

NORTH LINCOLNSHIRE COUNCIL

CABINET

1 February 2021

PRESENT: - Councillor Waltham MBE in the Chair.

Councillors Hannigan (vice-chair), J Davison, Marper, Ogg, Poole, Reed, Rose and C Sherwood.

Councillors Ali, Armitage, Bainbridge, Briggs, A Davison, Ellerby, L Foster, Gosling, Kirk, Rayner, Southern, Swift, Wilson and Yeadon also attended the meeting.

Denise Hyde, Simon Green, Mick Gibbs, Becky McIntyre, Helen Manderson, Karen Pavey, Stephen Pintus, Peter Thorpe, Will Bell, Adam Lovell, Moira Wilson, Richard Mell and Dean Gillon attended the meeting.

The meeting was a remote/virtual meeting through Microsoft Teams.

- 1398 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS** – There were no declarations of interest declared.
- 1399 **MINUTES - Resolved** - That the minutes of the meeting of Cabinet held on 7 December 2021 having been circulated amongst the members, be taken as read and correctly recorded and be signed by the chair.
- 1400 **2020/2021 QUARTER 3 FINANCIAL MONITORING AND MEDIUM TERM FINANCIAL PLAN – UPDATE** - The Director: Governance and Partnerships submitted a report, which provided the Cabinet with an update on the Council’s in-year financial position, considered an updated estimate of the specific impact that Covid-19 was having on the Council’s financial plans and set out the Council’s updated medium term financial planning position.

The Director in her report explained that the medium term financial plan represented an amalgamation of financial and non-financial assumptions which formed the basis of how much resource the Council expected to have available to invest in its priorities and to ensure it continued to meet local need effectively. Cabinet had received several reports throughout the year which had provided updates in respect of Covid-19, both financial and non-financial. Specifically: the action it had taken to date to keep its residents safe and well, the financial impact together with the additional and Covid-19 specific funding provided by the Government, and a framework setting out the Council recovery and renewal plan set in the context of the Government’s recovery strategy. This report updated Cabinet on the latest financial situation, both in year and in future years.

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The pandemic had provided a highly uncertain environment for the Council to operate within. This applied on the ground, in terms of requiring a fluid response to ensure our residents were fully supported and our communities sufficiently led through the emergency. It also applied to financial forecasts and interventions by Government, which had been based on best information at a point in time. The Council would continue to take whatever action necessary to ensure it continued to meet the needs of its residents and businesses at a very challenging time and lead the area through the pandemic. This included redistributing resource, as necessary.

The Director stated that the purpose of this report was to take stock of the in-year financial position, which was based on the position prior to the most recent announcements regarding national lockdown. It also sought to provide an update on the financial planning process. A summary explanation with supporting appendices were provided for the following –

- Revenue 2020/2021;
- Capital 2020/21;
- Reserves;
- Budget Adjustments;
- Treasury Management, and
- Medium Term Financial Plan.

Resolved – (a) That the revenue and capital budget monitoring position for 2020/21 as set out in Appendix 1 of the report be noted; (b) that the medium term financial plan update in Appendix 2 be noted; (c) that the revenue budget adjustments approved under delegated powers and the revised budget position for 2020/21, summarised at Appendix 3 be noted; (d) that the revised capital investment programme 2020/23, set out at Appendix 4 be approved; (e) that the progress against the approved Treasury Management Strategy in Appendix 5 be noted, and (f) that the Director and her finance team be thanked for their continuing hard work.

- 1401 **COVID-19: UPDATE AGAINST THE MID-TERM RECOVERY PLAN** – The Director: Governance and Partnerships submitted a report updating Cabinet on the Council’s progress responding to COVID-19 as set out in the mid-term recovery plan, and presented an overview of the most recent legislative requirements that had been introduced and guided the local response.

The report explained that the local response to COVID-19 was set within a range of legislative regulations that had been introduced. The two key ones being the Coronavirus Act 2020 and Health Protection (England) Regulations 2020. Government guidance and new regulations continue to be issued, with a summary of the most recent key requirements set out in appendix 1 to the report

The changing nature of COVID restrictions required a flexible approach to switching between response and recovery and adapting as the situation changed. Currently national restrictions were in force and this along with the local position and intelligence was shaping current activities.

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The report highlighted the council's priorities for mid-term recovery and Appendix 2 to the report provided a summary of progress against the next step actions under each priority set out in the mid-term recovery plan, along with any new areas of focus arising out of the changing environment.

