

**EXECUTIVE
 8 FEBRUARY 2022**

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

Councillors Mrs P A Bradwell OBE (Executive Councillor for Children's Services, Community Safety and Procurement) (Deputy Leader), Mrs W Bowkett (Executive Councillor for Adult Care and Public Health), 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 A M Hall and T J N Smith (Vice Chairman of the Overview and Scrutiny Management Board) attended the meeting as observers

Officers in attendance:-

Debbie Barnes OBE (Chief Executive), Jason Copper (Transport and Growth Manager), Andrew Crookham (Executive Director Resources), James Drury (Executive Director Commercial), Glen Garrod (Executive Director - Adult Care and Community Wellbeing), Michelle Grady (Assistant Director – Finance), Charlotte Gray (Head of Service – Children's Commissioning), Sara Gregory (Interim Commissioning Manager, Children's), Andy Gutherson (Executive Director Place), Heather Sandy (Executive Director of Children's Services), Vanessa Strange (Head of Infrastructure Investment), Professor Derek Ward (Director of Public Health), Nigel West (Head of Democratic Services and Statutory Scrutiny Officer) and Rachel Wilson (Democratic Services Officer)

56 APOLOGIES FOR ABSENCE

There were no apologies for absence.

57 DECLARATIONS OF COUNCILLORS' INTERESTS

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

58 ANNOUNCEMENTS BY THE LEADER, EXECUTIVE COUNCILLORS AND EXECUTIVE DIRECTORS

The Leader of the Council reported that the Council had previously agreed to run a campaign requesting £12.3m of highways funding was re-instated, and the Council had been lobbying ever since, it was reported that it had been an extensive campaign, and the final settlement

had not been received yet, however, the initial indications did not seem to be positive. The Executive was advised that the campaign would continue if the funding was not re-instated.

59 MINUTES OF THE MEETING OF THE EXECUTIVE HELD ON 5 JANUARY 2022

RESOLVED

That the minutes of the Executive held on 5 January 2022 be agreed and signed by the Chairman as a correct record.

60 COUNCIL BUDGET 2022/23

Consideration was given to a report from the Executive Director – Resources which asked Executive to propose to full Council the Council’s budget and council tax in light of the provisional local government settlement and consultation comments on its initial proposals. The Executive was also asked to consider prudential targets in relation to capital financing and other treasury management matters.

The Assistant Director – Finance introduced the report to the Executive and guided them through a further update to the Council Budget 2022/23, which had been circulated prior to the meeting, which set out a revised Budget position following confirmation from the district councils of the Council Tax bases; Council Tax Collection Fund; Business Rates Collection Fund; and the Business Rates Section 31 Grant Funding, Business Rates Pooling Gain as well as implications of the latest information on the Budget position. The update presented a small surplus.

An updated Appendix F to the report was also circulated prior to the meeting, which included budget consultation feedback from scrutiny committees; members of the public and notes from the consultation meeting with external stakeholders.

The Assistant Director – Finance advised that there were no changes proposed to the service budgets as presented at the meeting on 5 January 2022. At the time of publication of the report, the council tax figures from district councils had not been received. It was noted that a deficit from the Business Rates Collection was reported, however, the Council should be compensated for this by the Section 31 grant.

The Leader advised that the comments on the proposals had generally been positive. At the time of the meeting, the settlement from the DfT for the Highways budget had not been received. There may be a need to make a recommendation to Council if the £12.3m was not received from government. It was noted there was a strong message from residents that they wanted to see the same amount of money spent on the roads.

The Executive Director – Resources advised on how the budget could be balanced whilst maintaining the current level of the Highways Maintenance budget. It was also highlighted that the outcome of the fairer funding campaign was awaited. The Executive was also

advised that there would also be gaps in the budget for coming years, which could not continue to be filled from reserves.

The Leader advised that the Council had already made over £300m of savings over the previous years. Although the Council was only able to set a one year budget, it was planning for the next three years.

The Leader reported that the current proposals were to freeze the general Council Tax precept and only take the Adult Social Care precept, however, he proposed that instead of the freeze, the Council should raise council tax by an additional 2%, this would generate an addition £6m. It was emphasised that even with this increase, Lincolnshire would still be the second lowest council tax authority in the country.

