

Guildhall Gainsborough
Lincolnshire DN21 2NA

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This meeting will be webcast live and published on the Council's website

AGENDA

Prayers will be conducted prior to the start of the meeting.
Members are welcome to attend.

Notice is hereby given that a meeting of the Council will be held in the Council Chamber - The Guildhall, , on **Monday, 12th May, 2025 at 7.00 pm**, and your attendance at such meeting is hereby requested to transact the following business.

To: Members of West Lindsey District Council

- a. Meeting of Full Council Monday, 3 March 2025

(PAGES 3 - 17)

- b. Extraordinary Meeting of Full Council, Tuesday, 18 March 2025

(PAGES 18 - 23)

- a. Recommendation from Governance and Audit Committee - Constitution
Amendments: Articles and Committees

(PAGES 24 - 37)

- b. Review of the Allocation of Seats to Political Groups on Committees / Sub
Committees

To note the Group Leaders of each Group and the number of Members to be appointed to serve on each Committee in accordance with the provisions of Section 15 of the Local Government Act.

(PAGES 38 - 49)

- c. Appointment of Committees for the Civic Year 2025/26

In accordance with the provisions of Section 16 of the Local Government and

Housing Act 1989, to appoint Members to Committees for the Civic Year, in accordance with the wishes expressed by the Political Groups.

(PAGES 50 - 55)

- d. Appointment of Committee Chairmen and Vice-Chairmen for the Civic Year 2025/26 and to Agree the Normal Commencement Time for Each Committee

(PAGES 56 - 59)

- e. Appointments on Outside Bodies Which Have Expired

(PAGES 60 - 63)

- f. Recommendation from the Governance and Audit Committee - Monitoring Officer Annual Report 2024/25

(PAGES 64 - 79)

- g. Recommendation from the Chief Officer Employment Committee - Appointment of an Interim Head of Paid Service

(PAGES 80 - 84)

- h. Recommendation from the Chief Officer Employment Committee - Appointment of Section 151 Officer

(PAGES 85 - 89)

- i. Overview & Scrutiny Annual Report 2024/25

(PAGES 90 - 98)

Ian Knowles
Head of Paid Service
The Guildhall
Gainsborough

Friday, 2 May 2025

WEST LINDSEY DISTRICT COUNCIL

Minutes of the Meeting of Council held in the Council Chamber - The Guildhall on 3 March 2025 at 7.00 pm.

Present: Councillor Stephen Bunney (Chairman)
Councillor Matthew Boles (Vice-Chairman)

Councillor Emma Bailey	Councillor John Barrett
Councillor Owen Bierley	Councillor Trevor Bridgwood
Councillor Mrs Jackie Brockway	Councillor Liz Clews
Councillor Frazer Brown	Councillor Karen Carless
Councillor Christopher Darcel	Councillor David Dobbie
Councillor Jacob Flear	Councillor Ian Fleetwood
Councillor Paul Key	Councillor Mrs Angela Lawrence
Councillor Paul Lee	Councillor Peter Morris
Councillor Lynda Mullally	Councillor Maureen Palmer
Councillor Roger Patterson	Councillor Roger Pilgrim
Councillor Mrs Diana Rodgers	Councillor Mrs Lesley Rollings
Councillor Tom Smith	Councillor Jim Snee
Councillor Mrs Mandy Snee	Councillor Paul Swift
Councillor Baptiste Velan	Councillor Moira Westley
Councillor Trevor Young	

In Attendance:

Ian Knowles	Chief Executive
Peter Davy	Financial Services Manager (Deputy Section 151 Officer)
Lisa Langdon	Assistant Director People and Democratic (Monitoring Officer)
Katie Storr	Democratic Services & Elections Team Manager

Apologies

Councillor Eve Bennett
Councillor Adam Duguid
Councillor Sabastian Hague
Councillor Paul Howitt-Cowan
Councillor Jeanette McGhee

64 MINUTES OF THE PREVIOUS MEETING

Having been proposed and seconded, on being put to the vote it was:

RESOLVED that the Minutes of the Meeting of Full Council held on 27 January 2025 be confirmed, approved and signed as a correct record.

