

**EXECUTIVE
 5 DECEMBER 2023**

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

Councillors 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 N Stokes, Chairman of the Overview and Scrutiny Management Board attended the meeting as an observer.

Officers in attendance:-

Debbie Barnes OBE (Chief Executive), Andrew Crookham (Executive Director Resources), Michelle Grady (Assistant Director – Finance), Andy Gutherson (Executive Director Place), Caroline Jackson (Head of Corporate Performance), Tony McGinty (Consultant in Public Health), Carl Miller (Commercial and Procurement Manager - People Services), Martin Samuels (Executive Director - Adult Care and Community Wellbeing), Heather Sandy (Executive Director of Children's Services), Professor Derek Ward (Director of Public Health), Nigel West (Head of Democratic Services and Statutory Scrutiny Officer) and Rachel Wilson (Democratic Services Officer)

39 APOLOGIES FOR ABSENCE

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

40 DECLARATIONS OF COUNCILLORS' INTERESTS

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

41 ANNOUNCEMENTS BY THE LEADER, EXECUTIVE COUNCILLORS AND EXECUTIVE DIRECTORS

There were no announcements by the Leader, Executive Councillors or Executive Directors.

42 MINUTES OF THE MEETING OF THE EXECUTIVE HELD ON 7 NOVEMBER 2023

RESOLVED

That the minutes of the meeting held on 7 November 2023 be signed by the Chairman as a correct record.

43 WELLBEING SERVICE RE-COMMISSIONING

The Executive Councillor for Adult Care and Public Health introduced a report which presented the case for recommissioning a countywide Wellbeing Service. A commissioning review was undertaken in 2022/23 which covered learning from current service delivery, performance against contract measures and assessment of future demand alongside benchmarking against similar services elsewhere. It was noted that the service was last commissioned in 2018 and over 39,000 residents had applied to it over the last five years. It was now proposed to seek a 10 year contract with a five year break.

The Consultant in Public Health presented the report and advised that the Lincolnshire Wellbeing Service was one of a large range of services commissioned by the Council to help local people to maintain their independence and prevent escalation of their needs. This service significantly contributed to the Council's prevention duties within the Care Act and the Council's aspirations for local people. The Council has commissioned a Wellbeing Service since 2014, and was last recommissioned in 2018. The current contract had been extended to 30 September 2024, subject to a review during 2022/23.

The report presented the case for recommissioning a countywide Wellbeing Service with changes to elements of the service to incorporate the findings of the review.

The Chairman of the Overview and Scrutiny Management Board presented the commented of the Adults and Community Wellbeing Scrutiny Committee which had considered this report at its meeting on 29 November 2023 where it agreed to support the recommendations to the Executive. The Committee made comments in relation to the following areas: Preventing Falls; Flexibility of Contract; Feedback from Service Users; Service Performance; Working with Partners; and Information on the Service.

During discussion by the Executive, the following comments were made:

- In terms of signposting people to the right place, it was queried what would change under the new contract. Officers advised that all service user initial referrals would be triaged through the Customer Service Centre. It was also noted that digital access to the service would be more uniform, as the service would have the same landing page, regardless of which website it was accessed from.
- Further clarity was sought regarding the commissioning arrangements and whether providers would be able to manage any increase in demand within the existing budget. Officers advised that there would be block payments which would cover the predicted minimum demand, and the Council would seek to maximise the outcomes which could be delivered for the core budget.
- It was queried how many service users were likely to be diverted to other services in order to manage demand. Officers advised that work was ongoing to finalise the

demand projections based on the revised eligibility criteria and these would be included in the tender documents.

- It was expected that there would be a reduction of slightly less than 10% in terms of service users diverted to other services. There was some query in relation to this figure, and the Executive Director – Adult Care and Community Wellbeing committed to work with the team to ensure that the figures included within the tender documents were robust. It was emphasised that there was a need for clarity regarding the expectation of demand and how any increased demand would be managed.
- In relation to the rate of external referrals which had increased significantly, it was queried whether this was due to better awareness or more service users, and officers advised it was due to better awareness, which was positive.
- It was queried whether this was a growth area and if providers were ‘chasing the money’. It was confirmed that this was a growth area and there had been a lot of innovation across the system over the last several years, however, in various places this had led to a slightly disjointed system. The aim of the tender process was to redefine and simplify the service and to review any duplication.
- It was queried how rigorously the schedule of rates was tested to ensure that the figures were accurate, and the Executive was advised that benchmarking activity had taken place through the review cycle and would continue.
- In relation to LCC teams not going into hospital, it was queried how the authority could be assured that the organisations which were going into hospitals were offering best value for money, and that LCC wasn’t just picking up the more complex cases or those where peoples conditions had deteriorated. It was queried whether there was an opportunity for a scrutiny committee to look into this. officers provided reassurance that this wasn’t the case and that the services in hospitals were commissioned by the public sector and so were managed by other public sector organisations.
- It was queried whether the proposed increase to the national living wage had been included within the budget and what impact this would have. It was confirmed that this had already been factored into the review, and the commercial approach recommended was to seek the best service for the fixed budget available through the invitation to tender.
- It was reported that the tender was due to go out in mid-January 2024.
- In light of the queries surrounding the percentage of service users which would be diverted from this service, it was suggested that these figures be reviewed and that the Executive seeks assurance on the robustness of these figures through informal processes prior to the tender going out.

