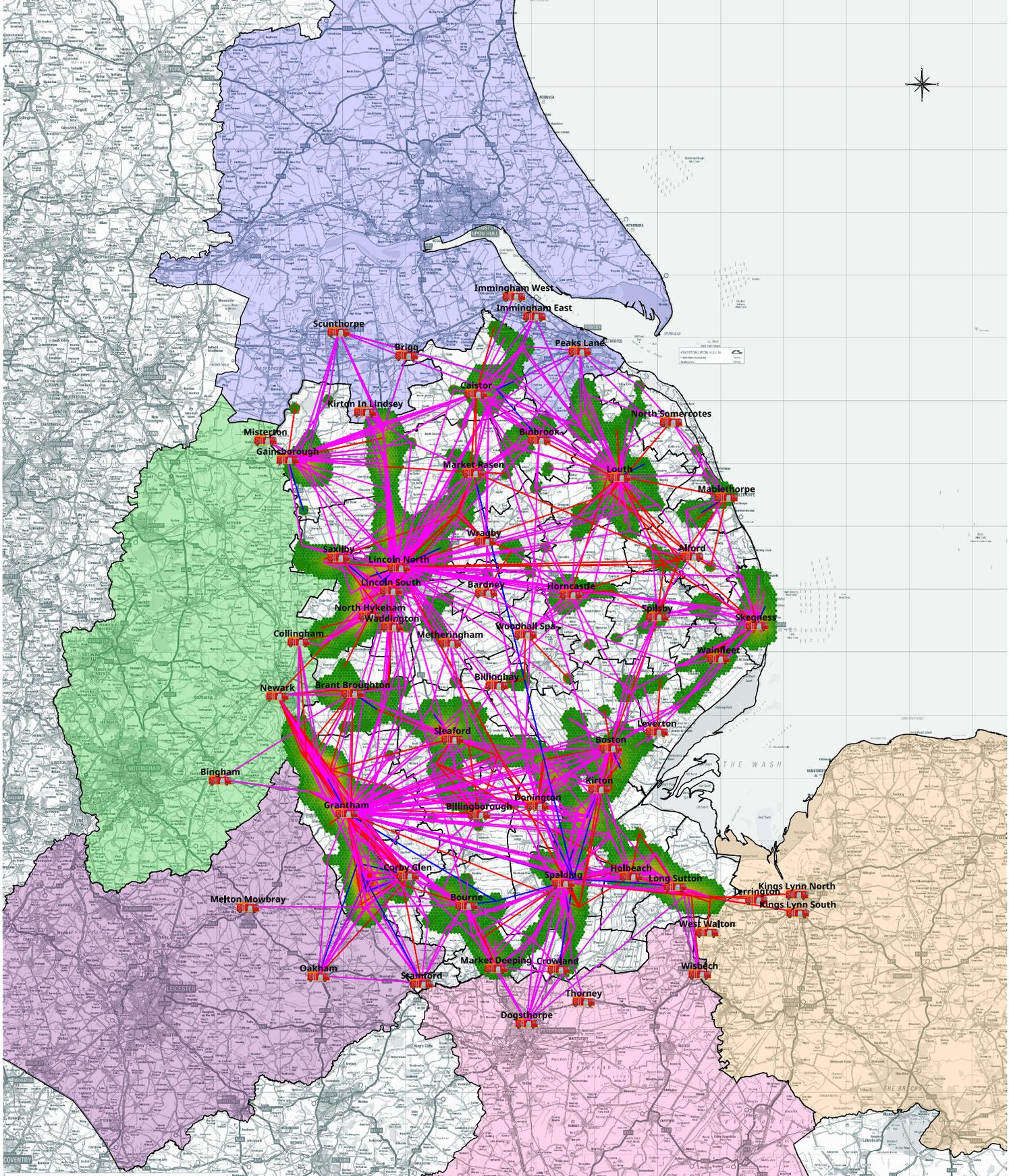


The Number of Incidents by property type.

Number of Incidents Property Type	Financial Year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
RoadVehicle- Multiple Vehicles	27	49	47	42	13	178
RoadVehicle- Lorry/HGV	15	14	16	24	20	89
RoadVehicle- Bus/Coach	1	2	2	1		6
RoadVehicle- Minibus			2	1	2	5
RoadVehicle- Tanker	1	1				2
Grand Total	44	66	67	68	35	280

Please note that the property type ‘Multiple Vehicles’ is not specific to any type of large transport vehicle. To interrogate this it would require looking at each individual incident’s return message on BOSS.





Large Transport Vehicle Incidents Points
Themed by Revised Incident Type

- FALSE ALARM GOOD INTENT
- FALSE ALARM SPECIAL SERVICE
- FIRE LATE
- FIRE PRIMARY
- SPECIAL SERVICE

Spider Mobilisation from OTB Stations

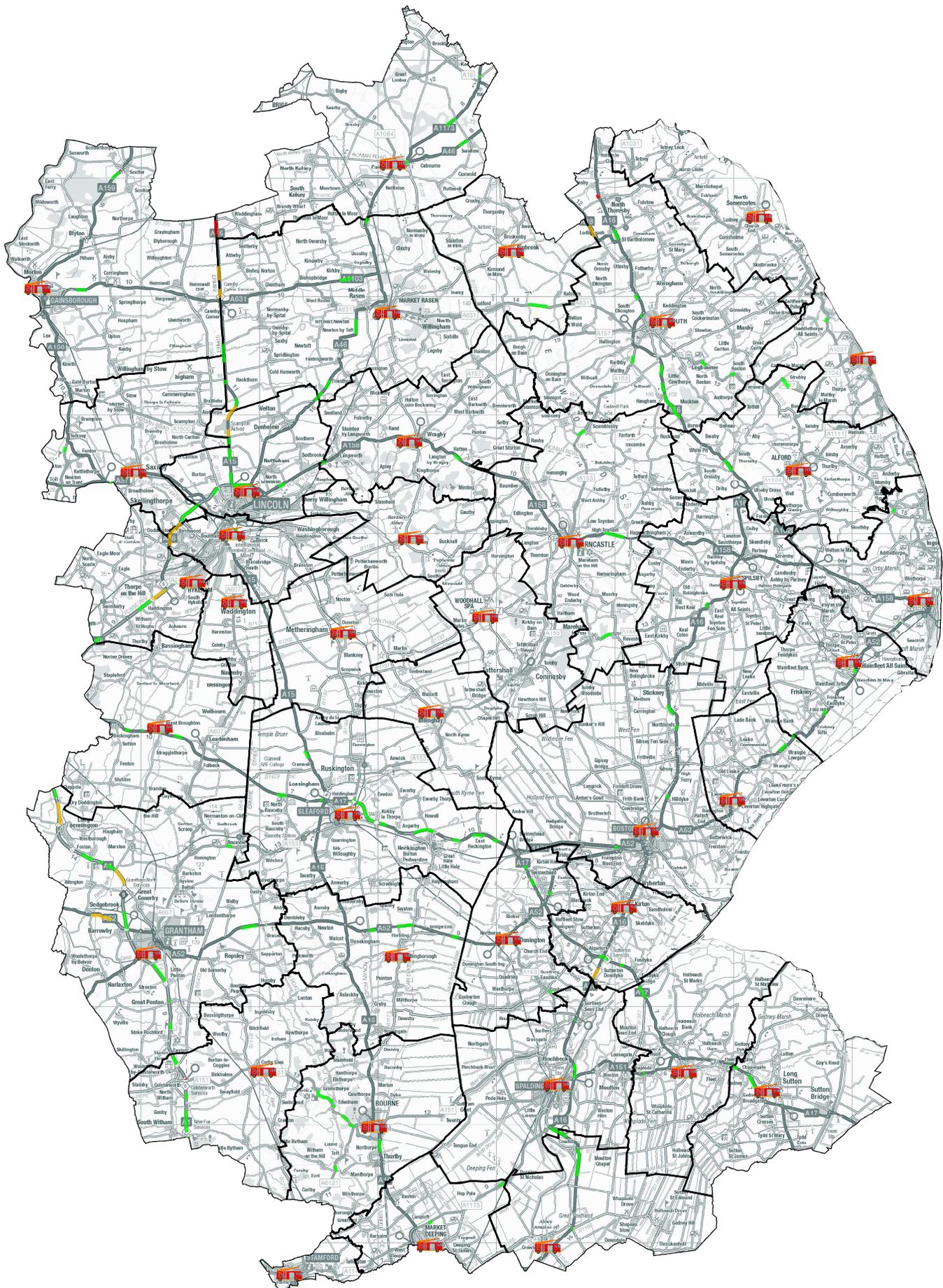
- HUMBERSIDE
- LEICESTERSHIRE
- NOTTINGHAMSHIRE
- CAMBRIDGESHIRE
- NORFOLK

Large Transport Vehicle Incidents Hotspot
April 2014 - March 2019

- Lowest Density
-
-
- Highest Density

Spider Mobilisation for LTV Incidents
Themed by Revised Incident Type

- FALSE ALARM GOOD INTENT
- FALSE ALARM SPECIAL SERVICE
- FIRE LATE
- FIRE PRIMARY
- SPECIAL SERVICE



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USAR Incident Analysis

April 2014 – March 2019

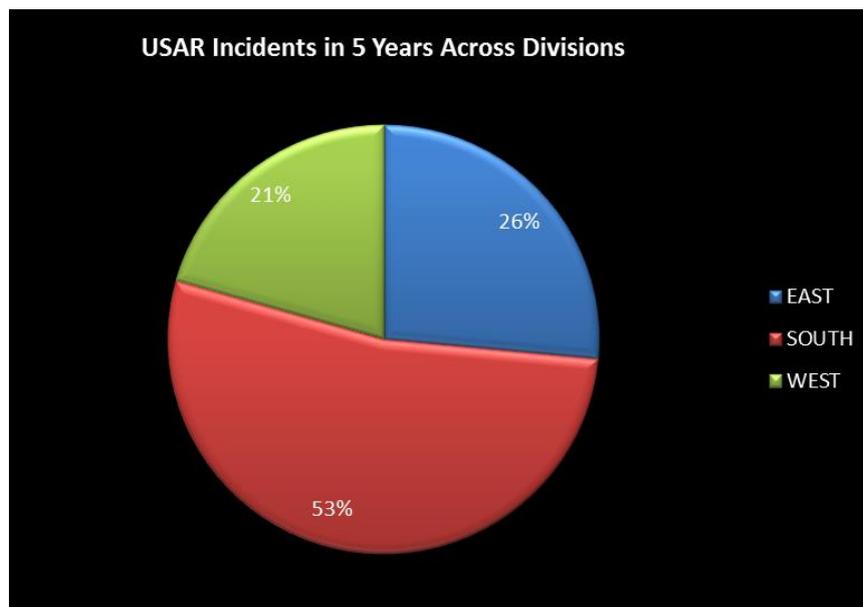


All USAR Incidents – Based on mobilisation

Number of Incidents Where USAR was deployed STATION NAME	Financial year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
Woodhall Spa			1	1	1	3
Grantham	2				1	3
Corby Glen	2			1		3
Long Sutton	1	2				3
Market Deeping	2					2
Skegness	1	1				2
Saxilby				1	1	2
Holbeach	2					2
Lincoln North	1	1				2
Donington	1		1			2
Billingborough		1				1
North Hykeham				1		1
Louth	1					1
Crowland	1					1
Boston	1					1
Leverton					1	1
Stamford			1			1
Market Rasen			1			1
Metheringham	1					1
Mablethorpe		1				1
Grand Total	16	6	4	4	4	34

Split by Division

Number of Incidents Where USAR was deployed Division	Financial year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
EAST	3	2	1	1	2	9
SOUTH	11	3	2	1	1	18
WEST	2	1	1	2	1	7
Grand Total	16	6	4	4	4	34

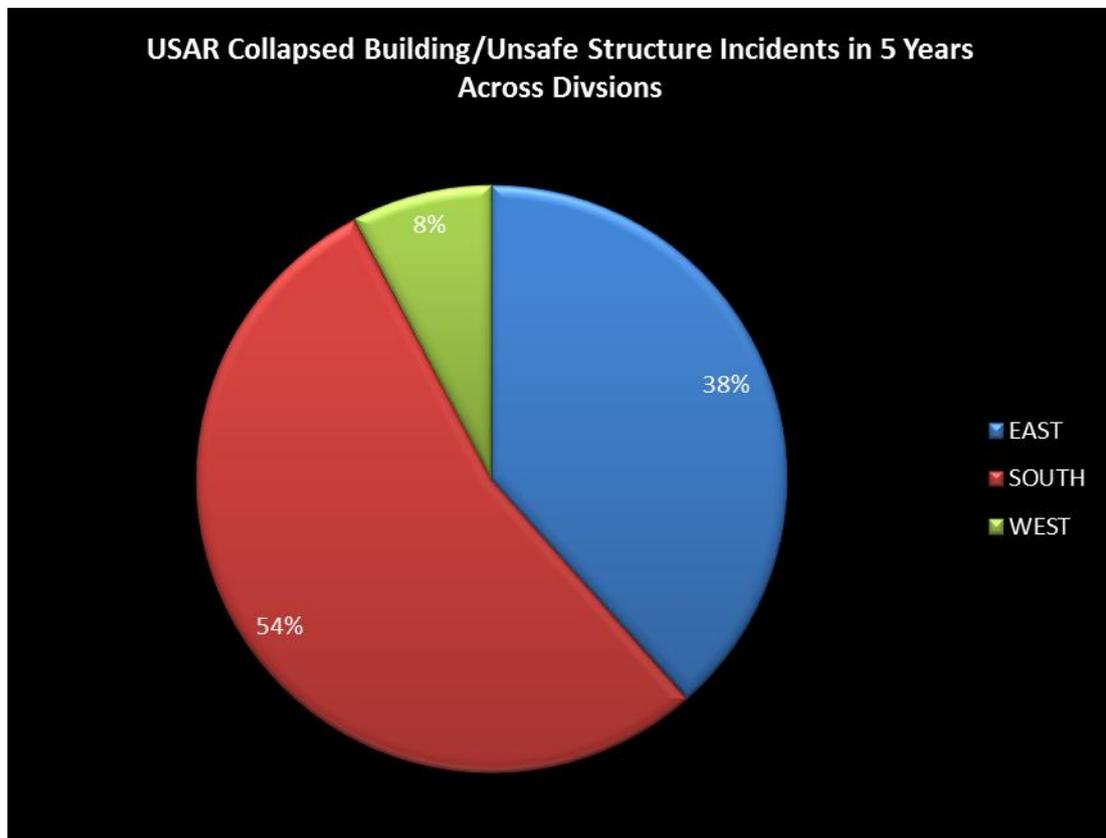


USAR incidents where a building was made safe or structure made safe – Based on mobilisation

STATIONNAME	Financial year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
Corby Glen	2					2
Long Sutton		2				2
Skegness		1				1
Market Deeping	1					1
Mablethorpe		1				1
Leverton					1	1
North Hykeham				1		1
Stamford			1			1
Holbeach	1					1
Boston	1					1
Louth	1					1
Grand Total	6	4	1	1	1	13

Split by Division

Division	Financial year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
EAST	2	2			1	5
SOUTH	4	2	1			7
WEST				1		1
Grand Total	6	4	1	1	1	13



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Where USAR mobilised from...

Mobilised From... (All incidents)	Financial Year					Grand Total	
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019		
BASE_STATION							
Lincoln North		12				12	
Sleaford		4	6	4	4	4	22
Grand Total		16	6	4	4	4	34

Mobilised From... (unsafe buildings/structures)	Financial Year					Grand Total	
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019		
BASE_STATION							
Lincoln North		4				4	
Sleaford		2	4	1	1	1	9
Grand Total		6	4	1	1	1	13

Please note that USAR moved to Sleaford from Lincoln North in 2014.

USAR Modules/Pods (based at Sleaford as of 2014)

Number of time each module/pod was mobilised	Financial Year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
RESOURCE CALL SIGN						
ECUSAR	2	5	4	3	3	17
ECN791	8	4	1	1		14
ECN771	6	4	1	1	1	13
ECN761	4		2	2		8
ECN781	4		3	1		8
Grand Total	24	13	11	8	4	60

Note that ECUSAR is the callsign used when control give a verbal alert to the USAR team, they will then mobilise and subsequently inform Control which modules they have taken.

Number of times each module/pod was mobilised	Financial Year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
RESPOURCE_CALLSIGN						
ECUSAR	2	5	4	3	3	17
ECN791	8	4	1	1		14
ECN771	6	4	1	1	1	13
EC31T9	3	4	2	1	1	11
EC19T8	8			1		9
EC31T8	2	3	2	2		9
ECN781	4		3	1		8
ECN761	4		2	2		8
EC19T7	7					7
EC31T7	1	1	3	2		7
EC19T9	5					5
Grand Total	50	21	18	14	5	108

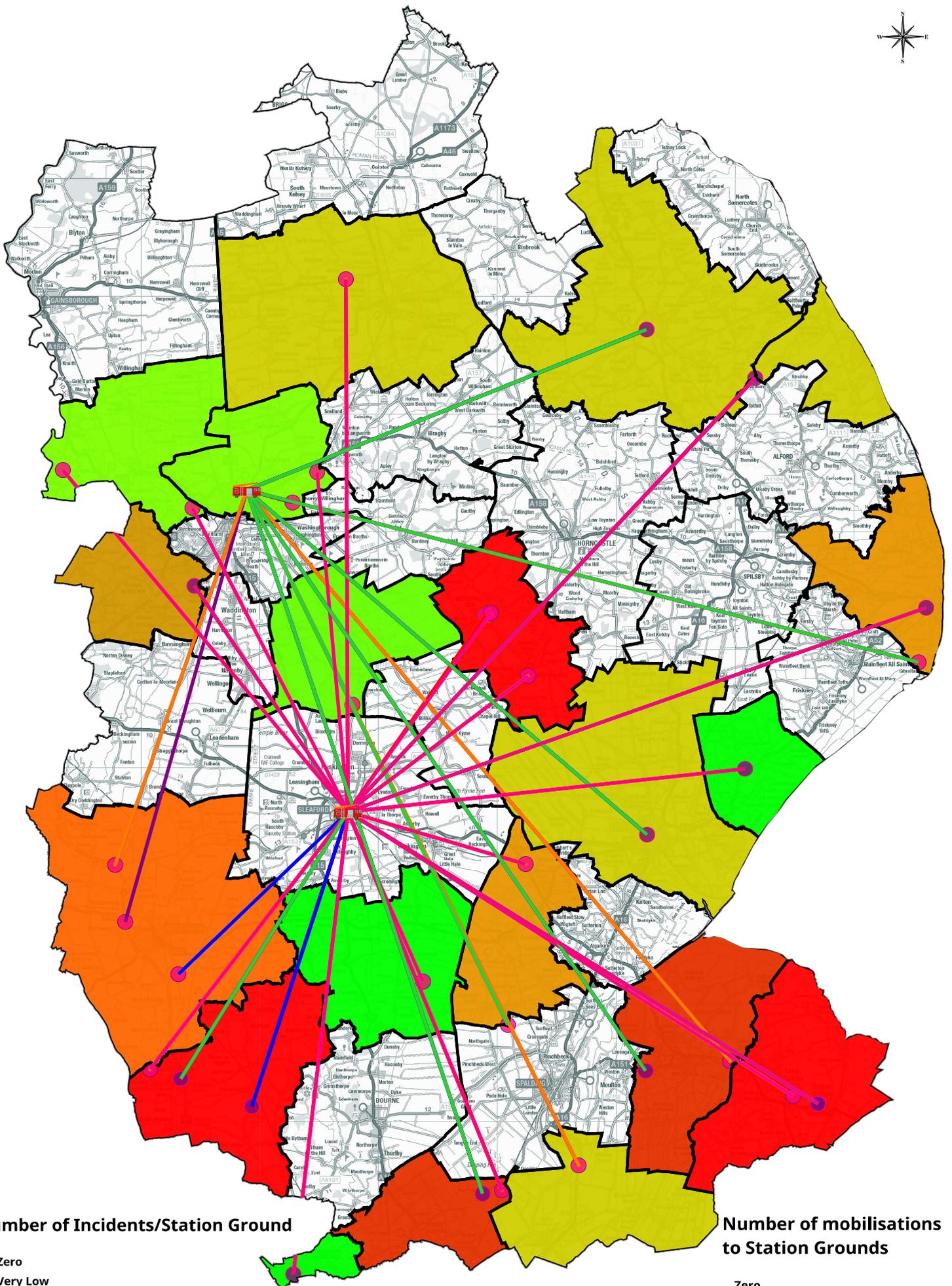


Note that EC19T7/8/9 have been listed above because USAR was stationed at Lincoln North (EC19) in 2014 before moving to Sleaford (EC31).