The Vice-Chairman of the Overview and Scrutiny Management Board (OSMB) presented the comments which had been made by the Board when considering the budget proposals. Reference was made to the impacts of the reduction of the Highways Maintenance Grant as well as the pressures on Adult Social Care. Questions were raised around Smarter Working and the possible savings which could be achieved.

A discussion took place around the reduction of £12.3m for the Highways Maintenance grant, and how the Council would be able to maintain current levels of funding, if the additional funds from government were not forthcoming. There was an acknowledgement that the only way to maintain funding levels was through an increase in council tax. It was noted that maintaining the roads was an important function due to the rural nature of the county, and many people were reliant on cars, and the county did not have the public transport networks that other larger cities had.

It was noted that while there was disappointment with the predicted reduction in funding for the Highways Maintenance Grant, and the lack of progress with the Fairer Funding campaign, the support received from government in other areas needed to be acknowledged, including the £100m of funding that Lincolnshire had received in relation to Covid-19, and it was also noted that the general settlement was better than expected.

In response to the issues raised during the debate, the Leader of the Council tabled an amendment to recommendation 3 of the report as follows:

3) Subject to recommendation 4 below approve for recommendation to full Council:

- a) the revenue budget for 2022/23 proposed in Table A of the report, subject to the following amendments:*
- An increase in the proposed 2022/23 Highways budget of £12,360,068.*
 - A new transfer from Earmarked Reserves of £2,304,000, reflecting a reduction in the existing Coronavirus Reserve to a nil balance.*

- An increase in the County Precept line of £11,726,202 consisting of the proposed additional Council Tax increase of 1.99% referred to in recommendation 3c) below, which generates additional income of £6,463,462, the Collection Fund surplus of £3,465,320, and increased Council Taxbase of £1,797,420.
 - A decrease in the Business Rates Retention line of £1,670,134 to reflect reduced income and the Collection Fund deficit.;
- b) the capital programme for 2022/23 proposed in Table B and Appendix C of the report;
- c) the levels of council tax proposed in Table C and shown in Appendix D of the report amended to show an increase of council tax in 2022/23 by 3.00% for Adult Social Care and 1.99% for general services;

Upon being put to the vote, the amendment was supported unanimously.

RESOLVED

That the Executive:

1. Considers the effect of the funding available and revenue expenditure position as noted in paragraphs 1.21 and Table A of the report, supported by additional information in Appendix A to the report;
2. Considers the Equality Impact Analysis at Appendix B and the consultation and engagement comments as show in Appendix F of the report and presented at the meeting;
3. Subject to recommendation 4 below, approves for recommendation to full council:
 - a) The revenue budget for 2022/23 proposed in Table A of the report, subject to the following amendments:
 - An increase in the proposed 2022/23 Highways budget of £12,360,068
 - A new transfer from Earmarked Reserves of £2,304,000, reflecting a reduction in the existing Coronavirus Reserve to a nil balance
 - An increase in the County Precept line of £11,726,202 consisting of the proposed additional Council Tax increase of 1.99% referred to in recommendation 3c) below, which generates

additional income of £6,463,462, the Collection Fund Surplus of £3,465,320, and increased Council Taxbase of £1,797,420

- A decrease in the Business Rates Retention Line of £1,670,134 to reflect reduced income and the Collection Fund deficit.
- b) The capital programme for 2022/23 proposed in Table B and Appendix C of the report;
 - c) The levels of council tax proposed in Table C and shown in Appendix D of the report amended to show an increase of council tax in 2022/23 by 3.00% for Adult Social Care and 1.99% for general services;
 - d) The prudential indicators for 2022/23 shown in Appendix E to the report;
 - e) The Medium Term Financial Strategy attached at Appendix G to the report;
 - f) The Capital Strategy 2022/23 attached at Appendix H to the report.
4. Requests the Leader to review and amend the Executive's budget recommendations to the County Council, as appropriate, in light of the final Local Government Finance Settlement and District Council business rates and final council tax information if received between the Executive meeting and the County Council on 18 February 2022.
 5. Requests the Leader to review and amend the figures within the Medium Term Financial Strategy to be recommended to the County Council as appropriate, to ensure consistency with final budget recommendations made to the County Council meeting on 18 February 2022.