RESOLVED

1. That the commissioning of a countywide Wellbeing Service for people aged 18 and above, generally as described in section 1.6 of the report, be approved.
2. That the undertaking of a procurement to establish a contract to be awarded for this service, effective from October 2024, be approved.

3. That authority be delegated to the Executive Director for Adult Care and Community Wellbeing, in consultation with the Executive Councillor for Adult Care and Public Health, to determine the final form, and approve the award of the contract.

44 REVENUE BUDGET MONITORING REPORT 2023/24 (QUARTER 2)

The Executive Director – Resources introduced a report on *Revenue Budget Monitoring 2023/24 – Quarter 2* which provided an update on revenue spending compared with budgets for the 2023/24 financial year. It was reported that the revenue budget was showing an underspend position, however, the Executive Director wanted to provide assurance that the process the budget was going through was robust. He also highlighted the national position, in particular referencing the proposed increase to the national minimum wage, and advised that officers were working through the implications of this as the increase was higher than expected and was likely to have an impact on care budgets and home to school transport.

The Assistant Director – Finance presented the report which provided an update on revenue spending compared with budgets for the 2023/24 financial year. The Executive was advised that the revenue budget was forecasting an overall underspend of £18.4m, it was noted that £11.6m of this related to service budgets, £3.6m related to other budgets which included insurance and contingency budgets and £3.2m related to additional funding, primarily business rates pooling.

The overall underspend mainly reflected some exceptional one-off items, and in the service budgets included additional income from the Energy from Waste facility and the sale of electricity, as well as additional income from Traffic Regulation Orders from fines to utility companies for access to the highways network. It was also highlighted that there had been lower than expected energy costs.

It was noted that this underspend provided an opportunity to make some capital investments specific to the services where those underspends arose. The report proposed using the underspends for capital projects specific to these service areas, including improvements to the Waste Transfer Stations, investment in the electrification of Cross Keys Bridge and continuing the LED swap out of street lighting. If these projects went ahead there would be a remaining £9.6m underspend.

It was noted that whilst the report showed a continued strong financial resilience of the Council, there were still pressures on services including increased demand in areas such as Education Health Care Plans (ECHP), cost of social care placements, particularly for out of county placements, adult social care as well as home to school transport. These pressures were currently being offset by underspends in other budgets and use of contingency budgets.

The Chairman of the Overview and Scrutiny Management Board presented the comments of the meeting of the Board held on 30 November 2023 and noted that the Board had unanimously supported the recommendation to the Board. It was highlighted that the

Board had raised concerns regarding the risks associated with using interim beds for adult social care and community wellbeing and sought assurance around overspends in transport. Overall, the Board had commended the report for its clarity and accessibility in explaining the current financial position.

The Executive discussed the report, and some of the points raised during discussion included:

- It was clarified that the additional income received from TRO's related to permits for utility companies to work on the roads, it was not as a result of fines for illegal parking. It was suggested that higher fines for utility companies may have more of effect, but there was a ceiling to fines that the authority was able to impose.
- In terms of Home to School transport, a recent report had been issued through the CCN which highlighted some of the challenges and issues for authorities that dealt with home to school transport. It was noted that all of these issues had been identified within the transformation programme activity that officers were working through. The impacts on budgets were being monitored closely, as well as the potential impacts of the national living wage increase which would have a greater impact than had previously been budgeted for. Future forecasts were currently being worked on, but it was believed that it would still be within the contingency that had been allowed.
- It was commented that residents were pleased to see that there was a process to speed up road works.
- Considering the recent impacts of Storm Babet and the costs involved in the clear up across Lincolnshire, it was suggested that additional funding was allocated to flooding and flood works in Lincolnshire. Lincolnshire was experiencing a serious flooding event approximately every four years and were likely to increase in frequency in coming years. Additional funding would help to tackle the back log of works on the highways network as Lincolnshire experienced regular surface water flooding.
- A further explanation was sought regarding the underspends on energy costs and officers advised that there were two aspects to this. The Council was in a contractual arrangement with the Eastern Shires Purchasing Organisation (ESPO) and when the prices were agreed, the 'hump' of the energy prices was expected to be much longer than it actually was. The second aspect related to the Energy from Waste and the sale of surplus electricity, and so the council had benefitted from the higher sale price of the electricity. This was being factored into the budget setting process for the next financial year.
- The Executive supported the suggestion of allocating some of the underspends towards flood works which would benefit communities throughout Lincolnshire, particularly those which had been affected by flooding.