RESOURCE CALLSIGN	Financial year					Grand Total
	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	
ECN771	6	4		1		11
ECN791	5	4		1		10
ECUSAR		3	1	1	1	6
ECN761	1					1
Grand Total	12	11	1	3	1	28

The modules that were used for collapsed structures and the number of times they were mobilised over 5 years.





Number of Incidents/Station Ground

- Zero
- Very Low
- Low
- Medium
- High
- Very High

USAR Incidents
April 2014 - March 2019

- Other USAR incident
- Involving a unsafe building structure

Number of mobilisations to Station Grounds

- Zero
- Very Low
- Low
- Medium
- High
- Very High

Technical Response Units

In November 2020 Lincolnshire Fire and Rescue released its Integrated Risk Management Plan 2020 - 2024, and within the Response section we made reference to the Response Framework 2020-2024 in which we highlighted our Response Objectives. One of the Response Objectives stated:

“We will review our operational assets in line with identified and emerging risks ensuring we provide our operational crews with the most up to date equipment possible.”

Our Operational Response is categorised into 5 Levels

- **Level 1 response - All Hazards Response**

All operational personnel are competent to this level of response. Level 1 enables an appropriate response to any incident, with a fully kitted fire appliance and appropriate crew. This level forms our Initial Operational Response (IOR) Phase.

- **Level 2 response - All Hazards Technical Response**

Predominantly utilising fulltime firefighters this level provides additional 'technical' skills and capabilities to enhance and complement the Level 1 attendance.

This response provides a wide range of support to enhance our Level 1 response. In particular our crews within this capability (technicians) are employed and developed to operate strategically around the county to ensure our wider area response is maintained. For example technicians contribute to wider outcomes through enhanced skill sets eg laying guidelines and the use of Extended Duration Breathing Apparatus (EDBA) Station Rope Rescue.

- **Level 3 response - Specialist Response and Technical Rescue**

These are generally stand-alone assets and capabilities that are strategically located around the County to be able to provide specific capability with dedicated crews. They may be mobilised with a supporting Level 1 appliance to provide additional staff.

Examples of these specialist appliances are: 2 x Aerial Ladder Platforms, Water Carrier, Command Support Unit and 2 x Rescue Support Units.

Examples of our Technical Rescue assets are: Animal Rescue teams, Water Rescue teams, Bariatric Rescue teams and Line Rescue teams.

Our response will also include responding to medical emergencies in support of the wider health and wellbeing agenda and the FRS Health Strategy; these activities are included within our Co-Responding and Joint Ambulance Conveyance activities.

- **Level 4 response - Nationally Available Response Assets**

This level provides assets and crews to fulfil our commitment to the National Resilience Concept of Operations outlined within the National Coordination Advisory Framework document. The assets provide the highest levels of response capability available for local response across the County.

Examples of Nationally available assets are: High Volume Pump, Urban Search and Rescue Team, National Flood Tactical Advisors and Marauding Terrorist Firearms Attack specialist response.

- **Level 5 response - International Response**

This level is our International Search and Rescue (ISAR) Team which is part of DFID response to support international aid.

This Consultation focuses on the specific Level 3 Specialist and Technical Response as laid out in Section 5.8 of the Response Framework which states:

Specialist and technical response - To ensure future service provision around a number of our technical and specialist response areas is fit for purpose and meets the needs of all relevant stakeholders, it is imperative that suitable data is used to allow decisions to be made. To enable this to be planned and resourced fully an information paper was provided to our Service Management Board (January 2020) which analysed data from incidents occurring over the last five years requiring the attendance of LFR specialist/ technical capabilities. This report provided detail on the following capabilities:

- Bariatric response
- Animal rescue large
- Rescues from height (Tech Rope)
- Swift water rescue
- Large transport incidents
- Collapsed structures

In addition to these capabilities Lincolnshire Fire and Rescue shall also be seeking to improve its Command Support Provision. Command Support (CS) is an essential function within the Incident Command Structure and will be used at all incidents. Effective and appropriate CS is critical to the achievement of situational awareness. This will support the delivery of outcome-focused objectives through risk managed response activities.

Bariatric
<p><u>Why we do it?</u></p> <p>In 2011 Lincolnshire Fire and Rescue was approached by Adult Social Care to determine if we could assist East Midlands Ambulance Service (EMAS) to respond and assist with the lifting and moving of +sized patients. Initially we provided one team which was facilitated by the Urban Search and Rescue (USAR) crew based from Lincoln North Fire Station. In 2013 the capability was expanded to 4 teams working from Grantham, Lincoln North, Skegness and Spalding in response to the location of the then known +sized patients. As our role is to support another agency the Service does not have to respond within a specific timeframe and therefore EMAS will always be the First Person on Scene.</p>
<p><u>Why do we need to change</u></p> <p>We have reviewed Incident data over a 5 year period between April 2014 and April 2019 and during that time we have attended 120 Bariatric incidents across the County. The team from Grantham has attended only 10 of those incidents, with Sleaford and Spalding attending 34 each and Lincoln North attending 31. Risk Data also shows that of the known +sized people living in the County over 75%</p>

live in the East and less than 5% in the South West of the County.



Bariatric
Response

Current Stations

Grantham
Lincoln North
Skegness
Spalding



Proposed Stations

Lincoln North
Skegness
Spalding

Relevant Stakeholders:

EMAS, Adult Social Care, Public Health, Local Community, Workforce

Animal Rescue Large (includes livestock and horses)

Why we do it?

Whilst there is no legal responsibility for the Fire and Rescue Service to attend incidents involving animals (responsibility falls to the owner to have suitable means of managing an animal's requirements; where this has not been achieved the RSPCA should be informed), most people will request the Fire Service if a large animal is found in an unsafe position. Whilst the response to the animal is not primarily the reason for a Fire and Rescue attendance the recognition is that people may put themselves at danger if the Fire Service does not attend. In 2008/09 LFR sent members of the USAR team down to Hampshire to become Animal Rescue Large Instructors and used techniques and equipment on this course to build our response. Originally our response was the USAR crew from Lincoln North Station, currently it is delivered by 6 stations (Corby Glen, Grantham, Lincoln North, Louth, Sleaford and Spalding).

Why do we need to change

We have reviewed incident data over a 5 year period between April 2014 and April 2019 and during that time we have attended 88 incidents involving large animals across the County. The team from Grantham has attended only 8 of those incidents, Sleaford 2 and Corby Glen 2, whereas Spalding has attended 21, Lincoln North 29 and Louth 20 with most of these incidents occurring on the East Coast with Skegness as the closest station. Risk data shows the County has 98 farms however it is unknown how many of these farms have animals. We have limited risk data on equine locations but recognise that there are also a number of areas of common land within the County allowing the legal grazing of horses. The known areas are mainly in the north and east of the County.



Animal
Rescue Large

Current Stations

Corby Glen
Grantham
Lincoln North
Louth
Sleaford
Spalding



Proposed Stations

Lincoln North
Skegness
Spalding

Relevant Stakeholders:

NFU Lincolnshire Branch, Equine Centres, RSPCA

Technical Rope Rescue

Why we do it?

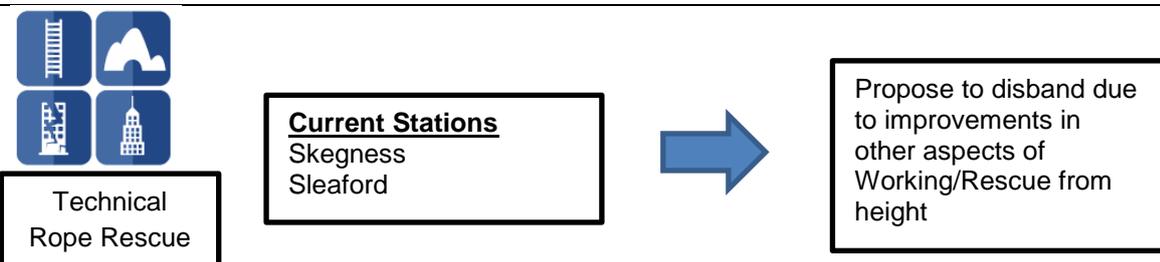
To ensure the appropriate Health and Safety provision is suitable for our operational personnel to complete their work, it is imperative that we have the appropriate systems and equipment to make access to locations where we may be called upon. Standard fire service high level access equipment has been supplemented by some form of high level specialist capability (previously High Line Rescue Team 1980/90s) however following the creation of USAR; personnel were trained to a nationally recognised level of competency by external providers. Within the County some structures have been identified which would benefit from having a Technical Rope aspect, but do not necessarily require all of the skills of the qualified Rope Rescue Operator. Due to the technical nature of the capability there is also a requirement to have trained Supervisors. Lincolnshire has maintained one Technical Rope team since 2006/07. This is now split between Sleaford and Skegness. It must be noted that since the creation of the Technical Rope team other Responses have changed and we now provide a better range of assets to deliver this response including having Station Rope Rescue at all Wholetime Stations, our Hydraulic platforms have been replaced by Aerial Ladder platforms which have an increased capacity and our USAR team have Line Access Casualty Extrication systems.

Why we need to change

We have reviewed incident data over a 5 year period between April 2014 and April 2019 and during that time we identified that our Technical Rope Rescue teams have been mobilised to 17 incidents of which there is no recorded evidence to suggest it was used in a situation that couldn't have been resolved using Station Rope Rescue and other means.

The only known sites in which Technical Rope Rescue was considered was at the Rollercoasters at the Amusement parks in the east of the County. Under the Working at Height regulations owners and operators of these structures have a responsibility to develop an Emergency plan. However Lincolnshire Fire and Rescue regularly exercises at this site and have developed new rescue plans using the Aerial Ladder platform, Station Rope Rescue and Line Access Casualty Extrication.

The training requirements to maintain this skill outweigh the need to provide the asset, the majority of Technical Rope Skills were developed for mountain rescue and the natural terrain in Lincolnshire doesn't present the same challenges.



Relevant Stakeholders:

Fantasy Island, Diocese of Lincolnshire (Cathedral / St Botolphs etc)

Swift Water Rescue

Why we do it?

Whilst there is no specific legal responsibility for the Fire and Rescue Service to attend incidents involving water, most people will request the Fire Service if assistance is required. Fire and Rescue Services do fulfil the response under the nationally agreed DEFRA Con ops and as flooding is an ever increasing risk, Fire and Rescue Services under the Civil Contingencies Act, will take on the role of search and rescue in these events.

Lincolnshire hosts 2 different team types as defined by DEFRA:

Type B – boat team with an engine

Type C – boat team without an engine. Boat manoeuvred using paddles and other manual techniques.

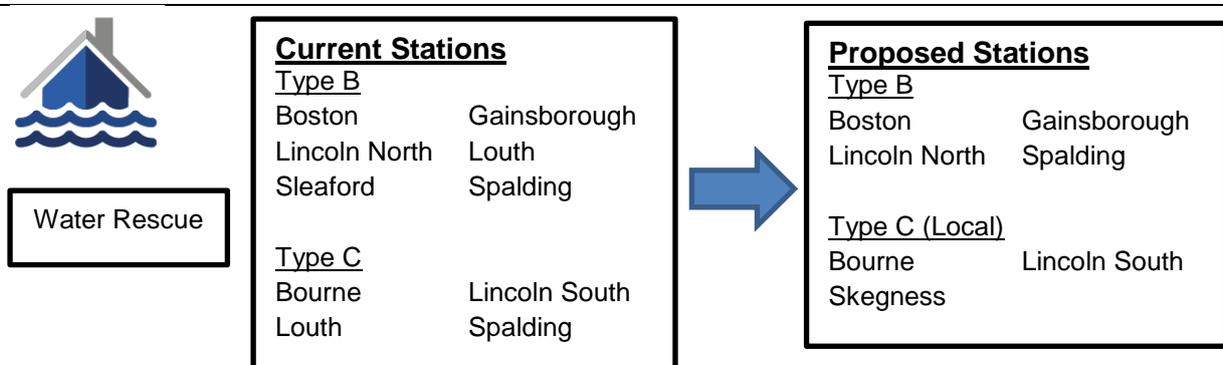
Why do we need to change

Data of incidents attended from April 2014 to April 2019 identified that our Swift Water Rescue teams have been mobilised to 286 incidents of which the majority were resolved before our arrival or by initial attending Fire Crews using basic water rescue equipment. The majority of incidents have occurred in the north east and south of the County. Spalding has been mobilised to 78 incidents, Boston 61, Lincoln North 57, Louth 38, Sleaford 27, Gainsborough 24 and Woodhall Spa 1.

The rivers Haven and Trent are the rivers where our Boat teams have mostly been deployed and used and these rivers, due to them being tidal flow and flow through town centres, are the greatest risk. During flooding incidents our boats have never been used with their engines and when deployed the teams have completed rescues by wading through floodwater.

To maintain this skill requires crews to complete training in Class 2 water (relates to the speed of flow). This requires crews to attend training courses in Wales as this is the nearest suitable Class 2 provider.

Whilst the proposal is to reduce the number of 'Boat teams' it must be noted that all Operational Responders now have Water training and PPE to allow them to complete Water Rescues via a range of other techniques.



Relevant Stakeholders:

Environment Agency, Anglian Water, District Drainage Boards

Large Transport

Why we do it?

As part of the Fire and Rescue Services Act 2004 under Part 2 Core Services, Sections 8 and 9, the Fire Service has responsibility to make provision for response to road traffic collisions and other emergencies.

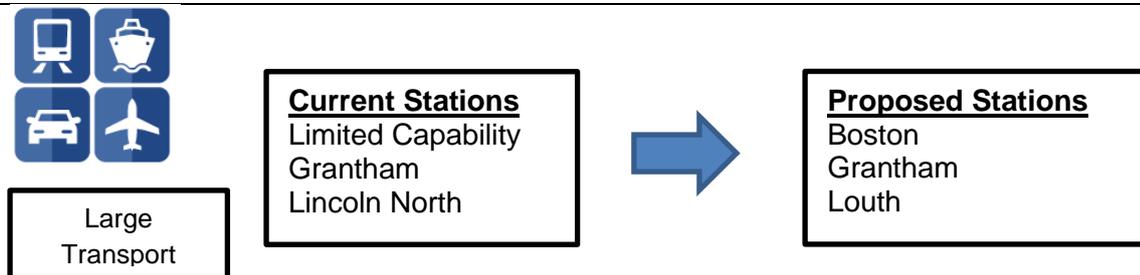
Why do we need to change

Data of incidents attended from April 2014 to April 2019 identified that our crews have mobilised to 526 incidents of which 252 involved LGVs, 178 involved multiple vehicles, 42 involved buses/coaches, 17 involved minibuses, 17 involved aircrafts and 11 involved trains. Our two busiest stations were Grantham and Louth.

The road infrastructure in Lincolnshire is complex and busy with a range of traffic users. The roads have to contend with changes in traffic flow and capacity due to seasonal use related to holidaymakers and agricultural use. Most incidents occurred on the A17, A1 & A16.

The proposal is to increase the number of assets from 2 to 3 by maintaining Grantham, moving the Lincoln North asset to Louth and upskilling Boston. This will provide relevant assets at the locations closest to the highest risks.

The main aim of this upskill is to provide assets that can provide further support to initial attending crews.



Relevant Stakeholders

Hauliers, Road safety partnership? Police, EMAS, NFU

Heavy Rescue (term applied to providing additional rescue capability to emergencies involving collapsed structures and other rescues that may require further equipment and skills)

Why we do it?

As part of the Fire and Rescue Services Act 2004 under Part 2 Core Services Sections 9, the Fire Service has responsibility to make provision for other emergencies.

Why do we need to change

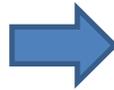
Lincolnshire Fire and Rescue currently provides a limited response to these incidents with further support coming from the USAR team, however, the attendance of USAR is not an immediate response and can take 60 minutes to mobilise. An interim response from an improved Level 3 capability will provide more timely support to our immediate frontline response.

Data of incidents attended from April 2014 to April 2019 identified that USAR has mobilised to 13 incidents which may involve the mobilisation of at least 3 vehicles and 10 personnel. Often when in attendance the requirement has been relatively small and could have been achieved with fewer personnel and minimal equipment.



Heavy
Rescue

Current Stations
Limited Capability
Grantham
Lincoln North



Proposed Stations
Grantham
Louth

Relevant Stakeholders
Commercial Sector

Command Support Provision (relates to an operational activity which supports the Command Team during an Incident)

Why we do it?

Command Support (CS) is an essential function within the Incident Command Structure and will be used at all incidents. Effective and appropriate CS is critical to the achievement of situational awareness. This will support the delivery of outcome-focused objectives through risk managed response activities.

Why do we need to change?

Lincolnshire Fire and Rescue currently provides Level 3 Command Support at Market Rasen through a single vehicle. Since the introduction of National Operational Guidance (N.O.G.) Lincolnshire Fire and Rescue has identified those changes need to be made to improve the safe running of operational incidents by updating our systems. Our proposal is to no longer have a single vehicle but to enhance connectivity on all operational assets and provide additional equipment on three Technical Response Units so that they can deliver a better response.



Command
Support
Provision

Current Stations
Market Rasen



Proposed Stations
Gainsborough
Grantham
Louth

Relevant Stakeholders
Commercial Sector

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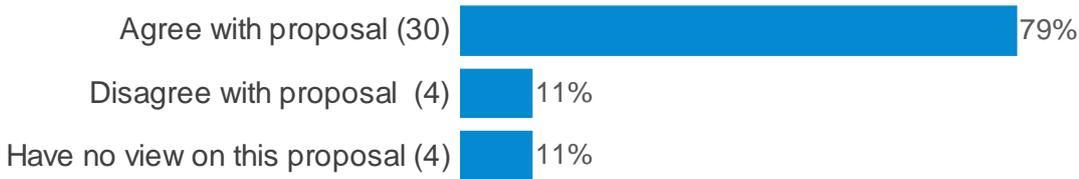
Technical Response Units LFR

This report was generated on 10/05/21, giving the results for 39 respondents. A filter of 'All Respondents' has been applied to the data.

