

**OVERVIEW AND SCRUTINY MANAGEMENT  
 BOARD  
 30 NOVEMBER 2023**

**PRESENT: COUNCILLOR A N STOKES (CHAIRMAN)**

Councillors T J N Smith (Vice-Chairman), Mrs J Brockway, P M Dilks, R J Kendrick, K E Lee, C S Macey, C E H Marfleet and P A Skinner

**Added Members**

Church Representative: M Kyle

Parent Governor Representatives:

Councillors: R D Butroid, M J Hill OBE, H Spratt and M A Whittington attended the meeting as observers

Officers in attendance:-

Debbie Barnes OBE (Chief Executive), Andrew Crookham (Executive Director Resources), Tracy Johnson (Senior Scrutiny Officer), Nigel West (Head of Democratic Services and Statutory Scrutiny Officer), Emily Wilcox (Democratic Services Officer), Matthew Garrard (Head of Policy), Michelle Grady (Assistant Director – Finance), Andy Gutherson (Executive Director Place), Adam Hopley (Head of Finance - Corporate), Caroline Jackson (Head of Corporate Performance), Tony Kavanagh (Assistant Director – Human Resources and Organisational Support), Sue Maycock (Strategic Finance Lead (Technical)), Fraser Shooter (Health and Safety Team Leader), Lee Sirdifield (Assistant Director – Corporate), Laura Hartley (BI Team Manager) and Daniel Larkin (Policy Officer)

**64      APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS**

Apologies for absence were received from Councillors I Carrington and N Pepper.

It was reported that, under Regulation 13 of the Local Government Committee and Political Groups Regulation 1990, Councillor P A Skinner was in attendance as a substitute for Councillor N H Pepper for this meeting only.

**65      DECLARATIONS OF INTEREST**

None were declared.

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66 MINUTES OF THE MEETING HELD ON 26 OCTOBER 2023

RESOLVED:

That the minutes of the meeting held on 26 October 2023 be approved as a correct record and signed by the Chairman.

67 CONSIDERATION OF CALL-INS

There were no Call-Ins to consider.

68 CONSIDERATION OF COUNCILLOR CALLS FOR ACTION

There were no Councillor Calls for Action to consider.

69 TO CONSIDER AND SUPPORT A DEVOLUTION PROPOSAL FOR GREATER LINCOLNSHIRE AND CONSULTATION ACTIVITIES

Consideration was given to a report by the Assistant Director – Corporate which invited the Board to consider and support a Devolution Proposal for Greater Lincolnshire and Consultation Activities, prior to a decision by the Leader of the Council on 1 December 2023. The views of the Board would be reported to the Leader of the Council as part of his consideration of the report.

The Board supported the proposals within the report to the Leader of the Council, as set out as Appendix 1, and during the discussion the following points were recorded for consideration:

- Members welcomed the Devolution Deal Proposal in principle and commented on the apparent benefits emerging from the proposed package, particularly in reference to economic and development benefits, with a positive note raised, to acknowledge the explicit reference in the proposal document to establishing links for the expansion of the defence industry in Lincolnshire. Thus, the historical significance of Lincolnshire as Bomber County and its innovation in defence were highlighted, with hopes for continued growth in the defence sector to foster a high-wage, high-quality job economy.
- Members questioned the impact on Lincolnshire County Council in the event that other Council's within the Mayoral County Combined Authority were to go bankrupt. Assurance was provided that the MCCA would be a distinct institution which operated with its own financial arrangements and plans, minimising exposure to additional risks from other organisations. Assurance was given that the County Council, while able to contribute, would not incur liability if another party failed to meet its financial obligations for the proposed activities.
- Members were assured that the purpose-driven nature of the devolved funding mandated that funds designated for specific purposes, such as transport and

education, would come with predefined conditions to prevent any diversion into unrelated areas, therefore ensuring that the allocated money would not be absorbed by an authority that was not functioning properly.