61 TO ENTER INTO A SECTION 113 AGREEMENT WITH NORTH AND NORTH EAST LINCOLNSHIRE FOR PUBLIC HEALTH SERVICES

The Executive received a report on behalf of the Chief Executive, which set out details of an in principle agreement, following formal discussions with North and North East Lincolnshire, to pilot and test a public health arrangement across Greater Lincolnshire, subject to ongoing engagement and agreement with the UK Health Security Agency and the Office for Health Improvement and Disparities.

The report sought formal approval for Lincolnshire County Council to enter into Agreements under Section 113 of the Local Government Act 1972 with North and North East Lincolnshire with regard to the delivery of Public Health.

During discussion by the Executive, the following points were raised:

- It was clarified that this was a pilot which would last for 12 – 18 months, and a governance group would be established to oversee the pilot and would include representatives from the ICS and portfolio holders from the three authorities.
- It was expected that this would be a more efficient use of resources and would provide better outcomes for residents.
- It was confirmed that the Office for Health Improvement and Disparities, was supportive of the pilot.
- Concerns had been raised by the Adult and Community Wellbeing Scrutiny Committee regarding whether this would affect services for Lincolnshire residents. However, members were reassured that there would be an oversight group which would be able to monitor this. There would be time to understand the strengths and challenges of the arrangement, and discussions were underway with external organisations about providing independent evaluation.
- It was believed that this arrangement would provided a stronger and more robust public health function.

RESOLVED

1. That the entering into by the County Council of Agreements under Section 113 of the Local Government Act 1972 with North Lincolnshire Council and North East Lincolnshire Council as set out in the report, subject to the ongoing engagement and agreement with the UK Health Security Agency and the Office for Health Improvement and Disparities, be approved.
2. That authority be delegated to the Executive Director of Adult Care and Community Wellbeing to determine the final form and approve the entering into of the said Agreements.

62 LOCAL TRANSPORT PLAN (LTP5)

The Executive Councillor for Highways, Transport and IT introduced a report by Executive Director – Place which provided a summary of public consultation responses to Local Transport Plan (LTP5) and set out a series of recommendations to address the issues raised by consultees. It was reported that it was a statutory requirement to produce this document, and it may help with ongoing conversations with the Department for Transport (DfT) around maintenance. It was highlighted that some very positive feedback had been received during consultation, and younger people had also been encouraged to engage with the consultation due to the virtual aspect. It was clarified that a response had subsequently been received from South Kesteven District Council.

The Vice Chairman of the Highways and Transport Scrutiny Committee was in attendance to present the comments of the Committee following consideration of the Local Transport Plan at its meeting on 24 January 2022, and noted that the Committee had supported the recommendations to the Executive.

It was acknowledged that for longer journeys, a car would still be required; however, the LTP gave options for people making shorter journeys around Greater Lincoln, Boston or Grantham. It was also noted that the document anticipated changes from government, and this approach was welcomed.

RESOLVED

1. That the LTP5 Consultation Draft document attached at Appendix A to the report, and amended as set out in red in Appendix C of the report, be recommended to Full Council for adoption as Lincolnshire County Council's Local Transport Plan in accordance with its duty under the Transport Act 2000 and to form part of the Council's Policy Framework in place of the existing Local Transport Plan.
2. That authority be delegated to the Executive Director – Place, in consultation with the Leader of the Council (Executive Councillor for Resources, Communications and Commissioning) and the Executive Councillor for Highways, Transport and IT, to make and approve any amendments prior to submission to Full Council.

63 RE-COMMISSIONING OF AUTISM AND LEARNING DIFFICULTIES (ALD) SERVICE FOR CHILDREN AND YOUNG PEOPLE

The Executive Councillor for Children's Services, Procurement and Community Safety introduced a report which made recommendations for the re-commissioning of an Autism and Learning Difficulties (ALD) service for children and young people.