The following charts are restricted to the top 12 codes. Lists are restricted to the most recent 100 rows.

Bariatric Response

Based on the evidence, do you agree or disagree with our proposal to remove existing provision at Grantham Station, with a response being maintained at Lincoln North, Skegness and Spalding Stations?



If you disagree, please briefly explain why

although the figures are lower at Grantham, they still require the skill set due to the average amount of calls at just under 1 per month, the duration it takes for any other asset to arrive can be quite crucial, and the amount of training is quite minimal compared to other skill sets.

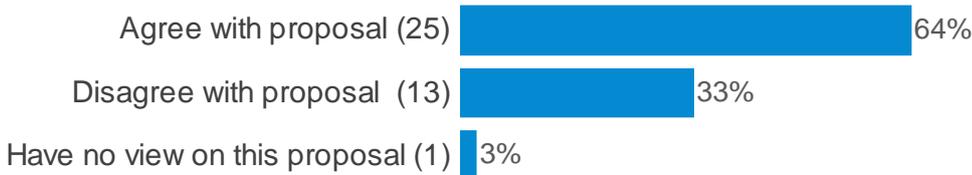
We are helping EMAS more and more with large overweight patients, to get an appliance to go EMAS control are not calling the patient bariatric. I think all the wholetime stations should have bariatric.

the skills we have should not be scaled down

EMAS are requesting more & more help to move large patients which should be categorized as bariatric but don't due to the fact that LFR wont send an appliance.

Large Animal Rescue (includes livestock and horses)

Based on the evidence, do you agree or disagree with our proposal to remove existing provision from Corby Glen, Grantham, Louth and Sleaford Stations, with a response being provided from Lincoln North, Skegness and Spalding Stations?



If you disagree, please briefly explain why

Gainsborough have had more Large animal than Lincoln North. Surely they should have it over Lincoln instead of command support?

having been based at Grantham I feel that the data dose not reflect the true amount of mobilizations the area. The Grantham area also posts a high risk due to the amount of liveries and major horse arenas.

maintain the number of skills we have

All wholtime personnel within Lincolnshire should be both trained to the required level of response .Due to the equipment being relatively small and not a burden on current appliance stowage this is also a viable argument for keeping the ability to respond to incidents with the community.

Travel time could be significant if the nearest AR2 team is unavailable at the time of a call (due to skill sets or at another incident) This could put the RDS crew in a situation where they may feel forced to act to attempt a rescue rather than wait what could be nearly an hour for the AR2 to arrive. Also there are some incidents that require 2 AR2 teams - again increased travel time for suitably trained teams to arrive could put teams in a position to do things they shouldn't.

We are a large farming county, ensuring neighbouring crews have access to specialisms such as this is, in my view, vital to ensuring we keep our communities and colleagues safe in Lincolnshire. If we reduce the training to only three stations, this places a greater pressure on their availability. They are busy stations and are likely to be committed to a job if needed.

leaves too big an area uncovered - animals are usually at risk of loosing their lives

Do the figures make sense in taking away skills and re deploying them, considering the initial training cost for up skilling and the loss of experienced animal rescue operatives

Crews would be waiting longer for specialist crews meaning members of the public putting themselves at risk to help injured animals.

Believe either Sleaford or Grantham should keep this to assure a quick response in that section of the county

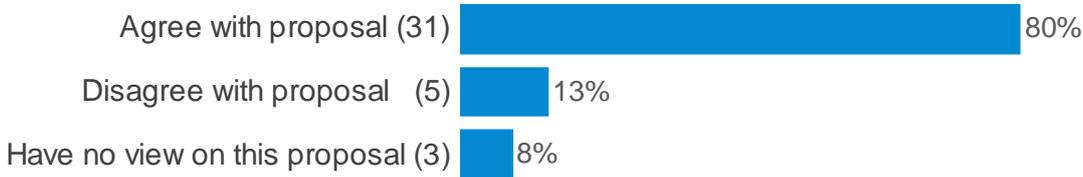
Response only available from Lincoln North, Skegness and Spalding leaves a very large gap centre of the county, especially if one of these crews were not available. Also considering Grantham and Louth figures higher than Lincoln North and Skegness on the analysis.

I feel that Sleaford is well situated in the center of the county to be a valuable resource. It may not be the first vehicle there but can be used to back up other teams

Referring to the Animal rescue incident hotspot legend the data suggests that Louth is in an extremely ideal location in terms of being central to where the incidents are located that they have attended. Although the data only goes back until March 2019 there have been a number of large animal rescues that Louth has attended after this period, either within the station area or outside of it thus not showing a true representation of the risk. There have been occasions where the crew at Louth has not been AR2 on that day due to the service not providing enough training course for the new crew members or long term back fills therefore meaning Louth have not attended and the next nearest team having to attend. According to the incident analysis for large animal rescues only Louth attended 4 whereas north only attended 2. the other point to consider with Lincoln North is that because they carry the quick release equipment on the RSU which is required at almost all Large animal rescue incidents it could have been mobilized purely for that equipment and not the extra crew numbers for AR2, again this not truly reflecting the correct data for the risk. You will also be losing the skills and the experience that the crew at Louth has gained over the years from training and attending operation incidents which is priceless, invaluable and irreplaceable which would be a huge loss to the service and our communities by training up brand new crews from scratch.

Technical Rope Rescue

Based on the evidence, do you agree or disagree with our proposal to disband the specialist provision based at Skegness and Sleaford Stations?



If you disagree, please briefly explain why

Fire and Rescue will still naturally be called to incidents, maintaining at least one small team at a central location would add at least some resilience where line rescue teams cannot gain access or require additional advice. Buildings (commercial and domestic) are going to get taller, not smaller and with the addition of industry/wind turbines etc, that should have their own methods I believe there is still a place as the risks have not gone away, its just that there hasn't been a significant number of incidents.

Risks in Skegness? Fantasy island, high tourism etc?

Rescues from height could be time critical and the increased time taken for a specialist team to arrive could make a significant difference, the aim to have USAR complete these rescues could be inadequate due to there mobilization timescales

Technical rope rescue is useful in a number of situations - particularly as we are a very rural county with mine shafts, rail shafts and various other crevasses etc. Having crew with this specialist training ensures we have colleagues who are equipped to tackle a much wider range of incidents (not just mountain rescue).

i believe there is a high chance that skengess would be a place technical rope would be used although data suggests not

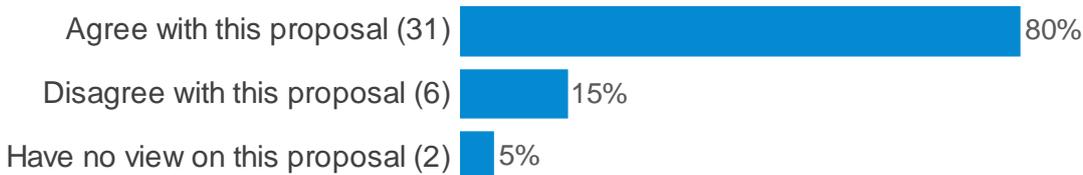
Swift Water Rescue

Based on the evidence, do you agree or disagree with our proposal to:

Remove Type B boats from Sleaford and Louth Stations. Maintain resource at Boston, Gainsborough, Lincoln North and Spalding Stations.

Remove Type C boat from Louth and Spalding Stations. Maintain resource at Bourne, Lincoln South and Skegness Stations.

(Type B)



Swift Water Rescue

Based on the evidence, do you agree or disagree with our proposal to:

Remove Type B boats from Sleaford and Louth Stations. Maintain resource at Boston, Gainsborough, Lincoln North and Spalding Stations.

Remove Type C boat from Louth and Spalding Stations. Maintain resource at Bourne, Lincoln South and Skegness Stations.

(Type C)



Type B - If you disagree, please briefly explain why

keep the skills we have

looking closely at the local risk within each area should also form part of an informed decision and not just reported incidents.

haven't we received funding for this from national resilience? Why haven't competencies been maintained? Yet again Lincolnshire will be seen as the poor relations 'country bumpkins' within the UK national fire & rescue.

Again does this make sense with the initial costs of initial training, loss of experienced swift water operatives. How has the data been gathered as we have attended many more shouts than the figures reflect. We have also ensured and maintained out crew competences to a very high standard.

Due to now needing 2 SWRT crews at water rescues believe downgrading SWRT would make mobilising much harder and maintaining appliance availability. Also believe more data needs to be collected with the introduction of 2 SWRT Crew response before decision can be made.

The SWRT incident hotspot legend the data suggests that Louth is in an extremely ideal location in terms of being central to where the incidents are located that they have attended. Local risk such has Covenham Reservoir should not be forgotten as on February 6th 2016 a rescue was performed by a Type B team, link to article followed. (<https://www.lincolnshireworld.com/news/update-rescue-crews-attend-covenham-reservoir-after-reports-of-windsurfer-in-distress-2178845>). There was unfortunately a death at Covenham Reservoir on the 4th of July 2020; a SWRT team did not attend this as the lady was preannounced dead at the scene. Just these two incidents clearly show that this is a high risk area that needs to be considered to ensure that the local community are safe. In summer 2020 there were reports of children jumping into the Reservoir area an area which is extremely dangerous due to the works that are underwater in that part, thanks to proactive work from local SWRT crews at Louth and the Police this risk to the children was reduced. There have been a number of occasions where the crew at Louth has not been SWRT on that day due to the service not providing enough training course for the new crew members or long term back fills therefore meaning Louth have not attended and the next nearest team having to attend, this meaning the figures are not showing the true risk in the areas that Louth would have been the nearest SWRT team to. Also there have been incidents that we have attended in P1 and in actual fact should have been attended in the SWRT Van thus not showing true data for the risk in the area. You will also be losing the skills and the experience that the crew at Louth has gained over the years from training and attending operation incidents which is priceless, invaluable and irreplaceable which would be a huge loss to the service and our communities by training up brand new crews from scratch. The review states that Louth has only attended 7 SWRT incidents in a 5 year period however we have actually attended 38 incidents according to the SWRT rescue incident analysis, and it is actually 7 incidents in the station area.

Type C - If you disagree, please briefly explain why

with the number of calls Spalding gets, and the lack of calls Bourne gets, I'd suggest Spalding keeping both B+C at Spalding as they'll be trained anyway, and removing the C from Bourne which will save on training costs.

Maintaining a Type C boat at Bourne? Retained crewing, travel distances to risk areas

Leaves gap in response to Grantham area

Looking at the usage Bourne was used once, is this enough to warrant a boat on station.

keep the skills we have

don't believe that there is the requirement for type C team at Lincoln South with Lincoln North being a type B team. Lincoln South currently SWRT trained but don't mobilize to incidents.

Louth is at high risk of flooding. The Louth SWRT team were integral in the 2007 flooding response. Also with global warming/rising river & sea levels, sadly flooding will become more widespread and the public will look to F&R for assistance. Also we run the risk of exhausting the trained crews, if there are so few of them.

Again does this make sense with the initial costs of initial training, loss of experienced swift water operatives. How has the data been gathered as we have attended many more shouts than the figures reflect. We have also ensured and maintained our crew competences to a very high standard. Should a Boat resources be held on the east coast, where the risk is much higher for east coast inundation'

Type C boat handling is a very effective rescue tool if used correctly with a well drilled crew. It does however have a very high skill fade and not something I believe an on call station can maintain.

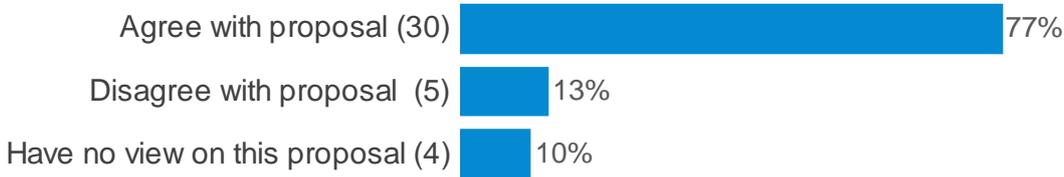
Due to now needing 2 SWRT crews at water rescues believe downgrading SWRT would make mobilising much harder and maintaining appliance availability. Also believe more data needs to be collected with the introduction of 2 SWRT Crew response before decision can be made.

although I agree with removing the type B team from Sleaford I feel that some form of SWRT should be maintained at the station given its centralized location and its ability to provide a back up to other SWRT teams.

The SWRT incident hotspot legend the data suggests that Louth is in an extremely ideal location in terms of being central to where the incidents are located that they have attended. Local risk such as Covenham Reservoir should not be forgotten as on February 6th 2016 a rescue was performed by a Type B team, link to article followed. (<https://www.lincolnshireworld.com/news/update-rescue-crews-attend-covenham-reservoir-after-reports-of-windsurfer-in-distress-2178845>). There was unfortunately a death at Covenham Reservoir on the 4th of July 2020; a SWRT team did not attend this as the lady was preannounced dead at the scene. Just these two incidents clearly show that this is a high risk area that needs to be considered to ensure that the local community are safe. In summer 2020 there were reports of children jumping into the Reservoir area an area which is extremely dangerous due to the works that are underwater in that part, thanks to proactive work from local SWRT crews at Louth and the Police this risk to the children was reduced. There have been a number of occasions where the crew at Louth has not been SWRT on that day due to the service not providing enough training course for the new crew members or long term back fills therefore meaning Louth have not attended and the next nearest team having to attend, this meaning the figures are not showing the true risk in the areas that Louth would have been the nearest SWRT team to. Also there have been incidents that we have attended in P1 and in actual fact should have been attended in the SWRT Van thus not showing true data for the risk in the area. You will also be losing the skills and the experience that the crew at Louth has gained over the years from training and attending operation incidents which is priceless, invaluable and irreplaceable which would be a huge loss to the service and our communities by training up brand new crews from scratch. The review states that Louth has only attended 7 SWRT incidents in a 5 year period however we have actually attended 38 incidents according to the SWRT rescue incident analysis, and it is actually 7 incidents in the station area.

Large Transport

Based on the evidence, do you agree or disagree with our proposal to remove existing provision from Lincoln North Station, with an increased response being provided from Boston, Grantham and Louth Stations?



If you disagree, please briefly explain why

it's gonna create quite a gap in west division and significant delays in getting appropriate assets to an incident North of Lincoln A15

As per type B local risk must form part of the risk assessments when deciding the response capability IMO and not solely historic reported incident's.

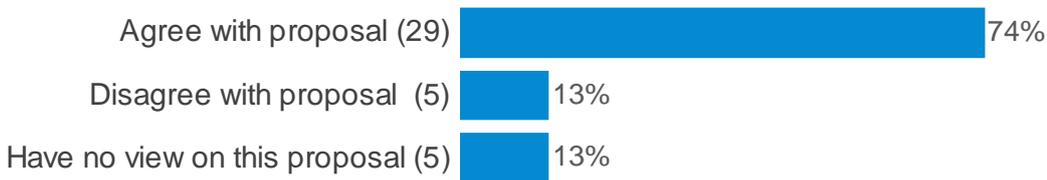
We agree with the proposal if this is a 'True' Heavy rescue and not a dumbed down version

This is being done to accommodate the hidden of making Louth a day-crewed station with no night commitment.

With the road network around Sleaford having as many incidents as it does I feel that it would be better suited to place a Large transport vehicle there instead of Grantham. It would be closer to other hazard areas as it could go south to support Granthams pumps but also it is better situated to cover other areas of the county. The personnel are already trained to a higher level for Large transport incidents with their USAR Training

Heavy Rescue (USAR)

Based on the evidence, do you agree or disagree with our proposal to remove existing provision from Lincoln North Station, with a response being provided from Grantham and Louth Stations?



If you disagree, please briefly explain why

Louth is far from most 'heavy goods' services in Lincolnshire, unless looking at cross border provision (into Grimsby, the docks etc). Rail networks centre on Lincoln, with the majority of heavy goods vehicles using the western section of Lincolnshire (up and down the A1), the north of the county (Scunthorpe to Hull, Grimsby etc) and across the central spine of the county (Lincoln to Norfolk and down to Spalding for agricultural support). Therefore taking away existing provision from Lincoln North appears foolish.

We agree with the proposal if this is a 'True' Heavy rescue and not a dumbed down version

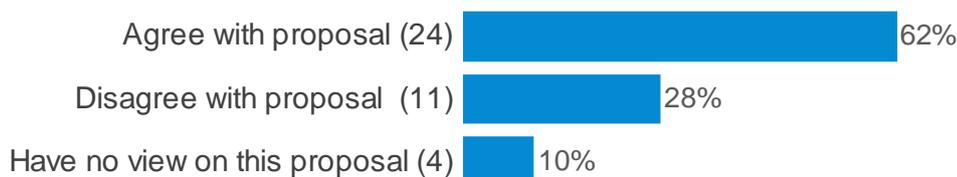
Same answer as Q5,

Response from one station within each division would be ideal

Sleaford personnel Are already USAR Trained however extra funding will now be required to train personnel up to this level to respond to incidents.

Command Support Provision

Based on the evidence, do you agree or disagree with our proposal to remove the existing provision from Market Rasen Station, with an increased response being provided from Gainsborough, Grantham and Louth Stations?



If you disagree, please briefly explain why

I don't agree with the command support provision being put at Gainsborough, as we already have SWRT and HVP as additional skills. Sleaford would be a fair option as they are central to the service and only have one additional skill in the new proposal.

No dedicated command support unit, taking frontline appliances off the run to do a command support role. If anything the command support role should be encouraged more on PDAs and be mobilised to most incidents like neighboring brigades such as notts/leics.

I disagree as I feel Sleaford should have command support instead of Gainsborough as they only has one extra skill.

Sleaford only have 1 extra skill (USAR) and are paid an extra 5% on top of wages for LCS. Gainsborough already has 2 extra specialisms - HVP and SWRT both of these are also national assets and crews are paid no extra.

As this skill location is not risk based, for example water teams next to bodies of water, I think the locations of this skill should be more centralized in the county to enable better response times and reduce travel distances. It would also be used at large incidents with long durations this would take wholtime crews out of their areas. Could retained stations do this as it would boost retained station jobs and opportunities to attend.

Should remain a single experienced unit to complete assest, depends on what extent command support will be utilized in future,

With the introduction of the new command support structures and equipment now in use on all appliances this response can initially be handled within the first stages of any incident by any appliances with a non emergency response from opps support should the incident become protracted.

If you disagree, please briefly explain why

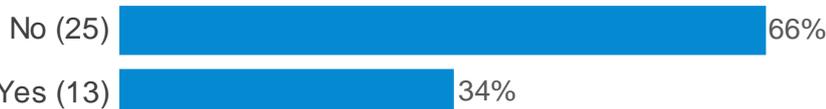
I believe that utilizing a specialist rescue vehicle as a command support vehicle as a waste of that specialist recourse. An incident requiring command support is a protracted incident - if, for example, Gainsboroughs TRU is sent as a command support vehicle it takes that specialist water rescue asset away from arguably the biggest water risk in the county. Believe that command support should be a stand alone vehicle or non mobile kit that could be mobilized by ops support.

i disagree because Gainsborough has HVP, SWRT, BOATS, and station rope , utilising the swrt van to for command support will take that capability away, and Gainsborough have more water jobs than house fires. Lincoln South are better suited and in a more central location to take on this asset .

Do not fully agree nor disagree, only Market Rasen often have the crew to man the CSU as well as support pump, would this be the same case for RDS at the proposed stations? Do agree with more than one CS available from another division not just West.