RESOLVED

1. That the current position on the revenue budget be noted.

2. That the transfer of £8.8m from the Place Directorate revenue budget to the capital financing charges budget be approved for the purpose of funding additional capital investment in Place Directorate infrastructure, as set out in paragraph 1.16 of the report.
3. That a further allocation of £4m from the revenue budget underspend be approved for use for flood investigations and alleviation and that approval be given to such revenue to revenue or revenue to capital budget transfers requiring Executive approval as shall be necessary to give effect to such allocation.

45 CAPITAL BUDGET MONITORING REPORT 2023/24 (QUARTER 2)

The Assistant Director – Finance introduced a report which provided an update on capital investment compared with budgets for the 2023/24 financial year. The report presented the updated capital programme and reflected any external funding or re-phasing adjustments which had been made during quarter 2. The detailed programme was set out in Appendix A of the report, together with a narrative on progress against key investment schemes.

The current forecast was for an in year underspend which would necessitate further re-phasing of the programme. The quarter two revenue report proposed additional capital investment in Place infrastructure, funded by revenue underspend, and the effect of this was demonstrated in Appendix B of the report.

Councillor A N Stokes, Chairman of the Overview and Scrutiny Management Board, was in attendance to present the comments of the Board held on 30 November 2023. The Board had unanimously agreed to support the recommendations to the Executive, however clarity was sought regarding the reference to £80million which was allocated to the Chief Finance Officer. The Executive Director – Resources advised that this was a corporate contingency fund and not designated for a specific area. It was confirmed that future reports would include further clarity around financial allocation.

RESOLVED

1. That the position on the capital programme be noted.
2. That the potential for the capital programme to change if separate approval is given for additional investment in Place infrastructure be noted.

46 CORPORATE PLAN SUCCESS FRAMEWORK 2023-24 - QUARTER 2

Consideration was given to a report introduced by the Head of Corporate Performance which presented an overview of performance against the Corporate Plan as at 30 September 2023. Detailed information on performance could be viewed on the Council's website. It was noted that there were 40 activities which could be reported in Quarter in 2, and only 2 were amber rated, which meant all the others were green and on plan.

In terms of Key Performance Indicators, of which there were 27 which could be reported in quarter 2, 93% were either achieving or exceeding target. Of the six that were exceeding target, 3 were also exceeding target in quarter 1 as well. Of the 19 measures that were achieving target, 4 were newly reported as achieving in quarter 2.

It was noted that the measure relating to ‘children in care living in a family environment’ had been amended following the suggestion of OSMB to remove the unaccompanied asylum seeking children from this measure.

In relation to the two measures which were not achieving target, one related to the National Recycling Rate and further details were included within the summary in the report. The second related to Adult Carers Supported in the last 12 months, the target wasn’t achieved in quarter 1 and it still wasn’t achieving target in quarter 2. There was a suggestion that the target for this measure should be changed in year but following a discussion with the Adult Care and Community Wellbeing directorate leadership team (DLT) it was agreed that the target remain in place for the rest of 2023/24 and that all indicators reported in to Executive relating to carers would be reviewed to ensure that appropriate measures and targets were set for 2024/25.

In terms of contextual measures, all were RAG rated as green, except for one which related to flooding incidents investigated. This was due to Storm Babet which had resulted in a further 173 Section 19 reports which would all need to be investigated. It was noted that this had been discussed at length by the Environment and Economy Scrutiny Committee the previous week.

A query was raised in relation to PI36 – Household Waste Collected and the large dip in performance, and it was clarified that this was a cumulative performance indicator, officers agreed to include a narrative around this in the report in future.

Clarity was sought regarding the numbers of unpaid carers over 65 being supported, given the estimated number of carers over the age of 65. Members were advised that there was an important distinction between people who were carers and those who needed support, as a large proportion of carers did not need any support from the council.

RESOLVED

That performance for Quarter 2 2023-24 as at 30 September 2023 be considered and noted.