- Some Members were sceptical about the £24 million per year offered, framing it as a modest sum compared to the significant loss in government grants over the past decade. The Leader of the Council responded, acknowledging the Fair Funding argument, and emphasised the potential for more than £24 million, highlighting an immediate £20 million infrastructure package and additional funds for adult education.
- Addressing concerns about geography, the Leader pointed to the success of the existing Local Enterprise Partnership and expressed confidence in the ability of a mayor, focused on collaboration rather than running services, to effectively work across Greater Lincolnshire.
- Members of the Board raised concerns about the mayor's office, including the associated costs, salary, and staffing. Expressing reservations about the level of power the mayor would hold.
- Questions were also raised about the restrictions on the precept, with a desire for clear answers on its limitations. Officers stated that the Secretary of State set conditions for the precept within certain thresholds that typically change annually, emphasising that the precept must align with mayoral powers.
- Following concerns raised by Members, assurance was given that the precepts charged by the mayor were anticipated to align with existing Council tax rules, which typically included limitations set by government policy. These rules prevented significant precepts that would excessively raise Council tax beyond an agreed percentage. Additionally, the precepting power mentioned in the deal was limited to mayoral functions.
- Officers clarified that while the proposal document sought the power to levy a precept, it did not mandate its use. The importance of having the precept powers as a potential tool to address future challenges was highlighted.
- The proposed budget for the establishment and running of the mayoral office over the first three years of devolution was detailed by Officers. The distinction between the mayoral combined authority budget and budget for the establishment of a mayoral office was emphasised.
- Assurance was provided that the mayoral combined authority budget required support from the three lead members from all three constituent councils for approval.
- Concerns were also voiced about the potential impact of a perceived new layer of government, particularly regarding the powers of the mayor and the accountability of functions held by various authorities. In response, Officers pointed to the governance arrangements outlined in the proposal document, emphasising the

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protection of constituent authorities' interests and decision-making powers, such as planning, retained by District, City, and Borough Councils. The clarification highlighted that powers and funding were being devolved from central government, with safeguards in place to prevent unilateral shifts of authority, ensuring protection against negative scenarios.

- The need to effectively communicate the complexities of the proposal to the public was emphasised, in particular the misconception that the proposal created an extra layer of government.
- Members expressed concerns about devolution potentially diverging from local decision-making and becoming more regionalised, in particular for transport services. They were assured that, while some aspects operated at a higher level, detailed control and strong local influence would be maintained, opening doors for strategic discussions with the government.
- Officers highlighted the significance of the mayor's role in devolution, emphasising that the mayoral authority would be one of 11 voices representing Greater Lincolnshire to central government departments, a shift from the current over 300 voices. This aimed to elevate the region's influence and express its needs more effectively.
- It was confirmed that legislation mandated that the mayor could not be a Councillor of a Constituent Authority. If an individual was or to be a councillor of a constituent council and was subsequently elected as Mayor, their councillor position would be surrendered.

**RESOLVED:**

1. That the recommendations detailed on page 19 of the report be supported;
2. That the terms of a proposed devolution deal for Greater Lincolnshire and the draft proposal for the creation of a new Greater Lincolnshire Combined County Authority be supported;
3. That the Board's agreement with the commissioning of a public consultation in support of a later decision for a submission to the SoS for the creation of a Greater Lincolnshire Mayoral Combined County Authority be recorded;
4. That a summary of the comments made, as above, be shared with the Leader of the Council prior to his consideration of the decision.

**70      CORPORATE PLAN SUCCESS FRAMEWORK 2023/24 - QUARTER 2**

Consideration was given to a report by the Head of Corporate Performance, which invited the Board to consider performance data recorded against the Corporate Plan for quarter 2 of 2023/24, prior to its consideration by the Executive on 5 December 2023. The views of the Board would be reported to the Executive as part of its consideration of the report.