Taken from the review document the reasoning for Louth to have command support unit is due to the fact that Louth has only attended 7 SWRT incidents in a 5 year period however we have actually attended 38 incidents according to the SWRT rescue incident analysis, and it is actually 7 incidents in the station area therefore meaning the data is wrong and the grand total for incidents each station was mobilized to a SWRT incident was 286 and the total for Louth is 38.

Do you have any other comments you wish to make on these proposals?



If your comments relate to one area specifically please include the question number this comment relates to

Sleaford crew still attract the 25% extra salary allowance for their additional skill of USAR. As all other wholtime stations now have more additional skills than Sleaford surely we should attract the same allowance. Some of these skills are also a national asset.

Firefighters should not be undertaking command support duties at all . Firefighters at incidents should be doing the job trained for and working to put fires out and rescue people , their skills should not be wasted sitting down and doing paperwork. firefighters are also given no official training in command support , the role of command support should be carried out by crew managers at a minimum. firefighters being detailed to do command support at incidents is also a factor in retained FF retention, for example, a quiet station is finally called to a good job and the new FF's are detailed to fill in paperwork instead of getting mucked in and doing the job firefighters are here for, and the service is surprised people leave after a couple years service retained. also whole time FF's should not have skills and experience wasted on filling in paperwork.

HVP was not included in this review. It is currently split between 3 stations on a monthly rotation which can cause issues. If the assets were kept together and not split apart on a 3 way rotation this would enable better quality of training. for example 1 month HVP & HOSE LAYER at Gainsborough all practical training done, that same month Grantham no assets but available for crewing and theoretical/ table top exercises performed and the following month swap. If both wholtime and retained crews at grantham and gainsborough were trained up that would provide the adequate crewing levels and simplify the asset. As sleaford has been left to specialize in USAR with no other skills and have the 25% allowance and allowance in training days would that be offered to other stations with national assets the same allowance. With some stations even having 2 national assets

With a little bit of joined up thinking and practical investigation via other UK fire and rescue services it is clear that other Fire authorities have invested heavily within this subject. Others have invested heavily and enabled more than capable response vehicles which would allow for a greater comprehensive and standardized response across its response area.

Crews that have specialist level 3 skills should be paid for those skills. USAR crew get an extra 5% for their USAR skill. This is an unfair system.

If your comments relate to one area specifically please include the question number this comment relates to

Specialist water training needs a dedicated trainer and provision for crews to get off station to do the training without being cancelled at last minute notice due to no RDS cover. Specialist crews should be paid the extra 5% that USAR crews are paid to reflect the extra skills and those crews should have access to better training for those skills.

Any decision to implement any specialism must be supported by the required training. The required training includes the maintenance of the specialisms with the time and budget for it to be done properly. Previously this has not been the case with water rescue for example.

Have we not gone to the government for extra funding? Sadly because we started doing these things without them being part of F&R remit that the public now expect us to do it and will be frustrated/annoyed/angry that our response will be further delayed or we will be unable to assist. If F&R are unable to help - who can?

Water Rescue. I have attended over 20 shouts to water related incidents in the last 2 years so I am surprised by the figures in the report, does this also include incidents to which we have been mobilised in the wrong appliance, ie attending water incidents in P1 instead of R3

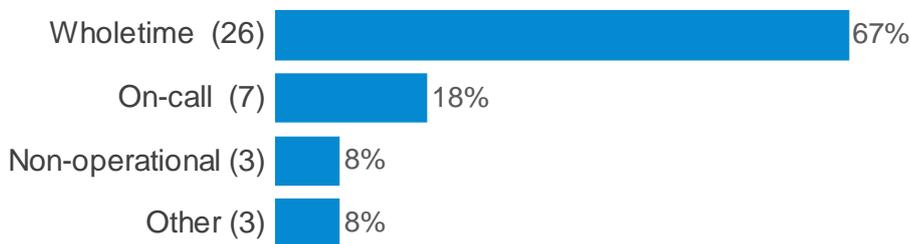
The figures used do not include times where specialist crews would have been available but due to staff not being up skilled are not.

It seems unwise to make one of the quietest wholetime stations even quieter by removing all of the specialisms that it holds. At the same time Busier stations are gaining more specialisms and even more incidents. There is no allowance for the fact these busy stations are more likely to be occupied at another incident in the pump and so unable to respond to specialist incidents.

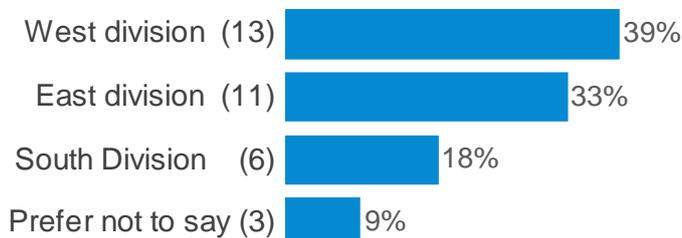
Q 5&6.Sleaford as a USAR station already have and maintain these skills and could provide a timely response as a crew whilst being backed up by the on call USAR team for larger protracted incidents. What is vitally important is the service must be able to acquire, maintain and resource these additional skills for the crews which has been problematic to say the least in recent years.

What is vitally important is the service must be able to acquire, maintain and resource these additional skills for the crews which has been problematic to say the least in recent years. Recognising that some of the technical rescue capabilities sit outside of the statutory duty of the Fire and Rescue Service these functions are included in the IRMP to meet identified risks. We urge Lincolnshire Fire and Rescue to request additional funding from Government to enable proper resourcing to these risks. In addition, firefighters should also receive financial recognition for the extra skills applied and maintained outside the requirements of the role but within the job function.

**Please tell us in what capacity you have answered this survey?
(Member of staff / representative body)**



Please select which division



If Other please state

FBU

FBU

Equality Impact Analysis (EqIA)

(Also known as Equality Impact Assessment, People Impact Assessment, Equality Risk Assessment)

Policy / Project / Function	Technical Response Units			Date of Analysis		17/5/21
Analysis Rating: please tick 1 box ✓ (The analysis rating is identified after the analysis has been completed - See Completion Notes).	RED	AMBER	GREEN	<input checked="" type="checkbox"/>	Proportionate means achieving a legitimate aim/can be objectively justified.	
Please list methods used to analyse impact on people (e.g. consultations forums, meetings, data collection)	Internal consultation undertaken seeking feedback on the proposed move of resources, including impact on individuals/stations. External consultation email sent to key agencies which may have an interest in the proposed changes. Data collection to support proposal Advice sought from EDI group member					
Please list any other policies that are related to or referred to as part of this analysis	Integrated Risk Management Plan					
Please list the groups of people potentially affected by this proposal. (e.g. applicants, employees, customers, service users, members of the public)	Service users, supporting agencies, stations, staff members					
What are the aims and intended effects of this proposal (project, policy, function, service)?						
<p>LFR has a number of stand-alone assets and capabilities are maintained to deliver a specific provision when attending incidents that require a specialist or technical requirement. These are specialist assets that come under the banner of Technical Response Units (TRU). These TRUs are vans which carry specialist equipment not carried on fire appliances.</p> <p>LFR is to commence a procurement of TRUs as the current vans have reached the end of their lifespan. As part of this procurement exercise LFR intends to redeploy these vehicles to locations identified based on evidence of need gathered over a prolonged period.</p> <p>This document will consider the impact the redeployment will have on stakeholders (both internal and external)</p>						
Is any Equality Data available relating to the use or implementation of this proposal (policy, project, or function, service)? Please Tick ✓ (See Completion notes)						
YES:			NO: ✓			
List any Consultations e.g. with employees, service users, Unions or members of the public that has taken place in the development or implementation of this proposal (project, policy, function)?						
Consultation has taken place with internal staff and key external agencies.						
Financial Analysis If applicable, state any relevant cost implications (e.g. expenses, returns or savings) as a direct result of the implementation of this policy, project, or function.						
Costs (£) TBC			Projected Returns £			
Implementation £			Projected Savings £			

Equality Impact Analysis (EqIA)

(Also known as Equality Impact Assessment, People Impact Assessment, Equality Risk Assessment)

What impact will the implementation of this proposal have on people who share characteristics protected by <i>The Equality Act 2010</i> ? ✓ (See Completion notes)				
Protected Characteristic:	Neutral Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification if determining proportionate means of achieving legitimate aims exists
Sex (Men and Women)	✓			
Race (All Racial Groups)	✓			
Disability (Mental, Physical, and Carers of Disabled people)	✓			
Religion or Belief	✓			
Sexual Orientation (Lesbian, Gay, Bisexual, and Straight)	✓			
Pregnancy and Maternity	✓			
Marital Status (Married and Civil Partnerships)	✓			
Gender Reassignment (Includes non-binary)	✓			
Age (People of all ages)	✓			

What impact will the implementation of this proposal have on people who are impacted by and / or local factors that sit outside the Equality Act 2010 (non-legislative). Examples include social economic factors (i.e. poverty and or isolation), caring responsibility, unemployment, homelessness, urbanisation, rurality, health inequalities any other disadvantage. ✓ (See Completion notes)				
Identified impact non-legislative factor.	Neutral Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification if determining proportionate means of achieving legitimate aims exists
Employees who lose this specialist resource from their station			✓	Employees at those stations who lose this specialist resource may be impacted through reduced call out (economic impact) / losing skill set. Decision based on sound analysis over a period of time.
Employees who gain this specialist resource at their station		✓		Employees at those stations who gain this specialist resource may be impacted through increased call out/gaining additional skill set. Decision based on sound analysis over a period of time.

This Equality Impact Analysis was completed by: (Name and Department):

Equality Impact Analysis (EqIA)

(Also known as Equality Impact Assessment, People Impact Assessment, Equality Risk Assessment)

Action Plan Owner:		Commencement date:		Sign off date:	
As a result of performing this analysis, what actions are proposed to remove or reduce any negative impact of adverse outcomes identified on people (employees, applicants customers, members of the public etc) who share characteristics protected by <i>The Equality Act 2010</i> or are <i>non-legislative characteristics</i> ?					
Action Planning					
Identified Impact Protected Characteristic or local non-legislative factor	Recommended Actions	Responsible Lead	Completion Date	Review Date	
Staff who lose resource from their station	<p>Communicate with staff the statistical information behind the decision to relocate the resource. Support staff who may be adversely affected by losing their skill sets, or reduced call out</p> <p>Consider: Leading and Managing Change - e-course on Lincs2Learn (may help support change) Personal Resilience (Health and Wellbeing) - e-learning course on Lincs2 Learn (may help build upon and improve personal resilience)</p>	Spencer Creek			

Equality Impact Analysis (EqIA)

(Also known as Equality Impact Assessment, People Impact Assessment, Equality Risk Assessment)

Completion Notes:	
Analysis Ratings:	<p>The analysis rating is located at the top of the document so that if you have several impact assessments you will be able to determine priority impact status. To assure the analysis determines the rating, the rating should not be determined before the analysis has been completed.</p> <p>Red: As a result of performing this analysis, it is evident a risk of discrimination exists (direct, indirect, unintentional, or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics (and / or local non-legislative factors)</i>. In this instance, it is recommended that the use of the activity or policy be suspended until further work or analysis is performed.</p> <p>If it is considered this risk of discrimination (is <i>objectively justified</i>, and/or the use of this proposal (policy, activity, function) is a <i>proportionate means of achieving a legitimate aim</i>; this should be indicated and further professional advice taken.</p> <p>Amber: As a result of performing this analysis, it is evident a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p> <p>Green: As a result of performing this analysis, no adverse effects on people who share Protected Characteristics <i>and / or local non-legislative factors</i> are identified - no further actions are recommended at this stage.</p>
Equality Data:	<p>Equality data is internal or external information that may indicate how the activity or policy being analysed can affect different groups of people who share the nine Protected Characteristics <i>and / or local non-legislative factors</i>. Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <p>1: Application success rates by <i>Equality Groups</i> 2: Complaints by <i>Equality Groups</i> 3: Service usage and withdrawal of services by <i>Equality Groups</i> 4: Grievances or decisions upheld and dismissed by <i>Equality Groups</i></p>
Legal Status:	<p>This document is designed to assist organisations in “<i>Identifying and eliminating unlawful Discrimination, Harassment and Victimisation</i>” as required by <i>The Equality Act Public Sector Duty 2011</i>.</p> <p>The NFCC/FRSs may be keen to extend “due regard” to local/non-legislative factors such as social economic factors (i.e. poverty and or isolation), caring responsibility, unemployment, homelessness, urbanisation, rurality, health inequalities any other disadvantage. ✓ (See Completion notes). What impact will the implementation of this proposal have on people for which there is no legal requirement? (consider each local non-legislative factor separately).</p> <p>Doing this analysis may also identify opportunities to <i>foster good relations</i> and <i>advance opportunity</i> between those who share Protected Characteristics <i>and / or local non-legislative factors</i> and those that do not.</p> <p><i>An EqIA is not legally binding and should not be used as a substitute for legal or other professional advice.</i></p>
Objective And/or Proportionate	<p>Certain discrimination may be capable of being defensible if the determining reason is:</p> <p>(i) <i>objectively justified</i> (ii) <i>a proportionate means of achieving a legitimate aim</i> of the organisation</p> <p>For <i>objective justification</i>, the determining reason must be a real, objective consideration, and not in itself discriminatory. To be ‘<i>proportionate</i>’ there must be no alternative measures available that would meet the aim without too much difficulty that would avoid such a discriminatory effect. Where (i) and/or (ii) is identified it is recommended that professional (legal) advice is sought prior to completing an Equality Impact Analysis.</p>

Technical Response Units Capital plan

A total of £1,218,000.00 has been allocated to deliver the project. The allocation of the capital has been split into the following groups

Capital Amount	Year allocated in Capital Plan	Assets planned for replacement allocated to the Capital Budget	Proposed assets to be purchased from the Capital Budget
£806,000.00	2022/23	2 x 18 tonne rescue support units 7 x 3.5 tonne vans Technical rope rescue kit	7 x vehicles to deliver the technical assets specification to be determined through tender process 1 x vehicle to deliver USAR & co responder immediate response Improved equipment for heavy rescue and large transport response Additional equipment to level up current capabilities
£150,000.00	2022/23	2 x plastic hull rescue boats 5 x 5m Inflatable rescue boats 3 x 4m Inflatable rescue boats 4 x 3.8m Inflatable rescue boats 7 x 40hp outboard motors 3 x 25hp outboard motors 4 x 15hp outboard motors 5 x trailers	4 x rescue boats 4 x outboard motors 3 x rescue sleds Specifications to be determined as per the tender process. Improved medical equipment for water related incidents
£262,000.00	2022/23	1 x Command Support Unit	4 x Air inflated structures plus ancillary equipment Improved functionality of mobile data terminals Range of IT equipment to ensure all command locations maintain connectivity Equipment to ensure all aspects of command support are compliant to national operational guidance

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Open Report on behalf of Andy Gutherson, Executive Director - Place

Report to:	Executive
Date:	5 October 2021
Subject:	Lincolnshire Enhanced Partnership Scheme & Bus Service Improvement Plan
Decision Reference:	I022772
Key decision?	Yes

Summary:

Bus Back Better - the Government's national bus strategy - was launched in March 2021. This strategy expects every Transport Authority across England to implement either an Enhanced Partnership (EP) with which to improve bus services or a Franchising Scheme - akin to the bus regulatory model adopted in London. For Lincolnshire, an Enhanced Partnership is considered the optimal choice.

In advance of the formal Enhanced Partnership, the County Council must prepare a Bus Service Improvement Plan (BSIP) by 31 October 2021. A BSIP is a high-level document that sets out the Council's ambitions and its plan to improve the bus offer in Lincolnshire, which has been developed in close collaboration with bus Operators, users, the Greater Lincolnshire Local Enterprise Partnership (GLLEP), District Councils and other stakeholders. The BSIP will act as a bidding document, assessed by Department for Transport (DfT) to determine the amount of funding that the Council will receive to deliver the stated schemes and achieve the BSIP outcomes.

Following publishing of the BSIP, the next step is to draft the formal documentation that delivers BSIP outcomes 'on the ground'. For an EP this comprises an EP Plan (high level vision and objectives) and one or more EP Schemes (providing precise details of the measures/schemes to be delivered). The Government requires Enhanced Partnerships to be in place by 1 April 2022. This is a statutory process, as set out in the 2017 Bus Services Act, that commits the County Council and the Operators that sign up to the Partnership to deliver on what is contained within the EP Plan.

Recommendation(s):

That the Executive:

- (1) Approves the preparation and publication of a Bus Service Improvement Plan (BSIP) for Lincolnshire.
- (2) Approves the themes and schemes proposed in the Report as the basis for the preparation of the Bus Service Improvement Plan for Lincolnshire
- (3) Delegates to the Executive Councillor for Highways Transport and IT authority to determine the final form and approve the submission of the BSIP for Lincolnshire
- (4) Notes the indicative timetable for the making of an Enhanced Partnership Plan and Scheme set out at Appendix A
- (5) In respect of the statutory process under the Transport Act 2000 ("the Act") for making an Enhanced Partnership Plan and Scheme, delegates to the Executive Director – Place in consultation with the Executive Councillor for Highways, Transport and IT authority to:
 - determine the final form of the draft proposed statutory Plan and Scheme;
 - approve the giving of notice of the proposed statutory Plan and Scheme to operators of qualifying local services in accordance with section 138F(1)(c) of the Act;
 - determine whether a sufficient number of operators of qualifying local services have objected to the Plan or Scheme for the purposes of section 138F(5) of the Act and the Enhanced Partnership Plans and Schemes (Objections) Regulations 2018; and
 - approve the giving of notice under section 138F(1)(d) and the content and process for the carrying out of statutory consultation under section 138F(6) of the Act.

Alternatives Considered:

- | | |
|----|--|
| 1. | An alternative to developing an Enhanced Partnership Scheme is to implement a Franchising Scheme whereby the Authority takes on all financial risk for the delivery of bus services across Lincolnshire. Even if Lincolnshire County Council (LCC) wanted to pursue a Franchising Scheme, it would take a number of years to prepare, so DfT would still expect any Authority to implement an Enhanced Partnership Scheme in the short term. |
|----|--|

	A Franchising Scheme requires Transport Authorities to have control over planning policy as well as have in place an elected Mayor, neither of which Lincolnshire has at the current time.
2.	The second alternative is to do nothing and continue providing bus services in the current way. This will mean LCC would not be eligible for a share of £3bn of Central Government funding, and any future discretionary funds focussed on public transport investment would not be available to LCC. In addition, local bus operators in Lincolnshire, as well as LCC with regards to its supported bus services, would not be eligible for continued Covid Recovery Funding which could lead to a significant reduction in bus services provided by the private sector, and lead to greater demand on LCC to financially support more bus services as operators find services to be loss making due to reduced patronage/fares income compared to pre-COVID levels.

Reasons for Recommendation:

Of the three options, doing nothing will lead to a much-reduced commercial bus network and greater demands on County Council funding to support bus services certainly in the short and medium term. Franchising is not feasible, and even if it was, DfT would expect LCC to implement an Enhanced Partnership arrangement in the short term due to the time it would take to implement a Franchising Scheme (at least several years). A formal Enhanced Partnership will enable the County Council to build on the work it has carried out over the past 20 years (through an informal partnership with operators) to greatly enhance the existing bus offer across the County.

