

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Policy and Resources Committee held in the Council Chamber at the Guildhall, Gainsborough on Thursday 6 November commencing at 6.30 pm.

Present: Councillor Ian Fleetwood (in the Chair)

Councillor Owen Bierley
Councillor Ken Bridger
The Revd Councillor David Cotton
Councillor Chris Darcel
Councillor Paul Howitt-Cowan
Councillor Stuart Kinch
Councillor Giles McNeill
Councillor Reg Shore
Councillor Jeff Summers

In Attendance:

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|-------------------|-------------------------------------|
| Ian Knowles | Director of Resources |
| Penny Sharp | Commercial Director |
| Tracey Bircumshaw | Group Accountant |
| Jo Riddell | Head of Localism |
| Ruth Farningham | Team Manager Community Action |
| Kate Hearn | Community Action Officer Engagement |
| Dinah Lilley | Governance and Civic Officer |

Also Present: Councillor Geoff Wiseman

Apologies: Councillor Tom Regis (Chairman)
Councillor Nigel Bowler
Councillor Anne Welburn

Membership: Councillor Paul Howitt-Cowan substituted for Councillor Regis
Councillor Stuart Kinch substituted for Councillor Welburn

34 PUBLIC PARTICIPATION

There was no public participation.

35 MINUTES

- i) **RESOLVED** that the Minutes of the Meeting of the Policy and Resources Committee held on 4 September 2014 be confirmed and signed as a correct record.
- ii) **RESOLVED** that the Minutes of the Meeting of the Joint Staff Consultative Committee 13 October 2014 be noted.

36 MEMBERS' DECLARATIONS OF INTEREST

Councillor Paul Howitt-Cowan and Councillor Bierley declared that they had been on the Prosperous Communities Committee which had made the decision and recommendation for Paper L.

Councillor Cotton declared that in relation to Paper D he sat in the Magistrates Court, this would not likely have any impact, however if anything pertinent arose he would absent himself.

37 MATTERS ARISING SCHEDULE SETTING OUT CURRENT POSITION OF PREVIOUSLY AGREED ACTIONS AS AT 29 OCTOBER 2014 (PR.20 14/15).

Members gave consideration to the Matters Arising Schedule which set out the current position of all previously agreed actions as at 29 October 2014.

The Governance and Civic Officer noted that the item which showed as green, the Lone Working Policy, was to be the subject of a presentation at full Council on Monday 10 November, following which Appendix D would be circulated to Members.

RESOLVED that progress on the Matters Arising Schedule as set out in report PR.20 14/15 be noted.

Note: Councillor Kinch arrived at this point of the meeting

38 FREE PARKING REVIEW (PR.21 14/15)

The report had been submitted at the request of the Committee following approval in May 2014 for free parking for the Love Your Market events in Gainsborough, in order to assess the effectiveness of the free parking.

Two of the market events had been cancelled due to bad weather so the statistics were not a true representation, and it was difficult to obtain a clear picture. Whilst traders and shoppers both said that the free parking was beneficial there was no economic evidence to substantiate this.

In the absence of evidence to support the benefits of free parking it was suggested that the status quo remain and that each application be assessed on its own merits, whilst further research was undertaken.

Members agreed that more statistical evidence was required before a strategic decision could be taken. Support needed to be given to traders in the town centre, however if there were no measurable benefits, and given the financial cost to facilitate this, it was not possible to set a generic policy to determine all applications. Three options had been set out in the report, the first of which recommended that, in the absence of definitive data, until data was collected, applications be assessed by the Chair of Prosperous Communities Committee, with officer support from a Head of Service / Strategic Head of Localism or Property Assets or a delegated officer. It would be the responsibility of the Officer to collect as much information as was needed to be able to make an informed decision.

RESOLVED that:

- a) each application for free car parking be assessed on its own merits;
- b) the assessment of applications for free car parking be delegated to the Head of Service / Strategic Head for Localism or Property & Assets in consultation with the Chair of Prosperous Communities Committee and the Chair of Policy and Resources Committee;
- c) further research in relation to free car parking, including its impact elsewhere be incorporated into the full consultation report.

39 ASB CRIME AND POLICING ACT 2014 (PR.22 14/15)

The Anti-Social Behaviour, Crime and Policing Act was given Royal Assent on 13 March 2014. The Act had rewritten much of the legislation currently in use by local authorities for dealing with matters of anti-social behaviour, environmental crime and other enforcement. The new legislation came in to force on 20 October 2014.