The Board considered the report and supported the recommendations to the Executive, as set out in Appendix 1. During the discussion, the following points were recorded:

- Some concerns were expressed about the level of functional skills acquired by individuals accessing learning opportunities, particularly in terms of employability.
- Members were concerned about rates among young people entering the workforce. In response, Officers acknowledged the importance of functional training and highlighted the success of skills boot camps, which had received additional government resources. They acknowledged the need for more detailed information on dropout rates and the functional aspect of the learning provided. Officers agreed to provide further detail in relation to the success of skills boot camps and the focus on functional skills, including in maths and English, through initiatives like the multiply grant.
- In response to a question, Officers clarified that the health check measures were within the framework of the Adult Care Scrutiny Committee and, therefore, were not reported in the corporate plan report. Officers acknowledged the need for a deep dive into the health check process, especially in ensuring better accessibility for those working, emphasising the importance of flexibility to accommodate varied schedules and increase participation rates.
- A Member queried the level of attainment achieved by individuals with an Education, Health, and Care Plan (EHCP) in mainstream schools, which constituted 57.4% of EHCP holders. Officers emphasised the approach of assessing appropriateness, benchmarking against other local authorities, and setting targets to ensure that the needs of EHCP pupils were met within mainstream environments. Additionally, the positive aspect of having a percentage slightly above the target was highlighted, that indicated that more EHCP pupils were being catered for in mainstream settings.

**RESOLVED:**

1. That the recommendations to the Executive, as set out at Appendix 1, be supported;
2. That a summary of the comments made be reported to the Executive as part of their consideration of this item.

**71      SCRUTINY COMMITTEE WORK PROGRAMMES**

Consideration was given to an update by the Chairman of the Children and Young People Scrutiny Committee, which provided detail on the recent work and planned work programme of the Children and Young People Scrutiny, as set out at Appendix A to the report. Further to publication of the report, one change to the work programme was recorded – the item on Primary School Mobile Replacement scheme had been referred from 12 January 2023 to 8 March 2023.

Consideration was given to an update by the Vice-Chairman of the Public Protection and Communities Scrutiny Committee, which provided detail on the recent work and planned

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work programme of the Public Protection and communities Scrutiny Committee as set out at Appendix B to the report. Further to publication of the report, one change to the work programme was reported – The item on Serious Violence in Lincolnshire – A Partnership Response – Position Report has been deferred from the 12 December 2023 to 19 March 2023, to allow for a draft Serious Violence Strategy to be submitted to the Home Office in January and if accepted, this would then be published in February.

The increase to funding for Citizens Advice was welcomed, which was considered important to ensure all people could access advice, particularly during a cost-of-living crisis.

**RESOLVED:**

1. That thanks be recorded to the presenters of reports;
2. That satisfaction of the work undertaken by the Children and Young People Scrutiny Committee and the Public Protection Scrutiny Committee be recorded;
3. That the work programmes of the Children and Young People Scrutiny Committee and the Public Protection Scrutiny Committee be endorsed.

**72      REVENUE BUDGET MONITORING REPORT 2023/24 – QUARTER 2**

Consideration was given to a report by the Assistant Director – Finance, which invited the Board to consider the Revenue Budget Monitoring data for Quarter 2 of 2023/24 prior to consideration by the Executive on 5 December 2023. The views of the Board would be reported to the Executive as part of its consideration of the report.

The Board supporting the recommendations to the Executive as set out at Appendix 1. During the discussion the following points were recorded for consideration:

- Members raised concerns about the risks associated with using interim beds for adult social care and community well-being, highlighting financial implications and potential drawbacks for patients. Officers explained that the aim was to have a unified approach to support discharge from hospitals and promote independence for individuals requiring short-term beds.
- The challenges in finalising the intermediate care layer's design by April were acknowledged, citing a delay of six to nine months.
- Members were assured about overspends in transport, that the budget had a £9 million contingency, which they anticipated using partially but not entirely. Ongoing reviews by the team aimed to ensure that the contingency covered the necessary expenses, with plans to incorporate findings into future budgets for sustained financial stability.
- The response clarified that the expected rise in income from TROs was attributed to fines imposed on utility companies for road-related violations. While fines were initially designed as a deterrent, the reality demonstrated a revenue-generating aspect, indicating a need for ongoing scrutiny and potential adjustments in the fine system to align with its intended purpose.

RESOLVED:

1. That the recommendations to the Executive, as set out at appendix 1, be supported;
2. That a summary of the comments made, as above, be reported to the Executive as part of its consideration of this report.