1. Background

In order to deliver the Government's 'Bus Back Better' National Bus Strategy (NBS), it is necessary to implement an Enhanced Partnership Scheme from April 2022 onwards.

The National Bus Strategy (NBS), released in March 2021, makes it very clear that future funding from central Government will be intrinsically linked to the implementation and outcomes detailed within the National Strategy. It is also intimated that the current Bus Service Operators Grant (BSOG), which is subject to review next year, will also become linked to adoption of the Strategy.

There are three distinct phases expected by the DfT all with specific timelines.

Phase 1 required Local Transport Authorities (LTA) to commit to establishing an Enhanced Partnership (EP) with notice of intent being published by the end of June 2021. Authority to publish LCC's Statutory Notice was provided by the Executive Director for Place.

Phase 2 requires LTAs to prepare and publish a Bus Service Improvement Plan (BSIP) by the end of October 2021. This is a necessary part of the process in order to obtain a share of the £3bn funding pot set aside by Central Government for delivery of the Strategy. This project now seeks Executive support and authority to publish a Lincolnshire BSIP.

Phase 3 requires the 'making' of an Enhanced Partnership and all of the statutory processes and associated documentation in preparation of this.

The NBS project is being managed by a team made up of senior representatives from Communities, Transport Services, Highways, Commercial and Transformation Teams, and is chaired by the Executive Director of Place. The project team is also supported by an external transport consultancy resource.

Members from the project team have been engaging on the development of a BSIP since May 2021 following receipt of guidance from the DfT. Officers have been engaging with local bus Operators, District Councils, MPs and the GLLEP to gain their views on what the Lincolnshire BSIP should focus on. It is proposed that nominated representatives from these organisations will form part of an external Enhanced Partnership Board. The team is also engaging the public and businesses through surveys and social media to understand their views on enhancing local bus services and factors that influence their use of public transport.

Once the BSIP is published the formal Enhanced Partnership will begin to be established in more detail, with a draft being made of the Enhanced Partnership Plan (a clear vision of the improvements to bus services that the EP is aiming to deliver, mirroring the BSIP) and an accompanying Enhanced Partnership Scheme(s) document (that sets out in detail the schemes and measures being delivered to achieve the BSIP outcomes). The formal responsibility to 'make' the Enhanced Partnership Plan and Scheme sits with the Local Transport Authority as laid out in the Transport Act 2000 (inserted by the 2017 Act) and there are statutory requirements for the content of the documents which are set out in s.138A of the 2000 Act.

There are also statutory requirements the authority must meet before formally 'making' a Plan and Scheme. This includes issuing notice that a plan has been prepared, formal public consultation, notice of intention to 'make' the Plan and Scheme and the decision to 'make' the Plan and Scheme which must be in place by 1 April 2022.

The statutory requirements are currently under review by a legal expert, but they have provided an indicative timeline (see Appendix A) which outlines the mandatory steps and decision-making requirements of an EP.

This timetable is extremely tight and cannot be achieved if Executive or Executive Councillor decision-making is to be accommodated at all stages. This Report therefore seeks authority to delegate decision making of the initial procedural steps (Notices and Consultation) to the Executive Director - Place in consultation with the Executive Councillor for Highways, Transport and IT. This will ensure that the Council's internal decision-making processes are as responsive as possible up to and including the carrying out of public consultation.

However Executive or Executive Councillor approval will be sought to 'make' the EP Plan and Scheme in March 2022.

There are significant challenges faced with preparing a BSIP and implementing an Enhanced Partnership Scheme in Lincolnshire:

- Timescales are heavily constrained due to Government deadlines, leaving little scope for settling any potentially difficult issues with stakeholders.
- It is necessary to consult and engage across many stakeholders in a very short space of time. Bus operators, District Councils, GLLEP, neighbouring local authorities, rail operators, the public and local businesses must all contribute to the preparation of the BSIP and implementation of the EPS. Effective engagement and involvement within the space of a few months is particularly challenging.
- Decision-making timescales are challenging for the County Council as well as District Councils to agree to the content of the BSIP by 31st October 2021. Regular briefings take place with the portfolio holder, but wider member engagement is important to ensure buy in across the Council. Through these briefings, the Council's ambitions need to be identified to help steer the preparation of the BSIP and EPS.
- Once the BSIP has been submitted to DfT, it is necessary for the County Council to start preparing for the implementation of the EPS. The content of the BSIP will form the Enhanced Partnership Plan, which will commit the Council, operators and other stakeholders to delivering its contents over an agreed period of time. This will be prepared at a time when the Council does not know how much funding may be received from DfT with which to deliver the BSIP and Enhanced Partnership Plan.
- There is currently no confirmation of how BSIPs will be assessed and how funding will be allocated across local authorities. Guidance suggests authorities should be 'ambitious' but fails to set out how this ambition will be scored and funding assigned to different 'ambitious' schemes. This is particularly challenging for the County Council as it may be required to commit to delivering schemes without knowing the available funding.
- DfT's guidance of promoting 'ambitious' schemes highlights the Government's aspirations and high expectations for the delivery of its National Bus Strategy. This places pressure on the County Council to produce an aspirational BSIP, whilst taking into the account the challenges we face.

The risks discussed above are not unique to Lincolnshire - all other LTAs are facing similar challenges.

In addition to the risks and challenges, the preparation of the BSIP and implementation of an EPS by April 2022 provides different strategic opportunities for the County Council. Despite the rurality of the county, Lincolnshire is starting from a strong starting position as it has a clear strategic network of InterConnect (inter-urban), Into Town (urban) and Call Connect (demand responsive) services ensuring every resident in Lincolnshire has access to a bus service and the essential goods and services that they need to access.

From a funding perspective alone, a successful BSIP would allow the Council to further invest in the strategic bus network and strengthen its offer to residents to improve opportunities to travel and make bus services more attractive to more people for more journeys. This supports the development of a 'thriving environment' making the county a more attractive place to live, work, relax and visit.

From a 'levelling up' perspective, an ambitious BSIP helps those without access to a car or other private modes to be able to independently access employment and education opportunities to gain the skills required locally. In addition, an improved bus network supports access to Council services, as well as other essential services that they may need to access.

Bus services also offer a significant opportunity to support the reduction of carbon emissions from our transport network, while supporting the improvement of air quality in our towns. Encouraging journeys historically made by car to be made by bus instead, particularly within our towns, can reduce the negative external impact of vehicle emissions on air quality in particular. Alongside a reduction in emissions from buses – which will be a key component of the BSIP, see below – this should help the Council meet its broader strategic aspirations of enhancing health and life-chances by delivering an improved environment.

BSIP CONTENT

According to DfT guidance the BSIP should be structured as follows:

- Overview of the scheme area
- The current bus offer
- Targets for improving bus services - patronage, journey time, service reliability, user satisfaction levels have been proposed by the DfT (as a minimum)
- Proposed schemes and measures to improve bus services (and achieve the targets above)
- Reporting timetable

A key part of the BSIP, and what the DfT will likely base its funding decisions on, is the schemes and measures proposed and their expected impacts. There is presently a lack of guidance from DfT on the BSIP appraisal methodology and there is no guarantee that any such guidance will be given before the due submission date of 31 October 2021.

The precise schemes to be included within the BSIP are yet to be finalised, but the key themes and schemes that have been identified to date across all stakeholder engagements are presented below. Work is ongoing to ensure the compatibility of these suggestions and proposals with other LCC ambitions and commitments. It is envisaged that these will broadly form the deliverables under the BSIP and therefore political views are important in establishing both principles and detailed scheme ideas for inclusion in the BSIP.

THEME/SCHEME PROPOSALS: -

Resources

There is a known shortage in Passenger Carrying Vehicle (PCV) drivers and other transport crew resource across the County and that position is worsening. The intention is to collaborate with Boston College to develop a Training Academy offering courses for bus drivers, passenger assistants and other transport professionals to enable operators to reduce their costs in training drivers and providing the market with a locally skilled and qualified workforce.

There needs to be an easily identifiable, comprehensive source of information on what transport services are available in Lincolnshire. It is proposed to develop an operator managed website (or other appropriate solution) and a mobile app to provide all-operator information and a user-friendly journey planner, offering fares and ticketing information and the ability to purchase tickets through the app. This will pull together all travel information in one place, giving clear information to the customer and provide support to those smaller operators without an online presence and those who find it difficult to maintain their own current online offer.

Service Enhancements

Lincolnshire currently has a fundamentally sound and structured bus offer: InterConnect inter-urban routes, Town and 'IntoTown' services and CallConnect demand responsive services that provide a minimum level of access to bus services for every Lincolnshire traveller. The focus of the BSIP will be to enhance existing services as follows:

InterConnect – augment the 7am-7pm service to a half hourly frequency Monday – Saturday (currently hourly). Earlier and later than these times, services to operate broadly hourly or be targeted to meet local demand i.e., connecting specific rail services, serving health and employment sites (meeting shift patterns), or support for the evening economy where there is identified demand. Sunday services should operate on an hourly basis during core daytime hours.

Town services – to operate half hourly (or better) between 7am and 7pm Monday-Saturday with hourly frequencies in the evenings and on Sundays. Town networks to be reviewed to ensure they serve new and future developments.

CallConnect – maintain the existing services but augment the County's demand responsive transport (DRT) offer through the development of app-based booking and a more responsive service level that offers dynamic bookings i.e., within half an hour of booking. These uber-bus type services will be targeted more towards younger user groups, reducing the dependency on the youth to have to run a car. It is also anticipated that this type of service will be attractive to workers. Higher fares could be charged for this degree of responsiveness and outside of core hours.

Where two or more operators compete on the same corridor, we would consider implementing a quality corridor e.g., between Boston and Skegness, to coordinate the offer to bus users in preference to the existing on-street competition which creates an erratic and confusing timetable.

Bus Stop Infrastructure

We will seek to develop our own tiered standards and specification for bus stops across Lincolnshire and roll out significant and consistent improvements to all our bus stops.

These tiers could be as follows:

- Consistent bus stop flags, up to date timetable information (as a minimum) and availability of accessible kerbing at an appropriate number of locations within every community.
- Consistent bus shelters (for any new provision) providing a dry waiting area with seating, up to date timetable information (including real time information where appropriate) and raised kerbs
- Consistent community travel interchanges in market towns with high quality shelters and seating areas, plus clear timetable information (including real time)
- Introduction of minimum standards with bus stations in locations where they are both used and needed by users and operators. These will include high quality shelters and seating areas, in addition to CCTV and real time information.

Local circumstances will be taken into account in the delivery of all of these bus stop and interchange improvements such as conservation areas, available space etc.

Where appropriate, modal hubs and facilities in village centres will be introduced to enable access to bus stops by cycle where residential developments have grown away from the main bus corridor.

Bus Priority

Traffic light priority to be introduced at all Scoot controlled junctions across the County. This will allow automated review of the 'lateness' of a bus and permit late running buses to trigger the junction priority cycle.

Bus lanes in urban areas, possibly including (but not limited to) the following:

- Lindum Hill-Broadgate area, Lincoln (downhill flow)
- High Street (Lincoln) (convert the little used inside lane)
- Canwick Road, Lincoln (potential use of the current tidal flow system)
- Roman Bank (Skegness)

Fares & Ticketing

One of the negative outputs from a deregulated bus market is that bus operators all have their own policies on the age of eligibility for child and young person bus tickets. The BSIP will seek to align operator policies to ensure that there is a consistent age of eligibility across all operators and a broadly consistent discount for those young people.

The Government would like to see a tap and cap model (akin to the system deployed in London where there is a ceiling on daily travel costs, irrespective of the number of journeys you make). There are significant technical barriers to overcome for this to be achieved not least the fact that, unlike London, within Lincolnshire there are multiple Electronic Ticket Machine (ETM) makes and models deployed. The Government would also like to ultimately see multi-modal integration [e.g., one ticket across bus, rail, Light Rapid Transit (LRT), Tram journeys].

The majority of Lincolnshire bus operators are also relatively new to ETMs and associated back-office systems, we are therefore proposing to set out a roadmap towards a Lincolnshire 'tap and cap' model in the medium term, which will see cap values introduced once multi-operator capping becomes technically feasible. This roadmap will include introducing day tickets applicable within specific market towns which will be multi-operator where required and development of a Lincolnshire Day Rover ticket to enable all-county travel in the short term.

Through the Enhanced Partnership, we will also develop a plan for the roll out of contactless and Account Based Ticketing across all local bus operators.

Traffic and Parking Management

The BSIP will explore the option for modal interchange hubs around our larger urban areas. Lincoln, Skegness (summer months), Boston and Grantham lend themselves well to the potential for interchange hubs to minimise the negative external impacts of the car in our larger towns and encourage a greater use of bus services. There is already a successful 'pocket' hub operating at Waitrose in Lincoln and we could seek to formalise more of these types of arrangement going forward.

Provision of bus layover locations in Sleaford, Lincoln, Mablethorpe and other areas where buses require space to park up to enable driver breaks, wait for school closing times etc.

The request has been received for loading/unloading times to be restricted in areas such as Skegness during the summer months to support the continued flow of vehicles around the town.

Advanced parking notifications in and around Skegness in summer months has also been called for. Variable Message Signage (VMS) parking signs will be considered in order to direct cars to available parking spaces to address the issue of cars cycling round the town looking for available spaces.

The BSIP will also propose various schemes across the county to reduce the impact of indiscriminate on-street car parking to enable buses (and indeed all other traffic) to flow through our market towns more efficiently. This includes introducing some parking restrictions and the possible introduction of 'no-stopping' infrastructure (e.g., red routes).

Bus decarbonisation

LTAs are mandated to develop a decarbonisation roadmap as part of their BSIP. The roadmap proposed will include, but will not be limited to:

- Obtaining funding for retro-fit emission capture technologies (ideally using local suppliers such as Eminox in Gainsborough). We will identify the optimal solutions for the entire Lincolnshire bus fleet to reduce the environmental impact in the short term.
- We will look to develop one or two electric bus projects to demonstrate the potential for electric bus use in the County. This is a project being developed by LCC in discussion with the Districts. Boston and Grantham are considered appropriate for trial schemes to include within the BSIP.
- Development of a bus renewal programme, working alongside our operators, to gradually reduce the carbon emissions from our bus network over the next decade or more.
- We should also look to gradually increase the requirements on contracted bus operators to use vehicles compliant with higher Emission Standards than at present. Currently the standard insisted on is only Euro 3 (or 10 years maximum age for smaller vehicles). There is likely to be an increase in contract prices as a consequence of this requirement, as operators will need to expend money on newer/cleaner emission vehicles, this should also be factored into the BSIP costs.

The decarbonisation agenda aligns well with the Council's Green Master Plan. Additionally, as part of the local transport work an Alternative Fuels Strategy has been produced. This should help to inform the options for greening the bus network.

Passenger Charter

The BSIP process also mandates the need for a passenger charter to document what users can expect whenever they use a bus service. This could include, but is not limited to:

- Wi-Fi and/or USB chargers on every bus (targeting InterConnect services initially)
- Levels of on-board sanitisation
- Cleanliness of vehicles
- Age of vehicles and carbon emissions
- Driver behaviour and attire

In the spirit of the partnership the Operators have been tasked with producing this charter, which will set out what commitments they are willing to make in enhancing the bus offer in Lincolnshire.

Overall, the BSIP will provide a comprehensive and co-ordinated plan to make significant improvements to the Lincolnshire bus offer, supporting increased access and mobility for all wishing to travel in and around the County. It will also be an important step towards reducing the need for a car to access the goods, services and opportunities that the County offers its residents and visitors.

The next steps in relation to the BSIP is the request of operators to supply detailed passenger data (supported by a Non-Disclosure Agreement) and for the Project Team to develop and evaluate each of the themes and individual schemes within them. Schemes will be tested against a range of criteria such as technical feasibility, political support, anticipated cost, deliverability, risks, interdependencies etc. This will serve to eliminate any schemes that are not considered to be feasible, to determine scheme prioritisation and to identify anticipated delivery timescales, project timelines and headline costs. It is anticipated that some of the schemes (e.g., Vehicle Decarbonisation) could take in excess of 10 years to fully deliver.

All entries within the BSIP submission will carry a caveat along on the lines of 'Subject to receiving the necessary funding from the NBS grant allocations the Council intends to.....'. The only exception may be where a scheme is already in train with LCC and we elect to include that within the BSIP, showing any LCC funding allocation as a 'contribution'. There is no clear steer that LTAs are required to provide any element of match funding, but this may be viewed favourably by the DfT and help to demonstrate the authority's commitment to schemes within the BSIP.

Any shortfall in requested grant allocation will result in paring back of BSIP schemes in scale and/or scope prior to the EP Plan and EP Schemes being formally taken forward.

The BSIP proposal should be, and is, in line with the emerging local transport plan. In particular, the ambitions to increase the number of passengers using public transport and 'greening' transport through alternative fuels.

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.

An initial Equality Impact Assessment (EIA) for the project has been completed. No negative impacts on people with a protected characteristic have been identified. Enhanced bus services can be expected to impact positively on older people, people with a disability and women caring for young children as it will improve mobility and accessibility and address issues of social isolation and access to opportunities. Individual EIA's will be undertaken once the proposed schemes are identified.

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 & Wellbeing Strategy (JHWS) in coming to a decision.

Transport is already a theme within the JSNA. It is expected that the schemes proposed within the BSIP will have a positive impact on both the JSNA and the JHWS.

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.

It is not anticipated that the measures delivered under the BSIP will have any impact on crime and disorder within the Lincolnshire.

3. Conclusion

The County Council has little option but to implement an Enhanced Partnership Scheme from April 2022 onwards, and the preparation of a Bus Service Improvement Plan is an essential part of obtaining funding from Central Government to support the delivery of the EPS. This report has set out the current thinking around what the BSIP will include. Detail will be added over coming weeks as we engage further with operators, the public and our district partners to define precisely the measures and schemes that will be included.

It is recommended that the Executive approve the continued preparation of this BSIP and provide some guidance towards the precise schemes and measures that will be included within it.

4. Legal Comments:

The Council has the power to make an Enhanced Partnership Plan and Scheme under the Transport Act 2000 and the Report seeks approval for the making of a Bus Service Improvement Plan as the first stage in the making of such a Plan and Scheme.

The statutory process is described in the Report along with proposals for delegated decision-making to achieve the timetable laid down by the government.

The decision is consistent with the Policy Framework and within the remit of the Executive.

5. Resource Comments:

The Government's national bus strategy, Bus Back Better, repeated a pledge, first announced in February 2020, of £3bn to "level up buses across England towards London standards". Although the criteria for the allocation of this funding is currently unclear, what is clear is that development of a BSIP is an intrinsic part of the process to access funding.

This presents a risk that the Council may need to commit to deliver schemes without the security of allocated funding and it may therefore be necessary to qualify delivery of the BSIP as being subject to the availability of funding.

The report presents the key themes of the proposed interventions but details and costings of the schemes to be included within the Lincolnshire BSIP are yet to be finalised.

6. Consultation

a) Has Local Member Been Consulted?

N/A

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

On 13 September 2021, the Highways and Transport Scrutiny Committee considered a report on the Lincolnshire Enhanced Partnership Scheme & Bus Service Improvement Plan, and unanimously supported the Recommendations to the Executive.