47 THE DIRECTOR OF PUBLIC HEALTH'S ANNUAL REPORT 2023 - ADDING LIFE TO YEARS

The Director of Public Health presented his annual report entitled – *Ageing Better in Lincolnshire – Adding Life to Years*, which as part of the strategic partnership with the Centre for Ageing Better, and building in the insight gained from the Lincolnshire Ageing Better Annual Conference, this year has a focus on Ageing Better in Lincolnshire. It was noted that this was a joint report with the Executive Director of Adult Care and Community Wellbeing.

Lincolnshire had a high population of older people and this would have an impact on health and care services across the county. Lincolnshire also had a large rural and coastal area with dispersed populations, and so this report could have an important role in informing current service provision.

It was highlighted that that Director of Public Health had a statutory responsibility to write this report, and the Council had a statutory responsibility to publish it.

During discussion of this report, the following was raised by the Executive:

- It was commented that this was an excellent report.
- Lincolnshire had a growing elderly population and so would have more challenges in the future, and it was queried whether this was something that should be revisited every 3 – 5 years.
- Whether it was time to start promoting ‘self-help’ schemes in relation to rural transportation. Officers agreed that this was something that could be explored further as during Covid communities came together to support each other.
- There was a need for a piece of work to collate all the different schemes together in one place.
- The NHS as a system was very fragmented and there was a need to redesign the model so that care was provided when it was needed and people only went into hospital if they really needed to. Further work around prevention was also required to avoid unnecessary stays in hospital.
- There was also a need for earlier intervention for pre-existing conditions to prevent people from needing more and more expensive care.
- It was noted that there were also a significant number of third sector organisations that could provide support.

RESOLVED

That the contents of the Annual DPH Report be noted that the publication to Lincolnshire County Council’s website be approved.

48 ENERGY INFRASTRUCTURE POSITION

The Executive Councillor for Economic Development, Environment and Planning presented a report which recognised that there were and would continue to be, a large number of energy investment projects planned for Lincolnshire which would fall into the category of Nationally Significant Infrastructure Projects (NSIP) under the Planning Act 2008. Although each major energy investment project decision would be taken by the secretary of state, under advice from the Planning Inspectorate, the Council had a requirement to prepare a Local Impact Report which should include any proposals for requirements or conditions to be included in any Development Consent Order.

It was noted that the report set out proposals for the principles that should be applied by the Council in responding to any application that was made based on those elements of planning policy – notably the Lincolnshire Waste and Minerals Plan – which had a clear policy commitment to protect Lincolnshire’s high quality agricultural land (Grades 1, 2 and 3a) along with other policies to protect the environment and the amenity for residents of the county. The report also included a proposed Framework for use by the Head of Planning in negotiating community benefits arising out of such projects.

The Executive Director – Place advised that currently over 30 NSIP applications had been received, which was placing a significant demand on the Planning service. The NSIP process was designed for the determination of these applications to be through the Secretary of State and it was important that there was a level of confidence that the planning policies the authority was working to were fit for purpose and provided a framework against which to make representations, as well as being able to aide members of the public when making their representations, as they were also consultees in the NSIP process.

During consideration of the report, the following comments were made by the Executive:

- It was reiterated that the Council’s position in relation on-shore wind had not changed.
- The importance of Lincolnshire as a food producer for the nation was also highlighted and so the need for the protection of good quality agricultural land was critical. Therefore the Council’s policy position would be that it would not support any solar projects which would include use of grades 1, 2, 3a and 3b quality land.
- The Council should be supportive of off-shore wind but only where the connection to the grid was underground or off-shore.
- It queried whether there was the possibility of any legal challenge from these representations. Officers advised that representations would be based on the planning documents and policies which were in place.
- The high number of these applications were causing concern for residents in some districts, and it was hoped that this policy position would ensure that there was appropriate number of solar projects across Lincolnshire.
- The seeking of community benefits if any of these projects were approved was highly important. However, it was important that any benefits had a local focus as there were differences in terms of needs of differing communities.
- The cumulative impact of the different projects needed to be taken into account.

RESOLVED

1. That the principles set out in section 2 of the Report using the existing Local Plan policy framework including the need to protect best and most versatile agricultural land to guide the Council’s response to Nationally Significant Infrastructure Project proposals in Lincolnshire under the Planning Act 2006 be approved.

10

EXECUTIVE

5 DECEMBER 2023

2. That the Framework set out in section 3 of the Report, to guide the negotiation of community benefits from developers in connection with Nationally Significant Infrastructure Projects in Lincolnshire, be approved.
3. That the position set out in the Council Position Statement in respect of on-shore wind farm proposals approved on 19 February 2021 be re-affirmed.

The meeting closed at 12.25 pm