The Act introduced two new pieces of legislation for which fixed penalty notices could be used as an alternative to prosecution; the legislation did not prescribe the amount of each fixed penalty except to give an upper limit of £100, nor did it make use of the fixed penalties compulsory. The Council could take the decision as to whether to adopt and use the new fixed penalty notices and set the amount locally.

It was recommended that an across the board fee of £75 (£50 for early payment) be set for all notices. Agreeing the use of fixed penalty notices under the new legislation would enable West Lindsey to have a wider and more flexible toolkit with which to tackle anti-social behaviour. West Lindsey was already leading the way in the county as one of only two authorities to have amended its constitution to enable use of the powers, and the only one to have got so far in establishing use of and amount of these fixed penalties.

Benchmarking had been undertaken with other authorities to assess the resources allocated to dealing with antisocial behaviour, and the use of e-forms was currently

being developed. It would be useful to have an officer dedicated solely to the Gainsborough South West Ward.

Committee Members questioned where the oversight of the powers would lie, and commented that enforcement prosecution was seldom pursued. Training was proposed for officers in housing and environmental departments. It was intended that monitoring would show in the regular Progress and Delivery report.

RESOLVED that:

- a) fixed penalty notices under the 2014 Act be adopted at the levels recommended in section 2 of the report;
- b) it be recommended to full council that the above be considered as part of the budget setting process for 2015/16; and
- c) the information in section 3 of the report be noted.

40 REVIEWED OFFICER CODE OF CONDUCT (PR.23 14/15)

The Officer Code of Conduct had been reviewed following the need to update the last version in 2008, this had been agreed with the Governance and Audit committee last year as part of the review of Corporate Governance.

RESOLVED that the changes to the Officer Code of Conduct be approved and the Code of Conduct be adopted for all employees of the council.

41 ACQUISITION AND DISPOSAL POLICY (PR.24 14/15)

The Commercial Director introduced the proposed Acquisitions and Disposal Policy as set out in Appendix 1 of the report. The Policy contained the principal elements governing West Lindsey District Council's approach to the management, disposal and acquisition of physical assets and legal interests in property, land and buildings.

The Policy was not intended to be, or represent, an inflexible or fixed strategic approach to disposal and acquisition. Rather, it provided a flexible framework with proper systems for internal control. It was informed by the 'Corporate Plan' (2012 – 2016), the principal strategic 'Asset Management Plan' and current and emerging requirements placed on local authorities by Central Government.

It should be noted that the Policy required an independent valuation to be obtained when acquiring or disposing of assets in order to maximise value for money. This replaced the previous policy commitment to use the District Valuer. Whilst it may be that the District Valuer was still used on some occasions to secure the independent valuation, other valuers could also be used, for example, the Council's retained agent.

RESOLVED that the Acquisitions and Disposal Policy be approved.

42 FINANCE QUARTERLY MONITORING (PR.25 14/15)

The Group Accountant presented the report which detailed the major variances of note, including an increase in Planning application fee receipts, Government Grant income and a deficit in employee costs.

The Capital Programme delivers Corporate Priorities over a medium term and approval was requested for Capital Budget be carry forward to the 2015/16 programme and to enable re-profiling of these schemes over the Medium Term Financial Plan.

The difference in the amount of surplus to that quoted in the Progress and Delivery report was explained as being due to different accounting periods.

Acquisitions undertaken during the period were listed in the report along with one disposal, and the amount of Capital receipts received. There had been no breaches of prudential indicators.

Changes to credit methodology were required and an explanation was given for this.

RESOLVED that:

- a) the forecast out-turn position as at 30 September 2014 be noted;
- b) the revised Capital Budget of £2.684m and carry forward requests of £2.050m to 2015/2016 be approved, and the property acquisitions to be added to the Asset Register be noted;
- c) the Treasury Management Mid Year Report and Treasury position for the six months to 30 September 2014 be noted;
- d) the report and the treasury activity changes to the prudential indicators be noted; and
- e) the changes to the credit methodology whereby viability, financial strength and support ratings will not be considered as key criteria in the choice of creditworthy investment counterparties be approved.

43 PROGRESS & DELIVERY REPORT – SERVICES (PR.26 14/15)

The Director of Resources introduced the new style of progress and delivery reports which was for the first reporting period of 2014/15 which ran from April 2014 to August 2014. This report dealt with services' progress and delivery and also contained the finance report for the first period.