The following points were highlighted:

- Members requested further clarity on how the public was being consulted and it was clarified that an engagement cycle had been undertaken via an online survey which received a good response level. A formal public consultation was also taking place in November/December 2021 in line with governmental guidance, to obtain views of both service users and members of the public. Information was being promoted online, through Parish Councils' notice boards and local magazines to raise awareness of the public and receive feedback.
- Assurance was given that bus service operators were getting advance notice when road works were taking place. Highways and Transport Services made efforts to ensure alternative routes were available where road works were taking

place, or where practicable that arrangements were made to allow buses through the roadworks.

- In relation to resources, Members were informed that Boston College was engaged to establish courses due to its major investment in a Digital, Transport and Logistics Academy with state-of-the-art facilities and advanced technological means of specialism in this field. Members were given assurance that Boston College, that also had facilities outside the area that may be used to provide markets with local skilled workforce, was used as a trial area and that going forward this could be rolled out more widely to other areas around the county through other additional service provider if necessary.
- Concerns were raised around the future and long-term security of pocket hubs where Park & Ride schemes operate in terms of ensuring that their viability was not affected (e.g., business could potentially cancel their cooperation). Members were assured that there were views of using designated pocket hubs going forward where schemes would be relocated at. There was, however, a range of these types of facilities and the optimum solution for each location would be considered. Legal agreements were in place to ensure viability of existing schemes and there were already providers (i.e., supermarkets) across the county that expressed interest in these types of schemes. Members emphasised on the need for such schemes in the East and West of Lincoln City on any land suitable for Park & Ride locations.
- In line with Resource Comments included in the report, members asked for assurance that funding for EPS & BSIP was still secured. Assurance was given that part of the funds was already being distributed by Government and that there were still funds available. Moreover, even where funds were insufficient it was to be ensured that only schemes for which there was sufficient funding should be contained within the enhanced partnership as this was a legally binding agreement under which delivery of stipulated schemes would then become mandatory. Every effort will be made to ensure that LCC is not exposed to financial risk.
- In relation to the electric buses scheme trial for which Boston and Grantham had been identified during the course of the feedback received from operators and District Councils. These areas were indicative rather than definitive and other areas were also being considered. Assurance was given that the areas were being reviewed based on a number of factors, such as the number of vehicles and services operated in the area plus the associated charging infrastructure requirements.

- In terms of the impact of the plan on crime and disorder (Section 17) a member emphasised that it should be acknowledged in the report that the agreement would have had a positive impact on Section 17 in terms of reduced crime and disorder as individuals would be encouraged to not *drink and drive* and also, young people would be better connected with areas they wished to visit reducing thus the antisocial behaviour exhibited in some areas.

d) Risks and Impact Analysis

The risks of not preparing a BSIP and implementing an EPS are greater for LCC than in preparing one.

7. Appendices

These are listed below and attached at the back of the report	
Appendix A	TIMELINE CREATION OF LINCOLNSHIRE COUNTY COUNCIL ENHANCED BUS PARTNERSHIP

8. Background Papers

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

Document title	Where the document can be viewed
Bus Back Better: National Strategy for England	https://www.gov.uk/government/publications/bus-back-better

This report was written by Anita Ruffle, who can be contacted on 01522 553147 or anita.ruffle@lincolnshire.gov.uk.

TIMELINE – CREATION OF LINCOLNSHIRE COUNTY COUNCIL ENHANCED BUS PARTNERSHIP						
ACTION	SJ TIMELINE (06.08.21)	PROGRESS	STATUTORY AUTHORITY/GUIDANCE	DECISION MAKER	DATE	
Notice of Intention to create Enhanced Partnership Plan and Scheme		Completed	Section 138F(1)(a) of the Transport Act 2002 (inserted by the Bus Services Act 2017)	Delegated authority	29 th June 2021	
Finalise and adopt BSIP and publish on website		In progress	National Bus Strategy	Adopted by Cabinet	5 th October 2021 No later than 31 st October 2021	
Draft Plan and Scheme/Give Notice	No 1 – Notice that an EP Plan and Scheme has been prepared	In progress	Section 138G of the Transport Act 2002 (inserted by the Bus Services Act 2017)/ Section 138F(1)(c) of the Transport Act 2002 (inserted by the Bus Services Act 2017)	Delegated by Cabinet on 5 th October 2021	Set a target date for this that allow for the BSIP outcome to influence finalisation and take account of DfT views on the overall timetable	
Invite objections from bus operators	No 1 - above	To commence	Enhanced Partnership Plans and Schemes (Objections) Regulations 2017	As above	October /November 2021 for at least 28 days 29 th October 2021 – 25 th November 2021 (28 day minimum objection period)	
Statutory consultation	No 2 - Formal Consultation	To commence	Section 138F(6) of the Transport Act 2002		November/December 2021 (no minimum time period specified)/	

						26 th November 2021 – 09 th December 2021 (assume 14 days is sufficient)
Consultation analysis	No 2 - above	To commence				10 th December 2021 to 19 th December 2021 ²
Consider whether amendments to the Plan and or Scheme are appropriate and in any event report on the outcome of consultation.			Internal LCC governance considerations to be taken into account.			
Second 28 day Objection period if required	No 3 - Notice of intention to make a plan and scheme		Enhanced Partnership Plans and Schemes (Objections) Regulations 2017			To be ascertained reflecting timetable to this point.
Finalise Plan and Scheme	No 3 ³ - above	To commence	Section 138G of the Transport Act 2002 (inserted by the Bus Services Act 2017)		Informal Executive & Corporate Leadership Team	To be ascertained reflecting timetable to this point.
Make Plan and Scheme	No 4 - Make the EP Plan and EP Scheme	To commence	Section 138G of the Transport Act 2002 (inserted by the Bus Services Act 2017)		Highways and Transport Scrutiny Committee Cabinet	To be ascertained reflecting timetable to this point.
Give notice that an EP Plan and Scheme have been	No 5 - Give notice that an EP Plan	To commence	Section 138G of the Transport Act 2002 (inserted by the Bus		Delegated by Cabinet on 1 st March 2022	Expected currently by DfT to be by March 31

² This could trigger a second objection period of 28 days see paragraph 3.9 above.

³ This should not trigger another objection period in our view as will have been dealt with in step immediately preceding this.

made	and Scheme have been made		Services Act 2017)	2022.
Enhanced Bus Partnership Made.				
Before 1 st April 2022				

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Open Report on behalf of Glen Garrod, Executive Director for Adult Care and Community Wellbeing and David Coleman, Monitoring Officer

Report to:	Executive
Date:	5 October 2021
Subject:	Report by the Local Government and Social Care Ombudsman
Decision Reference:	I022771
Key decision?	No

Summary:

This report to the Executive sets out the Report by the Local Government and Social Care Ombudsman ("the Ombudsman") into allegations of maladministration. The Executive is requested to receive the Ombudsman's report on behalf of the Council and consider the recommendations of the Ombudsman and the actions taken and proposed to be taken by the Council under the Local Government Act 1974.

In addition, this report fulfils the statutory responsibility of the Monitoring Officer under section 5A of the Local Government and Housing Act 1989 to report to the Executive instances of maladministration in the exercise of executive functions identified as a result of the Ombudsman's investigation.

Recommendation(s):

That the Executive:-

1. Receives and considers the report published by the Ombudsman on 6 July 2021 and contained within Appendix A.
2. Notes and affirms the actions already taken to address the concerns set out in the Ombudsman's report as set out in this report.
3. Accepts the first two recommendations of the Ombudsman as set out in paragraph 70 of the Ombudsman's report at Appendix A.
4. Accepts the requirement for the Council to act with all possible urgency to move from a net to a gross payment arrangement consistent with properly managing the risks of the change for the Council, providers and service users.

5. Notes, confirms and approves the actions taken both in respect of practice changes already implemented and the significant actions and change in systems being implemented to bring about the changes required to its payment mechanism. It also notes the work outstanding and the assurance that this will be actioned with all possible urgency.

Alternatives Considered:

No alternatives considered.

Reasons for Recommendation:

The Council accepts the findings set out in the Ombudsman's report 6 July 2021.

The service to the individual and her family fell short of the standard that the Council would wish to see delivered to the residents of Lincolnshire. The Council had already offered its apologies to the complainant but in accordance with the Ombudsman's recommendation it has provided a further formal apology in writing.

It is right in these circumstances that the Council accepts the Ombudsman's recommendation to pay compensation in the sum of £600 in recognition of the time, trouble and distress that has been caused to the complainant and it has already done so.

The change from a "net" to a "gross" mechanism for payment to the Council's commissioned residential providers has already been the subject of Executive decision on 6 October 2020 and changes to complete its implementation are underway.

It is right therefore that the recommendation to complete the changes is accepted. The Ombudsman recommends that the changes to the payment arrangements are completed "as a matter of urgency". It is not clear that the Ombudsman means by this phrase but there are a number of risks to the Council, service users and providers of moving to a gross payment arrangement in an uncontrolled way. The Council therefore needs to ensure that these changes are made with all possible urgency consistent with not compromising the Council or the customers it serves. The work already carried out and still to be carried out in support of the recommendations is detailed below.

Background

- 1.1 The Local Government Ombudsman has power under the Local Government Act 1974 to investigate and issue Reports concerning allegations of maladministration or service failure.

- 1.2 The Ombudsman has issued the report attached at Appendix A following an allegation of maladministration by the Council in the exercise of its adult social care functions. The Ombudsman has concluded that the Council was guilty of maladministration and that this caused injustice to the complainant. The Ombudsman has issued this public report and included recommendations that he considers would be necessary to remedy the injustice in this case.
- 1.3 This report is issued under section 31 of the 1974 Act. As a result the Report must be made public by the Council and placed before the Council so that it can consider the report and notify the Ombudsman of any action taken or proposed to be taken by the Council in response.
- 1.4 In addition the Monitoring Officer is under a separate statutory responsibility under section 5A of the Local Government and Housing Act 1989 to report to the Executive instances of maladministration in the exercise of executive functions identified as a result of an Ombudsman's investigation. On receipt of the Monitoring Officer's Report the Executive must consider the report and determine (a) what action (if any) the Executive has taken or proposes to take in response to the report, b) when it will take any proposed action and (c) the reasons for taking the action or, as the case may be, for taking no action.
- 1.5 The report therefore enables the Executive to comply with the Council's obligation under s.31 of the 1974 Act and its obligations under section 5A of the 1989 Act.

The Complaint

- 1.6 The complaint to the Ombudsman focused on the service the Council provided in arranging care in a residential home for the complainant's mother. In particular she complained that the Council failed to explain or follow its duties under the Care Act in relation to the payment of care fees in the following way:-
- Failed to fully explain the options available and the implications for each of the different options before the care started;
 - Failed to offer Mrs B the option of paying the top up fee and Mrs C's service user contribution to the Council;
 - Did not provide a written confirmation of the fee paying arrangement until April 2020 and then sent three different versions with no explanation;
 - Failed to explain or provide information about the deferred payment agreement before the end of the 12 week disregard period;
 - Failed to support Mrs B when the care home took duplicate payments for Mrs C's service user contribution directly from Mrs C's bank account and refused to refund the money for several months; and

- Had not explained to Mrs B when and how the accumulated debt will be repaid when Mrs C's flat is sold.

The Background and Context of the Complaint

- 1.7 In order to fully understand the complaint made by Mrs B, it is important to understand the background and context to this complaint. Mrs B had previously made a complaint about the arrangements that were made when her father was placed in a care home on an emergency basis in March 2016. The Council were at fault as they did not offer a care home without a top up fee, did not meet the full cost of the home including the top up when no home within the personal budget was found, did not offer the option of paying any top up fee to the Council, did not fully explain the Council's duties under the Act and the person's rights and did not intervene when Mr C was threatened with eviction.
- 1.8 In January 2018, the Local Government & Social Care Ombudsman (LGO) issued a first public report which made a finding that the Council's third party top-up payment arrangements departed from the Care and Support Statutory Guidance and that the Council had not given adequate or cogent reasons for that departure.
- 1.9 Historically the Council has always in the first instance paid the residential care provider the cost of the service user's care less any service user contribution and third party "top up". The care homes have then been required contractually to attempt to collect on behalf of the Council the service user contributions and any third party "top ups". It was only after the care home had been unsuccessful that the Council paid the amount of the service user contribution and/or third party top-up to the provider. This is referred to as a "net" payment arrangement.
- 1.10 Under a "gross" payment arrangement the Council will pay the full amount inclusive of both service user contribution and third party top-up to the provider straight away and from the start recover any outstanding service user contribution or top-up from the service user or third party without any arrangement for the provider to undertake initial collection.
- 1.11 The LGO concluded that the Council's payment arrangements amounted to maladministration. In the report, the LGO recommended that the Council review its procedures to ensure that people were given the option to pay the third party "top up" to the Council; to review its third party contract to ensure the same and to review its existing top up arrangements to bring them in line with the Care Act.
- 1.12 That first public LGO report was considered by the Adults and Community Wellbeing Scrutiny Committee and by the Executive. At its meeting on 6 March 2018 the Executive approved the carrying out of a review and delegated to the Executive Councillor for Adult Care, Health and Children's Services the decision about whether to accept the LGO's recommendations.

- 1.13 On 10 July 2018 the Executive Councillor for Adult Care, Health and Children's Services received a report which provided an options analysis and set out the anticipated financial and operational impacts were the Council to accept the recommendations of the LGO.
- 1.14 On the basis of that report and with the support of the Scrutiny Committee, the Executive Councillor for Adult Care, Health and Children's Services did not accept the LGO's recommendations and instead agreed to implement a modified form of the existing payment arrangements for third party top-ups and service user contributions. The modifications made clearer the legal relationships between the Council, the provider and the third party and in particular made it clear that the provider was only undertaking a collection service on behalf of the Council and the payments were at all times due to the Council and not the provider.
- 1.15 In brief the Executive Councillor for Adult Care, Health and Children's Services' original decision in 2018 was based upon the Council's systems and processes being unable to operate an alternative, gross, payments system without significant investment. On the basis of leading counsel's advice this was considered to be a reasonable and therefore lawful basis on which to choose not to follow the LGO's recommendations. However, the Executive Councillor for Adult Care, Health and Children's Services also agreed that the revised arrangements should be reviewed again in 2021/22. This would bring it in line with the review of the residential rates contracts as well as looking for a sustainable social care solution which was expected from the anticipated Green Paper.
- 1.16 On or around 12 February 2020 the LGO published a second public report expressing dissatisfaction with the Council's response to his first report and in particular taking issue with the reasons given in the July 2018 report for not accepting the original recommendations. The LGO in the second report has recommended that the Council make the necessary arrangements to ensure full compliance with the recommendations set out in his investigation report of January 2018 and provide evidence of this within three months of the date of this report. As a result the Council brought forward its review of its payment arrangements.
- 1.17 An updated paper to the Executive setting out the Council's review of its payment arrangement agreed on 6 October 2020 that the time was now right for the Council to work towards moving its payment arrangements from net to gross payments. That position was approved by the Executive. An update as to where the Council is with that process will be dealt with below.
- 1.18 The current complaint was made against this history and deals with some of the issues around moving from net payments to gross payments. In October 2020 the Ombudsman was advised of the Executive decision that was made about its payment arrangements on 6 October 2020. On 6 July 2021 the Ombudsman issued a further public report following the new complaint referred to it by Mrs B.

The Investigation and Report

1.19 On making its own enquiries the Council concluded that the service it had provided to this family was poor and fell short of the standards which residents of Lincolnshire are entitled to expect. As a consequence of this the Council acknowledged the points set out in paragraphs 48 and 49 of the Report.

1.20 The Ombudsman's full conclusions that can be found at paragraphs 55-67 of the report. The Ombudsman in summary concluded that:

- The information provided to the family before the start of care was confusing.
- Some conversations did take place about the operation of the Deferred Payment Agreement, but the Council failed to follow it up with written information.
- There was evidence that the Council suggested that Mrs B look at other homes and evidence that one specific alternative was provided which the family explored although the confusion around the fees meant that Mrs B did not fully understand the consequences of accepting a place at the Home.
- Had the Council taken responsibility for payment of the full charges, the Council would have agreed the fees, Mrs B would not have been in negotiations with the home about top ups fees or self-funding rates. The home would also not have been party to financial information about the resident. The weekly rate would have been clear and the Council should have intervened sooner once it was clear overpayments had been made.
- Clear and consistent timely information was not provided about the application of the top up during the 12 week period of disregard.
- There was further confusion and delay as it was not explained that Mrs B could sign the third party top up as an eligible resident even though it was a first party top up. Differing amounts added to the confusion and resulted in further delay to the resolution of the payments.
- The Ombudsman did not find fault with the Council as a result of the increase in care home fees on a self-funding basis as this was not within the control of the Council.

1.21 Whilst the Ombudsman has taken the view that all of the faults would not have occurred if the Council had already been operating a "gross payment mechanism", the Council does not share this view. The provision of timely information and advice, discussions about options and the level of fees would have been the same irrespective of the nature of the payment mechanism.

Practice Improvements

- 1.22 In October 2020, the Council set up a working group to review the systems and processes and the customer's experience of the process for charging individuals for their care in accordance with the Care Act 2014 and its associated regulations. Its purpose was to revisit existing processes, review its information and advice given to potential residents and to review the documentation involved within the process. This process also cast a critical eye over the issues raised within the current complaint.
- 1.23 As part of this review process the Council completed the following action plan

WHAT HAPPENED	DEVELOPMENT ACTIONS/OBJECTIVES ARE SMART
<p>Mrs B complained about the way we arranged care for her mother, Mrs C in a care home.</p>	
<p>Fault was found in the following areas:</p>	
<p><u>Our Advice and Information</u></p> <p>The investigation found we failed to fully explain the options available and the implications of different options before the care started. Mrs C moved into residential care and fee paying information was not supplied for a further three months.</p>	<p>To provide clear and consistent and timely information:</p> <p>Practitioner Finance Charging Process Briefings were held in December 2020 across Adult Care. Later in that month further information was cascaded to all teams in readiness for the changes to the Financial Assessments; which assigned the responsibilities to Practitioners for starting this process. Key messages included that 'all keyworkers should expect to clarify financial circumstances and record the outcome of conversations in case notes following up any significant or complex discussions with a letter'. Appointed 'Finance Champions' are in place in all areas of Adult Frailty & Long Term Conditions. These staff have been trained to lead on supporting staff and specialise in supporting more complex financial situations and as such provide oversight. They are responsible for updating their teams on development updates.</p> <p>All Finance factsheets were reviewed and updated in December 2020 and are in operation currently.</p>

WHAT HAPPENED	DEVELOPMENT ACTIONS/OBJECTIVES ARE SMART
It was found that we failed to explain or provide information about the deferred payment agreement before the end of the twelve week disregard period.	A specific Deferred Payment Factsheet was produced. As above, all practitioners were informed that information must be supplied at the earliest point.
It was also found that we gave conflicting advice about TPTU payments during the 12 week disregard period. It resulted in a seven month delay until payment was confirmed.	This has been clarified in the factsheet. Also a presentation was produced and delivered to Heads of Service, Area Managers, Locality Leads & Lead Practitioners across Adult Care. This was presented by the Principal Lawyer for Adult Care at the Adult Care Leadership forum on 15 June 2021. Faults found in this investigation were presented as key messages and as such included clarity of top up payments.
Confusing information was given in that Third Party Top Up Agreements were sent with no explanation. Mrs B found this confusing as there was no separate first party for her to sign	Mrs B could have signed the third party top up agreement as an eligible resident under the Council's framework contract but this was not explained to her. The residential framework is under review currently, ready for implementation next year. The Principal Lawyer for Adult Care met with Commercial team managers and the review will include matters from this investigation and the form currently in use in line with payments changes as per further below.
An explanation was not given in a timely way when and how the accumulated debt will be repaid once Mrs C's home sold.	A flowchart was produced to provide an easy guide to the process that can be given at the outset to negate risk of information/awareness delay. This provides an overview of how the agreement works and the processes, costs & timescales involved.
The Ombudsman found a lack of clarity over the level of the Home's fees and this was a fault which impacted upon Mrs B's ability to make an informed choice which was best for Mrs C.	The 15.06 2021 presentation informed managers of the vigilance required in ensuring all providers know that they can only charge the LCC contracted rate under the Traditional Deferred Payment Agreement. This has been further clarified in the deferred payment flow charts; two charts differentiate the 'loan' from the 'traditional' agreement.