Whilst the actions set out for December 2020 to March 2021 were ongoing and remained broadly the same the environment both nationally and locally continued to change. The Director therefore explained the focus of the council during February and March 2021, and also set out its strategic ambitions which would continue to meet the needs of residents as the organisation remained resilient, sustainable and recovered from the impact of the Covid19 pandemic.

The report stated that there were opportunities that supported renewal through national schemes for re-build and economic bounce back where capital investment could stimulate growth and local prosperity, however the local capacity to delivery would need to be re-assessed against the priorities of the council and to ensure critical services continued to protect the most vulnerable, who were more likely to be impacted on from the effects of the pandemic.

Resolved – (a) That the recent government guidance and requirements that underpin the Council's local response be noted; (b) that the progress update in respect of the mid-term recovery plan be noted and the continued delivery of the priority actions be supported, and (c) that all officers delivering the plan be thanked for their hard work.

1402 **COVID19 EPIDEMIOLOGY UDATE** – The Director of Public Health gave a presentation on the current position within North Lincolnshire. This included –

- Headline status;
- Cases by specimen data as at 31 January 2021 and demography (national and local comparison);
- Daily lab-confirmed cases by specimen (locally and nationally);
- 7-day case rate trend locally and nationally;
- Local testing rates and positivity with a comparison to neighbouring authorities;
- Latest R-number and growth rate, and
- Weekly death trends.

The Director responded to several questions asked by members.

Resolved – That the Director be thanked for his very interesting presentation, and he and his staff be thanked for their continuing hard work during the pandemic.

COVID19 RESPONSE UPDATE REPORTS – Reports were submitted to Cabinet providing members with a detailed update on the current position in respect of the COVID-19 response from across council' services as set out below. The Council's approach to its business continuity response to the COVID-19 outbreak and actions taken to implement government guidance had been routed in the values, principles and ambitions of the council plan, the COVID-19 Mid-Term Recovery Plan and furthered

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through the strong partnerships within North Lincolnshire, framed under the following priorities:

- Keeping people safe and well
- Protecting vulnerable people
- Enabling communities to remain resilient
- Protecting the local economy

Whilst at the same time ensuring good governance and sound financial practice across the Council. National advice and guidance had been incorporated into the local response as it had become available. The most recent national restrictions were announced on 4 January 2021 and The Health Protection (Coronavirus, Restrictions) (No. 3) and (All Tiers) (England) (Amendment) Regulations 2021 came into force on 6 January 2021.

The following update reports were considered by the Cabinet -

- 1403 **(i) Covid19 Response Update: Operations** – Report submitted by the Deputy Chief Executive and Executive Director: Commercial.

Resolved - That the response to Covid19 as outlined in the report be noted.

- 1404 **(ii) Covid19 Response Update: Adults and Community Wellbeing** – Report submitted by the Director: Adults and Community Wellbeing.

Resolved – That the response to COVID19 as outlined in the report be noted.

- 1405 **(iii) Covid19 Response Update: Business Development** – Report of the Director: Business Development.

Resolved - That the response to Covid19 as outlined in the report be noted.

- 1406 **(iv) Covid19 Response Update: Children and Community Resilience** – Report of the Director: Community Resilience.

Resolved – That the response to COVID19 as outlined in the report be noted.

- 1407 **(v) Covid19 Response Update: Learning, Skills and Culture** – Report of the Director: Learning, Skills and Culture.

Resolved - That the response to Covid19 as outlined in the report be noted.

- 1408 **(vi) Covid19 Response Update: Governance and Partnerships** – Report of the Director: Governance and Partnerships.

Resolved – (a) That the response to COVID19 as outlined in the report be noted, and (b) that all officers and their teams across the council be thanked for their dedicated, hard work throughout the pandemic.

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1409 **ADULT SOCIAL CARE END OF YEAR PERFORMANCE 2019/2020** – The Director Adults and Community Wellbeing submitted a report seeking approval to publish the end of year performance outturn for the council’s Adult services. The Council continued to support people to remain safe and well and remained in the top ten in England for the number of Adult Social Care Outcomes measures in the top quartile.