The report was "by exception" only and contained the off target measures for each service (the full performance information was available to Councillors via the extranet). This was also the report which dealt with service performance and finances (a separate report would deal with projects in line with the recommendations of the Councillor working group).

Members generally welcomed the new style of reporting and commented on some of the items listed, in particular: home choices; youth unemployment; land charges

and planning enforcement. The Chairman reminded Members that if they required further detail on any specific issues they could contact officers outside of the meeting.

It was suggested that consideration be given to the metric used in assessment, particularly planning enforcement.

Councillor Cotton requested that the Planning Committee also receive the information that was relevant.

RESOLVED that having examined the areas where service performance was off target, assurance was sought and received from officers that the rectifications proposed would deal with the issues identified.

44 PROGRESS & DELIVERY REPORT – PROJECTS (PR.27 14/15)

The Director of Resources introduced the new style of progress and delivery reports which was for the first reporting period of 2014/15 which ran from April 2014 to August 2014. This report dealt with projects' progress and delivery.

Committee Members suggested that the projects within the report be RAG rated to give a clearer picture of progress made. Those projects currently showing as being off target were: Empty Homes; Land Charges automation; and Gainsborough Young Persons' Supported Accommodation.

The action taken to date and proposed rectification of the lack of progress were set out in the report. Questions were asked regarding the Gainsborough Young Persons' Supported Accommodation and what would happen next if funding was not forthcoming. Security of funding was still being sought however it may be necessary to mothball the project whilst problems were addressed.

Projects that had delivered within the reporting period included: the project to deliver broadband to rural communities within the district had made significant progress within the reporting period by the signing of the loan agreement with the council's partner and the drawdown of the first tranche of that loan; and the community payback project had assisted with Gainsborough in Bloom and the removal of fly tipped waste from various locations within the town.

RESOLVED that having examined the areas where service performance was off target, assurance was sought and received from officers that the rectifications proposed would deal with the issues identified.

45 COMMITTEE WORK PLAN (PR.28 14/15)

The Governance and Civic Officer presented the Committee Work Plan which set out those items for future Committee consideration.

RESOLVED that the Work Plan be noted.

46 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

47 BEAUMONT STREET CAR PARK (PR.29 14/15)

The Commercial Director presented a report to Committee regarding the future of the Beaumont Street Car Park, Gainsborough's multi-storey car park, which provided 393 spaces within the town centre.

The Council had entered into an agreement with the Lincoln Co-operative Society Limited on 14 June 1990 which granted exclusive rights to operate Beaumont Street Multi-Storey Car Park as a business. The term of the agreement was for a period of 25 years and therefore terminated in June 2015.

Discussion ensued as to the options available and the proposed way forward.

RESOLVED that:

- a) the issuing of a Section 26 notice to Lincoln Co-operative Services Ltd, indicating the Council's desire to extend its lease on the Beaumont Street Car Park at a market rental level be approved; and
- b) any detailed negotiations with Lincoln Co-operative Services Limited on rental terms be delegated to the Commercial Director in consultation with the s151 Officer, Leader and Chair of Policy & Resources.

48 FREE PARKING REQUEST (PR.30 14/15)

The Commercial Director informed the Committee that a request had been submitted to the Council for free car parking to support the Christmas Lights switch on in Gainsborough town centre. This request had been part of a composite report for three events which was declined by the Prosperous Communities Committee on 2 September 2014. A further report specifically requesting free parking for this event was then submitted to the 14 October 2014 Prosperous Communities Committee, which was then approved and referred to the Policy and Resources Committee for approval.

Lengthy debate ensued with differing opinions being expressed as to the merits of granting the request. Views such as: the support for Gainsborough at the expense of tax payers elsewhere in the District; the level of support from Gainsborough Town Council; did the request include an in depth business plan;

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Subject to Call-in. Call-in will expire at 5pm on Monday 24 November 2014

and whether there were any economic benefits to be gained from approving free parking.

It was moved and seconded that the request be declined. On being voted upon there were four votes in favour and four against, with two abstentions. The votes being equal the Chairman exercised his casting vote.

RESOLVED that the request for free parking for the Christmas Lights switch on in Gainsborough town centre on 22 November 2014 be declined.

The meeting concluded at 7.47 pm.

Chairman