WHAT HAPPENED	DEVELOPMENT ACTIONS/OBJECTIVES ARE SMART
<p>The Council accepted that our information and advice was lacking and at times confusing.</p>	<p>A Task & Finish group was established in October 2020 to review the customer experience with regard to financial dealings so that accurate and timely information can be passed on at the earliest opportunity. This was chaired by the Head of Service, Adult Frailty and Long Term Conditions and the group membership includes reps from Serco, Finance, Adult Frailty teams and legal services. The group has provided governance for the actions highlighted in this plan.</p>
<p><u>Payments:</u></p> <p>We failed to offer Mrs B the option of paying the top-up fee and Mrs C's service-user contribution directly to the Council.</p>	<p>The decision to change payment arrangements was taken by the Council's Executive Committee in October 2020. The Executive agreed to changing paying providers net amounts to instead paying the gross amount of a residential care package. As a result a programme to change systems was approved; this has started and was delayed due to the pandemic.</p> <p>This delay, along with other factors deemed relevant to this complaint were relayed to the Ombudsman. The Ombudsman decided to publish a further public report and recommended that the Executive consider this latest report and recommendations, which includes progressing the payment changes as a matter of urgency. The report is scheduled to be placed before the Executive in October 2021.</p>
<p><u>Support to Mrs B and Mrs C findings:</u></p> <p>The Council were found to have failed to support Mrs B when the care home took duplicate payments for Mrs C's service-user contribution directly from Mrs C's bank account and refused to refund the money for several months.</p>	<p>Our responsibilities to support and protect families from these matters are clear. We must interject at the soonest opportunity and take the responsibility for resolution as we have in other similar cases. This was included in the Presentation delivered on 15 June 2021 and is an expectation.</p>

WHAT HAPPENED	DEVELOPMENT ACTIONS/OBJECTIVES ARE SMART
General issues arising from this particular complaint	A review was commissioned in order to undertake an objective account of the complaint events that originated from the operational team. This was completed with recommendations which have been accepted to protect reoccurrence, in order to provide good support to our residents and to ensure developmental oversight of practitioners.

Moving from Net to a Gross Payment Mechanism

- 1.24 The Executive made a decision on 6 October 2020 to make changes to its payment mechanism to move from a net payment mechanism to a gross payment mechanism. In order to make this change there have been a number of changes with the Council's processes and software which require implementation before the Council can confidently move over to paying its commissioned residential providers in this way. The move to a gross payment basis is a large scale project given its many interdependencies and scale of financial income and expenditure involved.
- 1.25 Each individual entering adult social care is offered a financial assessment to ascertain how much they can afford to pay towards their care needs, this is their financial contribution. The Council operates a system called Abacus which uses the financial information provided by the individual to calculate their contribution.
- 1.26 Paying on a net payment basis, the Council subtracts the individual's contribution from their cost of care and pays the difference to the care home. The payment to the home of the net amount is made from Mosaic, the Council's client record system. The home then collects the contribution directly from the individual service user on behalf of the Council.
- 1.27 To enable the Council to move to a gross payments basis, the Council needs to;
- have a charging system and all the associated governance structures and processes in place to enable the council to collect the individual's contribution to their care directly from the individual, forecast to be upwards of £26m income per year.
 - change its payment systems structure to pay providers for the full cost of care, approx. £81m per year, rather than the full cost less the service user contribution.

- have agreement from the 3,000+ individuals, or their representative, that they will cancel the current payment arrangements they have in place eg direct debit to the care home and that they will set up a new payment arrangement into the Council.
- operate an efficient and effective Credit Control function to ensure that the income from any individual who is only able to pay via invoice is collected promptly.
- ensure our systems can talk to each other. When a front line worker is in front of an individual they need to be able to see their client record and their financial information. Enabling the systems to interact also provides an ability to escalate any non-payment by an individual or to a provider at the earliest opportunity and enable resolution.

1.28 The report received by the Executive in October 2020 highlighted what had been done up to that point and the further improvements needed to move to a gross payment basis. Since October 2020 we have;

- streamlined our existing systems from four systems to three to avoid duplication in process. The system risks identified earlier in the project planning stages have also been minimised further by recent technological developments now available from our software provider.
- made progress with the Debt Review Programme which is now well underway. The aim of this programme is to provide visibility of the current level of debt held and the reasons why it is unpaid. This is key to ensuring we operate an efficient and effective Credit Control process as we move to gross given the increased level of income expected into the Council. The Financial Assessment Improvement Programme, chaired by the Director of Adult Social Care, has oversight of Adult Care debt and the process changes in train to prepare for the move to gross.
- developed a master client dataset which identifies who is residing in which home, their weekly cost of care and the contribution towards that care.

1.29 There are four fundamental work streams underway with oversight from the Financial Assessment Improvement Programme, these are:

- i) Utilising the master client dataset, the Council will commence individual discussions with the 3,000 individuals (and/or their representative) currently in residential care to move their payments from their residential provider into the Council.

- ii) The creation and maintenance of a Provider Register which will reconcile, for each of the 282 care homes, who is residing in their home, how they currently pay for their care, the frequency to which they pay, the amount they pay and any outstanding debt between the individual and the home.
- iii) Continue with the Debt Review Programme which will have reviewed all debts >£25,000 by 31 March 2022 and implemented where appropriate any further needed process changes.
- iv) The Council is currently running with Abacus version 1.71. December 2021 will see this upgraded to version 21.1. This upgrade ensures the system responsible for calculating and collecting service user contributions is fit for purpose and will be able to interface with the client record and provider payment detail held in Mosaic. The interface between Abacus and Mosaic can then be developed.

1.30 The Council has explored whether the implementation of a gross payment basis could be put in place as a matter of urgency however the following risks are considered to be too great:

- We need to work with 3,000 vulnerable individuals or their representative to gain their agreement to change their financial payments. Each individual currently has their own, often longstanding, financial arrangements in place with the homes they are living in. The individuals need to cancel their existing arrangements with the home and set up a new arrangement between themselves and the Council.
- We need to ensure the cash flow into the 282 providers is maintained during the transition and avoid any confusion around who should be paying what. For example we need to work with each provider so that they know that from a point in time they will no longer receive their income from their residents instead they will receive payment from the Council. For them to receive payment from the Council, the existing documentation between the Council and the provider (known as a purchase service request form) needs to be prompt to trigger the payment. Any delay in this paperwork will result in no payment to the provider.

1.31 The structure of the programme to transition to a gross payment mechanism is such that any individual who may be at risk of pressure from a provider due to unpaid bills will be identified through the work streams above and the appropriate action taken as soon as this risk is highlighted. This structure minimises the risk to individuals of any undue pressure prior to the move to gross.

1.32 We will continue to work with individuals, their families and the organisations involved. The priority for the council is to transition at a pace which ensures the financial security for all involved. The move to gross is planned for the first quarter of 2022-23.

- 1.33 For the Council simply to proceed to make these changes as a matter of urgency as recommended by the LGO without having managed these impacts will be a recipe for confusion with the potential for vulnerable adults to be making duplicate payments or providers continuing to seek to collect monies from individuals when they should not be. These are matters which the LGO could be expected to take exception to if they were allowed to happen. At the same time it is accepted that the Council should act with that degree of urgency which is consistent with controlled management of the change in the interests of the Council, providers and service users.

Legal Issues

Care Act 2014

- 1.34 The Care Act 2014, the Statutory Guidance and the Care and Support (Charging and Assessment of Resources) Regulations govern the Council's duties to assess an individual's needs and to make provision to meet those needs. Where the Council wishes to charge for services it must carry out a financial assessment in accordance with s.17 of the Care Act and the Charging and Assessment Regulations referred to above. The Care and Support and Aftercare (Choice of Accommodation) Regulations 2014 together with Guidance set out in Annexe A "Choice of accommodation and additional payments govern how individuals have the right to choose their accommodation in certain circumstances. This annexe also sets out the responsibility for costs and to whom the payments are made. The Ombudsman did not accept that the Council had cogent reasons for departing from this guidance. This is no longer relevant (save for historical clarity) in that the Council has now determined to change the way it makes its payments to its commissioned residential providers.

The Ombudsman's Report

- 1.35 The Report at Appendix A is issued under section 31 of the 1974 Act. As a result the Report must be made public by the Council and placed before the Council so that it can consider the report and notify the Ombudsman of any action taken or proposed to be taken by the Council in response.
- 1.36 Because the Report deals with matters which fall within the remit of the Executive it must be placed before the Executive.
- 1.37 The Council in responding to an Ombudsman's Report must accept the findings of the Ombudsman unless it judicially reviews the Ombudsman to challenge those findings. Having accepted the findings the Council is not required to follow the Ombudsman's recommendations if it has cogent reasons not to.

1.38 In this case the Council has not challenged the conclusions of the report. The wording of the Ombudsman's final recommendation is unclear. There are cogent reasons set out in the Report for not proceeding "as a matter of urgency" if this means without regard to the need to make the change to a gross payment arrangement in a controlled manner. The Council will implement the changes to the payment mechanism with all possible urgency having regard to the need to manage the potential impacts not just on the Council but also on providers and service users.

The Role of the Monitoring Officer

1.39 The Monitoring Officer is under a statutory responsibility under section 5A of the Local Government and Housing Act 1989 to report to the Executive instances of maladministration in the exercise of executive functions identified as a result of an Ombudsman's investigation. On receipt of the Monitoring Officer's Report the Executive must consider the Report and determine (a) what action (if any) the executive has taken or proposes to take in response to the report, (b) when it will take any proposed action and (c) the reasons for taking the action or, as the case may be, for taking no action.

1.40 The Report identifies the actions to be taken and the proposed timetable and the reasons for taking the action.

Equality Act 2010

1.41 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.

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

1.43 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.

- 1.44 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
- 1.45 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.
- 1.46 Compliance with the duties in section 149 may involve treating some persons more favourably than others.
- 1.47 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 decision set out in the Report rectifies a finding of maladministration made by the Ombudsman. The work undertaken and described above will rectify the impact of that maladministration which will have impacted disproportionately on older people and people with a disability.

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

- 1.48 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 direct implications of this report for the JSNA or the JHWS.

Crime and Disorder

- 1.49 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

No implications relevant to section 17 of the Crime and Disorder Act 1998 have been identified in respect of this report.

Conclusion and Next Steps

- 1.50 The Council accepts the findings set out in the Ombudsman report dated 6 July 2021 and have undertaken further assurance work to try to reduce a reoccurrence of these issues.
- 1.51 In addition, the Council is in the process of carrying out the work necessary to implement the change to its payment arrangements. This is anticipated to take place in the first quarter of 2022/23
- 1.52 Following the Executive's decision a response will be provided to the Ombudsman confirming the actions taken by the Council in response to his report.

Legal Comments:

The Council is required to accept the findings set out in the Ombudsman's Report.

The Council is not required to accept the recommendations of the Ombudsman if it has cogent reason not to. The apology and the compensation have already been actioned. The Report sets out the issues relating to the third of the Ombudsman's recommendations. The Executive is required to consider the Report and decide how to proceed as set out in the Report.

Resource Comments:

Any costs associated with the move to a gross payment mechanism can be met from within existing budgets. To minimise financial risk to the Council, the individuals in receipt of residential care and the providers of residential care, it is vital that the systems and processes which fundamentally underpin the move to gross are in place. This includes

- Identifying and reaching agreement with the 3,000+ people in receipt of care that they have made arrangements to cancel their existing payments to providers and set up new arrangements to pay the Council prior to moving to gross thus reducing the risk to the Council of increased debt.
- Ensuring mechanisms are in place to maintain the cash flow into the 282 privately owned residential providers and that there is no duplication/omission of payments.

- The financial systems are in place with ease of reconciliation to ensure any potential financial risks are highlighted and resolved as early as possible.

Consultation

Has The Local Member Been Consulted? - N/A

Has The Executive Councillor Been Consulted? - Yes.

Scrutiny Comments

The Adults and Community Wellbeing Scrutiny Committee supports the five recommendations to the Executive.

The Committee has agreed that the following comments would be put forward:

- The complexity of the system for assessing the financial eligibility of people for social care funded by the local authority was acknowledged.
- It was a benefit of the new arrangements that the pressures on care providers would be alleviated.
- The Committee was reassured that all IT new systems would be tested in advance of the April 2022 target implementation date and resources were in place for this. This target date was supported, provided that this allowed sufficient time for the testing of the IT systems.
- Consideration could be given to the resources required to contact over 3,000 individuals (or representatives), to move their payments from their residential provider to the council. Consideration could also be given to how these people are prioritised.
- There was a suggestion that where arrears in payments for 'top up' payments were accruing, support and advice could be provided to families at an earlier stage.
- There was a suggestion that training for all relevant staff should be reviewed. Practitioners, who are experts in the assessment of care needs, are not necessarily experts in finance, although it is acknowledged that finance champions have been identified in each service team.

Has a Risks and Impact Analysis been carried out? Yes

Risks and Impact Analysis - See the body of the Report

Appendices

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

Appendix A	Report by the Local Government and Social Care Ombudsman 6 July 2021.
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Background Papers

The following Background Papers within the meaning of section 100D of the Local Government Act 1972 were used in the preparation of this Report.

Background Paper	Where it can be found
Executive report of 6th March 2018	Agenda for Executive on Tuesday, 6th March, 2018, 10.30 am (moderngov.co.uk)
Report to the Executive Councillor 10th July 2018	Decision - Payment Arrangements for Residential Care and Residential Care with Nursing (moderngov.co.uk)
Executive report of 6th October 2020.	Agenda for Executive on Tuesday, 6th October, 2020, 10.30 am (moderngov.co.uk)

This report was written by Roz Cordy Assistant Director of Adult Care and Wellbeing, Pam Clipson Head of Finance, Adult Care & Community Wellbeing and David Coleman Monitoring Officer.

**Report by the Local Government and Social Care
Ombudsman**

**Investigation into a complaint against
Lincolnshire County Council
(reference number: 20 005 479)**

6 July 2021

The Ombudsman's role

For more than 40 years the Ombudsman has independently and impartially investigated complaints. We effectively resolve disputes about councils and other bodies in our jurisdiction by recommending redress which is proportionate, appropriate and reasonable based on all the facts of the complaint. Our service is free of charge.

Each case which comes to the Ombudsman is different and we take the individual needs and circumstances of the person complaining to us into account when we make recommendations to remedy injustice caused by fault.

We have no legal power to force councils to follow our recommendations, but they almost always do. Some of the things we might ask a council to do are:

- > apologise
- > pay a financial remedy
- > improve its procedures so similar problems don't happen again.

Section 30 of the 1974 Local Government Act says that a report should not normally name or identify any person. The people involved in this complaint are referred to by a letter or job role.

Key to names used

Mrs B	The complainant
Mrs C	Her mother

Report summary

Adult Social Care

Mrs B complained that the Council, when arranging care for her mother, Mrs C, in a care home in January 2020, failed to explain or follow its duties under the Care Act regarding the payment of the fees.

Finding

Fault found causing injustice and recommendations made.

Recommendations

To remedy the injustice caused, we recommend the Council:

- provides a further formal apology in writing to Mrs B;
- pays £600 to Mrs B in recognition of the time, trouble and distress she has experienced; and
- completes the changes to its payment processes in line with our previous recommendations as a matter of urgency and reports back to us once it has done so.

The complaint

1. Mrs B complained that the Council, when arranging care for Mrs C in a care home in January 2020, failed to explain or follow its duties under the Care Act regarding the payment of the fees. In particular it:
 - failed to fully explain the options available and the implications of the different options before the care started;
 - failed to offer Mrs B the option of paying the top-up fee and Mrs C's service-user contribution directly to the Council;
 - did not provide a written confirmation of the fee-paying arrangement until April 2020 and then sent three different versions with no explanation;
 - failed to explain or provide information about the deferred payment agreement before the end of the 12-week disregard period;
 - failed to support Mrs B when the care home took duplicate payments for Mrs C's service-user contribution directly from Mrs C's bank account and refused to refund the money for several months; and
 - has not explained to Mrs B when and how the accumulated debt will be repaid when Mrs C's flat is sold.
2. Mrs B says this has caused her significant uncertainty, distress and inconvenience over a prolonged period.

Legal and administrative background

3. We investigate complaints about 'maladministration' and 'service failure'. In this report, we have used the word 'fault' to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. We refer to this as 'injustice'. If there has been fault which has caused an injustice, we may suggest a remedy. (*Local Government Act 1974, sections 26(1) and 26A(1), as amended*)

Care Act 2014

4. The Care Act 2014, the Care and Support Statutory Guidance 2014 (updated June 2020) and the Care and Support (Charging and Assessment of Resources) Regulations 2014 set out the council's duties towards adults who require care and support and its powers to charge.
5. The Act says that, if a person needs residential care and their capital falls below the threshold of £23,250, they will be eligible for council-funding to pay for this. The council will carry out a financial assessment to determine if the service-user should pay a contribution towards the care charges.

Personal Budget

6. The council has a duty to assess adults who have a need for care and support. If the needs assessment identifies eligible needs, the council will provide a support plan which outlines what services are required to meet the needs and a personal budget which calculates the costs of those services.
7. The amount that the council calculates as the personal budget must be sufficient to meet the person's needs as detailed in the care and support plan.

The law states the personal budget must be an amount that is the cost to the council of meeting the person's needs. In establishing the 'cost to the council', consideration should therefore be given to local market intelligence and costs of local quality provision. This is to ensure that the personal budget reflects local market conditions and that appropriate care that meets needs can be obtained for the amount specified in the budget. To further aid the transparency principle, these cost assumptions should be shared with the person, so they are aware of how their personal budget was established.

Deferred Payments

8. The Deferred Payment Scheme is designed to help residents in care homes who have been assessed as having to pay the full cost of their residential care as they own property and have savings of less than £23,250 but are unable to make payments in full as their capital is tied up in their property. As part of the scheme a council enters into a contract with the care home to pay the difference between the assessed contribution and the full cost and places a charge on the resident's property to recover its costs later when the property is sold.

12-week property disregard

9. The council must disregard a person's property in the financial assessment for the first 12 weeks of a permanent care home placement.

Third-party top-up

10. If a person chooses a more expensive placement than the council will pay, someone must be willing and able to pay the difference between the amount the council will pay (including the resident's financial contribution) and the full cost of the placement for as long as necessary. This is called a 'top-up'. Normally a third-party such as a relative will pay the top-up.
11. The statutory guidance says:

Where a local authority is meeting needs by arranging a care home, it is responsible for contracting with the provider. It is also responsible for paying the full amount, including where a 'top-up' fee is being paid. However, where all parties are agreed it may choose to allow the person to pay the provider directly for the 'top-up' where this is permitted. In doing so it should remember that multiple contracts risk confusion and that the local authority may be unable to assure itself that it is meeting its responsibilities. (paragraph 8.33)

First-party top-up

12. A resident can pay their own top-up when they have joined the Deferred Payment Scheme, so the top-up can be added to the accruing debt and repaid once the property is sold.