The report explained that the National Adult Social Care Outcome Framework (ASCOF) comparator information for 2019/20 had been published, enabling North Lincolnshire Council to understand outcomes for local people and compare performance with other Councils in England, regionally and our comparator authorities. These measures helped the council to understand how it enabled the people of North Lincolnshire to be Safe, Well, Prosperous and Connected and how it was contributing to North Lincolnshire’s priorities of 2019/20, which were: Growing the economy; Keeping people safe and well, and Enabling communities to flourish.

The Director in her report outlined her services performance under the following headings used within the ‘National Adult Social Care User Survey’ –

- Feedback from people who receive support;
- Feedback from carers;
- People’s needs are clearly met;
- Choice and control;
- People who are able to live independently, and
- Employment.

Resolved – (a) That the report be noted and the performance outturn for adults be published, and (b) that the Director and her team be thanked for continuing to deliver high quality services.

1410 **LOCAL SAFEGUARDING BOARD (LSAB) ANNUAL REPORT 2019/2020** – The Director: Adults and Community Wellbeing submitted a report requesting Cabinet to note the publication of the Local Safeguarding Adults Board Annual Report 2019/2020, outlining its work and the delivery of the objectives of the strategic plan. The contents of the report should be considered in relation to planning, commissioning and budget setting. The annual report demonstrated that the LSAB:

- listened and responded to the voices of adults with care and support needs, and adults with the lived experience;
- was effective in providing help and protection to adults with care and support needs;
- effectively met statutory obligations;
- benefitted from strong and consistent leadership, and
- had made good progress on delivering the strategic objectives laid out within the strategic plan

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The Annual Report had also been distributed through relevant governance routes across safeguarding partner organisations including the Local Police and Crime Commissioner, Chief Constable, chair of the Health and Wellbeing Board and Healthwatch.

The Independent Chair of the Board, Moira Wilson, introduced and summarised the annual report. The annual report was attached as an appendix to the Director's report. She explained that the LSAB has a statutory requirement to publish an annual report, which offered assurance that local safeguarding arrangements and partnerships helped and protected adults with care and support needs in its area. The annual report detailed the work of the LSAB during the year to achieve its main objectives, and deliver the strategic plan priorities, as well as detailing the findings of any Safeguarding Adult Reviews (SARs) that may have been undertaken. Key achievements and future priorities were also summarised.

Members commented on the contents of the annual report and thanked everyone involved for their work.

Resolved – (a) That Moira Wilson be thanked for attending the meeting and summarising key aspects of the annual report, and (b) that the LSAB Annual Report for 2019/2020 be received and it be considered where relevant in relation to planning, commissioning and budget setting processes.

1411 **FUTURE HIGH STREET FUND** – The Director: Business Development submitted a report updating Cabinet on the recent announcement from Government on the Future High Street Fund on 26 December 2020 that North Lincolnshire Council had received a provisional funding offer of £10,675,323. The funding offer was subject to updating the proposal to reflect the funding envelope, a revenue grant of £5,000 had been accepted to enable the council to adapt its plan. The Council was working towards submitting its revised plan before 26 February 2021 and would have a confirmed offer from Government by the end of March 2021.

The proposal would deliver the following objectives and themes:

Objectives:

- Connectivity - to improve connectivity within the town centre and surrounding area;
- Housing - to support the development of housing in the town centre;
- Employment - to provide conditions to strengthen employment opportunities;
- Quarters - to create the conditions for prosperous quarters, and
- Quality - to improve the quality of life for those living, working, and visiting the town centre.

The proposals will deliver four themes for change:

- Stimulate development: Support and undertake key developments to instigate larger scale development by the private sector;
- Higher Value Employment: Support and encourage the creation of higher value employment;

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- Diversify the offer: Increase the offer of the town centre, including leisure, education, social and employment opportunities to draw more visitors, and
- Densify the Town Centre: Increase the number of people living and working in the town centre to support the local economy.

The delivery of this proposal, alongside Towns Fund and Local Growth Fund, was creating a series of showpiece projects that were succinct with our ambitious plans for North Lincolnshire that could draw visitors from further afield and begin the journey of diversifying our economic future.

Resolved – (a) That the funding allocation of £10.67m from Government be welcomed, and (b) that Cabinet receive a further update following confirmation of the revised funding offer in April 2020.

1412 **SCHOOLS FUNDING FORMULA 2021/2022** – The Director: Governance and Partnerships submitted a report updating Cabinet on the 2021-22 funding allocations for Dedicated Schools Grant (DSG) and the amount available for Individual School Budgets. The report also sought approval to allocate funding to North Lincolnshire mainstream schools by the North Lincolnshire Local Funding Formula.