The Head of Service – Children's Strategic Commissioning guided the Executive through the report, and explained the commissioning arrangements for this contract. It was highlighted that this was not a statutory service, but it did support the Council in fulfilling its statutory obligations around children and young people.

The Vice Chairman of the Overview and Scrutiny Management Board presented the scrutiny comments on behalf of the Children and Young People Scrutiny Committee following its consideration of this item at its meeting on 14 January 2022. It was clarified that this service was funded through the High Needs Block of the Dedicated Schools Grant.

During discussion by the Executive, the following was noted:

- There was wide support for this service from the Executive, and it was commented that it was beneficial to all to reduce the numbers of children needing to enter special schools, and ensure they were able to remain alongside their peers and brothers and sisters.
- The expression of interest process was clarified, and the Executive was assured that there was a robust quality assurance process in place.
- The schools had been delivering this service for a number of years and this had performed well as part of a partnership approach.

- Outside of term time, there was respite care or a range of voluntary groups available for those children who required that additional support.
- The aim of the service was to support children within mainstream schools to help them stay engaged with learning.

RESOLVED

1. That the re-commissioning of an ALD Service, via a Public to Public Collaboration Agreement under Regulation 12(7) of the Public Contracts Regulations 2015 be approved. Lincolnshire special schools and academies within the Lincolnshire SEND Alliance will be asked to put forward an expression of interest (EOI) to provide the service. The agreement would commence from 1 September 2022 for three years initially, with an option to extend for up to two years to 31 August 2027.
2. That authority be delegated to the Executive Director of Children's Services, in consultation with the Executive Councillor for Children's Services, Community Safety and Procurement, to take all decisions necessary to conduct the EOI process up to and including the award and entering into of the agreement.

64 RE-COMMISSIONING OF BEHAVIOUR OUTREACH SUPPORT SERVICE FOR CHILDREN AND YOUNG PEOPLE

The Executive Councillor for Children's Services, Community Safety and Procurement introduced a report which made recommendations for the re-commissioning of the Behaviour Outreach Support Service (BOSS) for children and young people from 1 September 2022. Members were advised that this was a service which ran alongside the one in the previous item, had been very successful, and was highly regarded by schools.

The Head of Service – Strategic Children's Commissioning, advised that this service formed part of the Inclusive Lincolnshire strategy and was currently provided by Family Action. The Lincolnshire Schools Forum had agreed to use the Dedicated Schools Grant (DSG) to fund the service. The current service ran during term time only, and aimed to reduce the numbers of pupils at risk of exclusion.

The Vice-Chairman of the Overview and Scrutiny Management Board presented the comments of the Children and Young People Scrutiny Committee following its consideration of this item at its meeting on 14 January 2022. The Committee had raised concerns regarding the gender balance and the higher prevalence of males in Pupil Referral Units (PRU). However, officers advised that while there were a higher number of referrals for boys, which also mirrored the national position, it was ensured that classes were gender balanced.

During discussion by the Executive, the following was noted:

- A query was raised regarding performance and the number of young people who were continuing to be supported from the previous academic year.

Officers advised that there would always be an element of children whose behaviours would not appear until the summer term.

- Members were supportive of the Council continuing this service, and commented that anything that kept young people in school was positive.
- It was queried how success was measured for this service. Officers advised that one way was to look at whether young people were subsequently excluded. To access the service, children needed to have a historic support plan which would outline very clearly what the needs of that young person were. The numbers of young people that came back into the service would also be monitored. It was also highlighted that feedback was received directly from the service users and their families, and this data was captured.
- It was noted that the service had only started a few years ago and so there were not cohorts of children who had left education and then gone on to university, but capturing this information was something which could be strengthened for the new service.

RESOLVED

1. That the re-commissioning of BOSS, via an open competitive tender process, to commence 1 September 2022 for three years initially, with an option to extend for up to two years to 31 August 2027, be approved.
2. That authority be delegated to the Executive Director of Children's Services, in consultation with the Executive Councillor for Children's Services, Community Safety and Procurement, to take all decisions necessary to conduct the procurement process up to and including the award and entering into of the contract.

The meeting closed at 12.06 pm