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

Consideration was given to a report by the Assistant Director – Finance, which invited the Board to consider the Capital Budget Monitoring data for Quarter 2 of 2023/24 prior to consideration by the Executive on 5 December 2023. The views of the Board would be reported to the Executive as part of its consideration of the report.

The Board supporting the recommendations to the Executive as set out at Appendix 1. During the discussion the following points were recorded for consideration:

- A request was made regarding clarity on page 308, where it appeared that £80 million was allocated to the Chief Finance Officer.
- The mentioned amount was associated with the corporate contingency, not designated for a specific service area. The request was made for future presentations to enhance clarity in the title or narrative to avoid potential misinterpretations, ensuring a more accurate understanding of financial allocations. Officers acknowledged the feedback and committed to updating the narrative for improved transparency.

RESOLVED:

1. That the recommendations to the Executive, as set out at appendix 1, be supported;
2. That a summary of the comments made, as above, be reported to the Executive as part of its consideration of this report.

74 TREASURY MANAGEMENT PERFORMANCE 2023/24 -QUARTER 2 TO 30 SEPTEMBER 2023

Consideration was given to a report by the Strategic Finance Lead – Technical, which invited the Board to consider the Treasury Management Performance for Quarter 2 of 2023/24.

The Board considered the report and during the discussion the following points were recorded:

- A question was raised regarding the decline in activity given that the high level of demand on the service in the public and the private sector. A response would be sought and provided outside of the meeting.
- As the data referenced was as at 30 September 2023, it was clarified that any debt that had matured since then would now have moved on.

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RESOLVED:

1. That the report be endorsed and satisfaction of the overall performance reported as well as assurances given by Officers, be recorded;
2. Those comments made by the Board be shared with the Leader of the Council for consideration.

75 PEOPLE MANAGEMENT UPDATE - QUARTER 2

Consideration was given to a report by the Assistant Director – HR And Organisational Support, which invited the Board to consider an update on People Management for Quarter 2 of 2023/24.

Consideration was given to the report and during the discussion the following points were recorded:

- Performance against the Gender Pay Gap was based on the gross pay of overall payments to employees.
- The Council no longer directly employed a team of educational psychologists to do our education, health, and care plans (EHCP's), as they were recruited on a contracted off spend basis. The current model funded contracted education psychologists on each of the education, health and care plan assessments that they do, which was a more cost-effective model as it provided the flexibility to buy what was needed.
- It was a statutory requirement that EHCP's must be signed off by Educational Psychologists and the work carried out by Educational Psychologists on EHCP's was distinct to any preventative work carried out within schools.

RESOLVED:

1. That the report be endorsed;
2. That satisfaction of the overall performance and outcomes reported, as well as assurances given by Officers, be recorded.

76 HEALTH AND SAFETY ANNUAL REPORT 2022/23

Consideration was given to a report by the Health and Safety Team Leader, which invited the Board to consider the Health and Safety Annual Report 2022/23.

It was agreed that further information on the take up of the 12-week physical activity programme be circulated.

RESOLVED:

1. That comments made be recorded;
2. That the report be endorsed;

That satisfaction of the overall performance, key outcomes, actions, support, future priorities and assurances be recorded.

77 PROPOSALS FOR SCRUTINY REVIEW BY SCRUTINY PANEL A

Consideration was given to a report by the Head of Democratic Services and Statutory Scrutiny Officer, which invited the Board to consider proposals for a scrutiny review by Scrutiny Panel A.

Of the four topics identified for a potential review, as set out on page 393 of the agenda pack, Young Carers had scored highest on the Priority Matrix and the Board supported the proposal for Young Carers to be allocated as the next review Topic for Scrutiny Panel A.

RESOLVED:

1. That thanks be recorded to Scrutiny Committee's for their responses;
2. That the proposal for Young Carers to be allocated for the next review by Scrutiny Panel A be supported;
3. That the draft terms of reference for the scrutiny review, as set out in appendix B, be accepted by the Board, subject to a final agreement by Scrutiny Panel A.

78 OVERVIEW AND SCRUTINY MANAGEMENT BOARD WORK PROGRAMME

RESOLVED:

That the report be noted.

The meeting closed at 12.12 pm