Service-user contribution

13. While the statutory guidance allows for a top-up to be paid directly to a care provider, if everyone agrees to it, there is no provision for the assessed weekly service-user contribution to be paid to a care provider. As councils are responsible for paying the full amount of the fees to the care provider, we consider that councils should collect that money themselves.

Information and advice

14. Councils must provide information about the choices open to individuals and must explain a person's rights under the Care Act. This must include advice and

information to help people understand the charges so that they can make informed financial decisions.

The Council's policies and procedures

15. The Council expects residents to pay any top-up fees and service-user contributions directly to a care provider. It makes a payment to the care provider 'net' of (minus) these payments which is not in accordance with the statutory guidance.
16. The Council's deferred payments procedure says, once the Council has completed the financial assessment and the long-term care purchasing is in process, it sends out the deferred payments leaflet to the family. Once payments are confirmed and processed the Council signs an agreement with the care home and the Council releases payment. At that point the Council sends out an application form to the family.

How we considered this report

17. We produced this report after examining relevant documents and interviewing the complainant.
18. We gave the complainant and the Council a confidential draft of this report and invited their comments. The comments received were taken into account before the report was finalised.

What we found

Background: previous complaint and Ombudsman report

19. Mrs B previously complained to us about the actions of the Council in respect of her father's care home fees. We issued a public report in November 2017, finding fault in several areas, including the Council's failure to follow the Care Act to allow people to pay the top-up fee directly to the Council and for the Council to pay the whole amount of the fees to the care home. We recommended that the Council should bring its procedures in line with the Care Act to ensure people were offered the option to make these payments directly to the Council.
20. The Council did not comply with this recommendation, so we issued a further report in February 2020 requiring the Council to fully comply with our recommendations. We accepted that the Council had modified its payment arrangements to some degree, but they still did not comply with the Care Act: most importantly they still did not provide the protection of allowing third parties to pay the top-up fees directly to the Council. We did not consider the Council had acceptable reasons for departing from the guidance.
21. The Council informed us in October 2020 that it was changing its payment procedures in line with our original recommendations: the Council will pay care providers the whole amount of the fees and collect the top-up payments and service-user contributions from third parties. Its original reasons for departing from the statutory guidance no longer applied and it had improved its procedures in the intervening period which negated its original concerns.

What happened

22. Mrs C was living in her own retirement flat with a 24-hour package of care (provided by direct payments from the Council allowing Mrs C to purchase her own care, with help from her family). The Council had already carried out several financial assessments and sent Mrs C information about the process including how her property would be treated.

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23. In late 2019 Mrs C's needs increased, particularly at night and she had a stay in hospital. The family requested an increase in direct payments, but the Council considered residential care was more appropriate.
 24. In early January 2020, the Council and Mrs B discussed a temporary placement in a care home, identified by Mrs B (the Home) to see how Mrs C settled in. The Council discussed the financial implications if Mrs C went into residential care permanently: initially the Council would disregard the value of Mrs C's property. She could then agree to a deferred payment arrangement until her capital dropped below the capital threshold and the Council could assess her financial contribution. The case notes say that Mrs B had agreed with the Home that there would be no top-up fee.
 25. Mrs C fell on 5 January 2020 breaking her hip. Mrs B discussed the Home with the Council. Mrs B said that the Home was now saying that a top-up fee would be required, but the family could not afford to pay it. The Council advised again that the property would be disregarded for 12 weeks, then Mrs C could enter into a deferred payment arrangement until the property was sold. At this point the Council would invoice Mrs C for the fees that had already been paid and Mrs C would be self-funding (pay her own care fees) until her capital dropped below the threshold. The Council would then carry out a financial assessment and the question of the care home charging a top-up fee would arise again, unless the Home would agree not to charge a top-up fee. If not, the Council advised Mrs B to consider other homes so that Mrs C would not have the upheaval of moving once she had settled in.
 26. The Council discussed the fees with the Home: it said the weekly fee for long-term care was £900. The Council would pay £553 a week so there would be a shortfall of £347 a week owed to the Home at the end of the deferred payment scheme. The Home also said it expected Mrs C would be self-funding for two years and then it would waive the top-up fee once the Council took up the funding (i.e.. when Mrs C's savings dropped below £23,250).
 27. At this point Mrs B did not consider there would be enough money in the flat to cover two years of self-funding. She wanted reassurance that Mrs C would not have to move in the future. The Council advised her to look at alternative care homes which may be cheaper. It suggested a specific home in a different area, which Mrs B viewed. Mrs B said the family considered the alternative home could be a viable option but were persuaded by the Council to go back to the Home to make the finances work.
 28. Mrs C was ready for discharge in mid-January. The Council liaised with the Home about the fees: it required £880 a week. The Council also agreed to pay the top-up fee for the first 12 weeks as part of the deferred payment arrangement.
 29. The key worker discussed the payment arrangements with Mrs B and advised her to view the contract with the Home. Mrs B signed a contract with the Home agreeing a weekly cost including a first-party top-up and signed a direct debit to the Home for Mrs C's service-user contribution. The Council would pay the rest for the first 12 weeks and then Mrs C would sign a deferred payment agreement.
 30. Mrs C moved into the Home on 23 January 2020. On 4 February 2020 the Council confirmed to Mrs B that if Mrs C's funds did not last for two years the family would have to pay any subsequent top-up fee.

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31. The Council proceeded with the financial assessment and in March identified an error with the amount the Council said it would pay during the 12-week property disregard period. Mrs C also required nursing care from 31 March 2020.
 32. Mrs B says the Council sent out three sets of third-party agreement forms in April 2020 with different payment amounts. Mrs B queried the forms as the amounts were different and she understood it was a first-party, not a third-party agreement.
 33. The Home agreed to this arrangement on 11 May 2020 and the Council signed the three third-party agreements, covering the different rates over the 12-week disregard period and onwards. The Council had further discussions with the family about the top-up fee during the 12-week property disregard period. Mrs B sent an email to the Council on 12 May 2020 setting out her understanding of the situation (that the Council had agreed to pay the top-up fee during the initial 12 weeks) and asked for confirmation it was correct. She did not receive a reply.
 34. She also requested information about the deferred payment arrangement so the family could understand the process properly, but the Council said it needed the third-party agreement signed first.
 35. The Council sent a letter to Mrs B on 5 June 2020 clarifying the situation. It agreed to put a first-party agreement in place alongside a deferred payment agreement. Once Mrs C's property was sold, she would repay the fees to the Council. It said Mrs C should pay her service-user contribution directly to the Home.

Formal complaint

36. Mrs B complained to the Council on 21 June 2020. She said she had not received confirmation from the Council about the top-up arrangement for the first 12 weeks. She said the Home, on 13 April 2020, had taken a double payment out of Mrs C's bank account for her service-user contribution and was refusing to refund it until the Council has a contract in place. She complained that the Council had refused to intervene to get this back and had still not sorted out the paperwork with the Home.
37. Mrs B also highlighted that the Care Act states the following.
 - Contracts, charging and all financial matters must be clear, transparent and fair with sufficient information and advice to ensure people understood any contributions they needed to make.
 - The Council is responsible for contracting with the Home and for paying the full amount, including where a 'top-up' fee is paid.
 - The Council should have provided information and advice about deferred payment agreements during the 12-week disregard period, ready for a smooth transition at the end of this period.

First response

38. The Council responded on 10 July 2020, explaining the deferred payment agreement and the third-party top-up. But it now said Mrs B had agreed that Mrs C would pay the top-up during the first 12 weeks in addition to her service-user contribution. From week 13 the first-party top-up would be added to the deferred payment agreement. It explained that the third-party agreement forms covered a first-party agreement situation and that the figures varied due to the changes to Mrs C's level of care. Once these forms were signed the Council would provide full and accurate information about the deferred payment agreement.

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39. The Council said the double payment taken by the Home was frustrating and disappointing, but it was for Mrs B to resolve directly with the Home. The Council also acknowledged that it was considering changing its procedures to align with the Care Act: i.e.. to allow service-users to make payments to the Council rather than care providers, but at present Mrs C had to pay the Home directly.
40. Mrs B responded on 13 July 2020. She disputed the Council's view that she had agreed to pay the top-up for the first 12 weeks directly to the Home. She said the Council had agreed to pay the top-up from the date Mrs C moved into the Home until her property was sold. She also objected to the Council's refusal to intervene when the Home took a duplicate payment. She said this was a direct consequence of the Council failing to follow the Care Act and take responsibility for the whole payment to the Home.

Second response

41. The Council replied on 24 July 2020 clarifying that the Council had agreed to pay the top-up during the first 12 weeks and the debt would be added to the deferred payment agreement. It also said there was no need to sign a third-party agreement form as the detail would be included in the deferred payment agreement. It corrected the errors in the figures and confirmed that currently Mrs C would have to pay her service-user contribution directly to the Home.
42. Mrs B responded saying that she welcomed the clarification. But while some issues had been resolved (the Home had now refunded the duplicate payment), she still did not have:
- a copy of the contract between the Council and the Home;
 - information about the deferred payment agreement which should have been in place on 16 April 2020; and
 - any response as to why the Council's procedures still did not comply with the Care Act.

Third response

43. The Council responded again on 14 August 2020. It acknowledged it still had further work to do in making sure staff understood the difference between first-party and third-party top-ups. It said this lack of understanding in Mrs C's case had caused confusion to Mrs B. It also agreed it was important for the paperwork supporting the top-ups to be accurate. It proposed to make changes to the information it provided in its leaflets and to offer training to staff. The response also summarised the position with Mrs B's previous complaint to us and said it was currently reviewing its payment arrangements with a decision expected later in the year.
44. Mrs B remained unhappy and drew attention to another Ombudsman report where we had criticised a council for failing to take responsibility for the whole payment of fees to a care home (in this case the service-user contribution) even though this was not explicitly mentioned in the statutory guidance.
45. On 3 September 2020 the Council sent Mrs B a letter confirming the financial arrangements and enclosed information and an application form for the deferred payment agreement. It also sent her a copy of its contract with the Home. Mrs B queried the figures in October 2020 and said Mrs C had recently sold her flat subject to contract. The Council confirmed it had signed an agreement with the Home on 25 September 2020 and started to make payments on 5 October 2020, backdated to 23 January 2020. Given the sale, it said it would no longer proceed

with the deferred payment agreement but instead would require a solicitor's undertaking that the money would be paid back to the Council on completion of the sale. Mrs C would then become self-funding directly with the Home.

Final response

46. On 23 September 2020 the Council provided a final complaint response. It gave details of the planned meetings where the Council would discuss the review of its payment arrangements to care providers. It appreciated it had taken a long time but said we were fully aware of the Council's actions and the matter was now progressing to a conclusion. It apologised for the delay in providing the contract and the deferred payment agreement.

Ombudsman complaint

47. Mrs B then complained to us.
48. In response to our enquiries the Council acknowledged the following points.
- There had been some confusion in the information provided to the family before Mrs C's admission to the Home. It noted separate conversations were taking place between all three parties (the Home, the family and the Council) leading to different figures and scenarios being discussed. This caused confusion and regrettable delay.
 - It had not provided clear information to the family about the application of the top-up during the initial 12 weeks which led to delay in resolving and clarifying the financial position. It also gave incorrect information about this to Mrs B in its first complaint response.
 - The different lines of communication caused confusion as to the rate being charged for Mrs C's care. The first set of third-party agreement forms contained the Home's higher private rates rather than the Council's contracted ones. The Home queried the rates and new forms were produced. The Council acknowledged that if it was providing the accommodation for Mrs C, the only contractual arrangements should have been with the Council.
 - It had not explained to the family that Mrs C was included as an eligible resident in the third-party agreement form. This caused confusion and delay because Mrs B did not want to sign a third-party agreement for a first-party top-up. As a result of the complaint, it was reviewing its written agreements and looking at ways to ensure staff, residents and family members better understand the top-up arrangements.
 - The prolonged discussions over the top-up arrangements had delayed the completion of the contract agreement with the Home which in turn delayed the provision of information about the deferred payment agreement.
 - It should have intervened sooner to resolve the duplicate payment the Home had taken, and it had already apologised for the failure to do so.
 - On 14 February 2021 it provided Mrs B with a redemption figure for the amount to be repaid from the sale of Mrs C's property.
49. In summary it accepted that the service Mrs B received was poor. It also noted with regret that this was the second time Mrs B had complained about the same financial issues, which had caused her time and trouble in pursuing the matter. The Council misadvised Mrs B at points, failed to provide timely and correct information and failed to take responsibility for negotiations with the Home. It

considered that when the Council implements its new payment arrangements, most of the issues Mrs B experienced will be resolved.

50. In October 2020 it had set up a Task and Finish Group to review and improve the customer experience for people dealing with financial issues for family members. It had updated its finance fact sheets, reviewed the whole process, and was developing a first-party top-up form along with a flow chart of the processes and people involved in setting up a deferred payment agreement for staff and service users.
51. In addition to the procedural improvements, it offered Mrs B:
 - a further formal apology;
 - full reimbursement of the fees she incurred (£600) in relation to the deferred payment agreement (rather than a pro rata refund); and
 - £300 in recognition of the time, trouble and distress she has experienced.
52. Mrs B says she did not incur any fees as the deferred payment agreement was never set up.

Issues following completion of sale

53. The sale of Mrs C's flat completed at the end of February 2021. The Home has confirmed a higher weekly rate for Mrs C to live there on a self-funding basis, than it mentioned in the original contract Mrs B signed in January 2020. Mrs B says Mrs C cannot afford this. The family have found another home which has caused Mrs C significant upheaval and distress.
54. Mrs B believes this situation has arisen due to the Council's poor handling of the original care fees last year. She says she trusted the care home manager who said that if Mrs C committed to paying at least two years of fees at the rate of £880 or £950 (depending on the level of care needed) then Mrs C could stay there on the reduced Council rate once her savings dropped below the threshold. She says if she had known this situation might arise, she would have looked for a cheaper home.

Conclusions

Advice and information before the start of care

55. The Council accepts that the information it provided to the family before Mrs C's admission to the Home was confusing; particularly because discussions were taking place between the three parties and different figures/arrangements were discussed.
56. The case records show that the Council did offer some explanations in conversations with Mrs B about how the deferred payment arrangement would work. But it failed to follow this up with clear written information, setting out the position in advance and including the 12-week disregard period, so Mrs B could make an informed decision about Mrs C's care. This was a fault which caused Mrs B confusion and uncertainty at a difficult time.
57. There is evidence the Council suggested Mrs B should consider alternative care homes and provided one specific alternative which the family explored. But given the confusion over the fee arrangements, Mrs B did not fully understand the consequences of accepting a place at the Home. She clearly stated she did not want Mrs C to have to move in the future, but this is exactly what happened due to the lack of clarity over the level of fees once Mrs C became self-funding. The

lack of clarity at a crucial point was fault which contributed to Mrs C having to move to an alternative home a year later.

Responsibility for paying the care charges

58. If the Council had taken responsibility for payment of the full charges (including the service-user contribution and top-up fees) in accordance with the Care Act guidance and the recommendations in our previous report, the Council alone would have agreed the level of fees with the Home and relayed the information to Mrs B. The failure to do so was fault. Mrs B would have been saved the confusion of negotiating a contract with the Home, including unhelpful speculation about how long Mrs C might be self-funding and whether the Home would require a top-up fee. The involvement of the Home in this negotiation was particularly inappropriate and resulted in the Home being party to significant financial information about Mrs C which was not its concern. If the Council had taken control of the whole payment, it would also have prevented the prolonged confusion over the weekly rate for Mrs C's care and the Home taking too much money for Mrs C's service-user contribution.
59. The Council has acknowledged it should have intervened when the duplicate payment was taken and has apologised for not doing so. This caused Mrs C financial loss over a period of three months and Mrs B significant time and trouble in chasing up the Home.

Providing clear and consistent information in a timely fashion

60. The Council also accepts it failed to provide clear and consistent information to Mrs B about the application of the top-up during the initial twelve-week disregard period. It was not until July 2020, seven months after Mrs C had moved into the Home, that the Council confirmed unequivocally and in writing that it would pay the top-up fee for the initial twelve weeks. This was fault which caused Mrs B confusion and frustration. It also contributed to the prolonged delay in resolving the financial position.
61. The Council recognises it caused further confusion and delay by failing to explain to Mrs B that Mrs C could sign the third-party agreement forms, even though she was making a first-party top-up. It delayed for four months in sending the agreement forms, and then exacerbated the confusion by sending three copies of the form with different and inaccurate figures, with no explanation. The whole situation was not clarified until August 2020. This was fault. The delay caused Mrs B significant frustration, inconvenience and time and trouble in communicating with the Council.

Acknowledging fault causing injustice

62. We welcome the fact that the Council has acknowledged the multiple instances of fault causing injustice in this case and expressed regret that it is the second time Mrs B has had to complain about similar issues.
63. However, the most significant point it has acknowledged is that once it implements its new payment arrangements, most of the issues Mrs B has experienced will be resolved. It follows that, had the Council complied with our recommendations following our first report in November 2017, within a reasonable timescale, Mrs B would not have had cause to complain for a second time.
64. This is a clear example of the consequences of the Council refusing without good reason to comply with our recommendations. We hope the Council reflects on this for future cases.

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65. We are also concerned that despite the Council's agreement in October 2020 to finally bring its payment arrangements in line with the requirements of the legislation and guidance, it has still not implemented the changes, so residents are continuing to make their own payments to care providers. We expect this process will be concluded shortly.

Impact of property sale and repayment of debt

66. The Council advised Mrs B from the outset that once Mrs C's flat had sold she would pay the charges accumulated under the deferred payment arrangement and pay the ongoing care charges on a self-funding basis.
67. We agree that the situation was confused and unclear in January 2020. We also recognise that if the Council had taken responsibility for negotiating the cost of the placement, Mrs B may well have made a different decision at the outset. But we do not consider the Home's decision to increase the care fees now is due to fault by the Council. The decision on the level of care fees is one for the Home to make and is not within the control of the Council. There are also many other factors which could affect the level of payments, outside of the discussions made the previous year.

Recommendations

68. The Council must consider the report and confirm within three months the action it has taken or proposes to take. The Council should consider the report at its full Council, Cabinet or other appropriately delegated committee of elected members and we will require evidence of this. (*Local Government Act 1974, section 31(2), as amended*)
69. We welcome the Council's offer to take action to put matters right. However, we consider the payment to Mrs B for her time and trouble should be higher, given that this is the second time she has complained and the situation was largely avoidable had the Council complied with our recommendations from the previous report.
70. To remedy the injustice identified in this report we recommend the Council should within three months of the date of this report:
- provide a further formal apology in writing to Mrs B;
 - pay £600 to Mrs B in recognition of the time, trouble and distress she has experienced; and
 - complete the changes to its payment processes in line with our previous recommendations, as a matter of urgency and report back to us once it has done so.

Decision

71. We have completed our investigation into this complaint. There was fault by the Council which caused injustice to Mrs B. The Council should take the action identified in paragraph 70 to remedy that injustice.

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