The report explained that the Education and Skills Funding Agency (ESFA) published an operational guide annually outlining the arrangements to help local authorities and their Schools Forum plan the local implementation, calculation and allocation of school funding formulas for the forthcoming financial year. On 17th December 2020 the ESFA published the 2021-22 Dedicated Schools Grant (DSG) Allocations, based on October 2020 School Census data. The allocation for North Lincolnshire was £152.810m, an increase of £10.574m from last year. The element of DSG which was available for the Individual Schools Budget (ISB) for all mainstream schools was £121.080m, an increase of £8.410m from last year. The Operational guide sets out how ISB shares could be calculated and the report also outlined a number of factors that had to be taken into consideration for 2021/2022 (Appendix 1 of the report also refers).

The Director stated that in order to continue the introduction of the National Funding Formula (NFF) the DfE intended to consult on forward plans to move to a ‘hard’ NFF in the future so that resources were distributed based on the individual needs and characteristics of every school in the country.

North Lincolnshire Councils’ local formula now reflected the NFF for all factors except for the variation to use pupils travel distance to school measured by road or footpath, rather than ‘as the crow flies’ when applying the criteria for sparsity. The DfE continued to work on a more suitable formula to allocate sparsity funding.

Resolved – (a) The factors detailed in Appendix 1 of the report be used to calculate the individual schools budget shares for mainstream schools within North Lincolnshire for 2021-22, and (b) that the minimum funding guarantee be set at the

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maximum of 2% and that the schools block earmarked reserve be used to finance the shortfall of £183k.

- 1413 **DIGITAL DEVELOPMENT UPDATE AND VISION** – The Director: Governance and Partnerships submitted a report updating Cabinet on the council’s digital development and vision going forward.

The Director in her report explained that the Covid-19 pandemic had highlighted the importance of digital connectivity and capability. The council’s response occurred at a pace of change that required its workforce to operate in a wholly agile way, at scale, demonstrating flexibility and responsiveness, strengthening its collaborative approach and in doing so informing the next phase of its organisational development. New operating models were designed based on agile principles to meet new requirements and had accelerated progressive and sustainable ways of working, enabled by new technological solutions. Examples were listed in the report.

The pandemic also highlighted the importance of digital inclusion for enabling residents to access employment, education, essential services and wellbeing opportunities. To help ensure that no resident was disadvantaged due to digital access, the report highlighted a range of support offers and arrangements put in place by the council.

The report stated that to build on the above progress and to frame the council’s digital ambition going forward, a digital vision 2021-2024 has been determined. Its aims was to draw together current and future thinking, initiatives and activities in driving towards a ‘Digital Council’ and a ‘Digital Place’ which underpinned the Council Plan. This dual approach aimed to enable the council’s priorities through modern, digitally enabled service delivery and as a stimulus for investment and local economic growth and prosperity. The key themes of the ‘Digital Council’ and ‘Digital Place’ vision were highlighted in the Director’s report.

Resolved – That the digital update and priorities going forward associated with the digital vision 2021- 2024 be noted.

- 1414 **REGULATION OF INVESTIGATORY POWERS 2000 (RIPA) UPDATE** – The Director: Governance and Partnerships submitted a report informing members of the Council’s activity relating to surveillance matters under the RIPA regime for the period 1st January 2020 to 31st December 2020.

The report explained that RIPA provided a legislative framework which detailed a system of authorisation which existed to secure the lawfulness of surveillance activities

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and ensure that they were consistent with obligations under the Human Rights Act 1998. The different types of authorisation included covert surveillance directed at a person(s); the use of a "covert human intelligence source" (CHIS) which involved the establishing of a relationship for the covert purpose of obtaining information and access to communications data such as telephone subscriber details and itemised phone logs.

Between 1st January 2020 and 31st December 2020 the Council did not grant any RIPA authorisations as no RIPA applications were presented to the Authorising Officers. The reason for this is that the nature of enforcement activity changed during 2020 due to the impact of COVID 19 on businesses and intelligence was gathered using different methods. The Investigatory Powers Commissioner's Office did conduct an arms-length inspection of the Council's RIPA Policy and procedures in July 2020. The inspection was satisfied that the information provided by the Council Officers demonstrated a good level of compliance and that the RIPA Policy and procedures currently in place remained fit for purpose.

Resolved - That the report be noted and the existing RIPA Policy be approved.

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