65 MEMBERS' DECLARATIONS OF INTEREST

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

66 MATTERS ARISING

The Chairman introduced the report, advising Members that it would be taken “as read” unless Members had any questions that they wished to raise.

With no comments or questions and with no requirement to vote, the matters arising were **DULY NOTED**.

67 ANNOUNCEMENTS

Chairman

The Chairman addressed Council, summarised as follows:

The pendant for the full civic regalia was collected from Birmingham, and for the first time, the Chairman realised there was an inscription on the back which read: ‘This medallion was presented to the Council by Councillor Gordon F Fox in the year of his chairmanship 1974 to 1975’. An interesting note on times past.

Since the previous meeting, the Chairman had undertaken several engagements, including speaking at a U3A meeting in Market Rasen about his role as a Councillor and the responsibilities across Town, District and County Council. He commented on the benefits of talks, highlighting that many residents were unaware of the tiers of local government and where responsibilities differed.

The Chairman highlighted the fifth anniversary of the crematorium, praising the celebrations whilst regretting his unavailability to attend, however he had visited the Operational Services Depot at Caenby Corner for the arrival of the first liveried food waste collection vehicle. He reminded Councillors that the team at the Depot were available to attend local events to raise awareness and answer questions regarding the anticipated roll out of food waste collections.

The Chairman had also attended the Illuminate Festival, including exhibitions at the Old Hall, praising the success of the event and the involvement of the local community. Another engagement took place in Nettleham, celebrating the awarding of the Freedom of the Parish to Pearl Wheatley, who was also celebrating her birthday at the same time.

Special mention was given to West Lindsey based businesses, the Bridleway Bed and Breakfast, and Ashleigh Farm Caravan and Glamping, winners at the Destination Lincolnshire Tourism Excellence Awards, which the Chairman had attended alongside the Leader, Deputy Leader and Council Officers. He praised all those businesses who had been finalists, recognising the value they brought to their local communities and the wider district, whether that be by providing employment, services, or welcoming visitors into the area thereby helping grow the local economy.

In concluding his announcements, the Chairman reiterated the diversity of engagements, and invited the Leader to speak.

Leader

The Leader made the following address to Council:

“Thank you, Chairman. Welcome Members and Officers to this evening's meeting. I've just got two announcements this evening. Firstly RAF Scampton. Last week myself and the Deputy Leader met with Minister Angela Eagle regarding RAF Scampton. As Members will be aware, for the last two years the authorities have been fighting the government to protect that site and deliver our £300million development. I must say the meeting was very productive. We're very optimistic that the Labour government will make an announcement very shortly regarding the decision to transfer the site to us. It was an extremely positive meeting, and we were really optimistic in terms of finally trying to get that one over the line.

Local Government Reorganisation: there's been several meetings since the last Full Council meeting on LGR, work is ongoing and we will be arranging an Extraordinary Full Council meeting in the next couple of weeks to debate the issue

That's all for this evening, thank you.”

The Chairman thanked the Leader, and, on seeing an indication to speak from the floor, invited the Leader of the Opposition to speak.

Councillor I. Fleetwood commented on the previous and ongoing involvement of Sir Edward Leigh, MP, in discussions regarding the Scampton site, alongside the previous administration at West Lindsey District Council. He requested that when such meetings with Ministers occur, briefing notes or updates be shared with Council in a timely manner.

The Leader of the Council highlighted the short notice with which the meeting had been arranged, and took on board the request for information to be shared when and where it was possible to do so.

The Chairman thanked them for their comments and invited the Head of Paid Service to speak.

Chief Executive

The Chief Executive thanked the Chairman and opened by explaining that, in relation to a legal case brought by Thurrock Council against APSE members, there had been a stay of procedures agreed by the courts and no further action was required at this time. Members would be kept updated in due course.

He echoed the comments regarding the Destination Lincolnshire Awards, and added his congratulations to the West Lindsey based businesses. He also highlighted that council teams had been nominated for the Pride of Place award, for the Gainsborough Arts

Heritage; the Culture Award for the Trinity Arts Centre; and the Event Festival of the Year, for the Go Festival. Whilst not winning was disappointing, it had been appreciated to be recognised.

Additionally, the Local Land Charges team had been shortlisted in the 2025 Land Data Awards in two categories: Customer Satisfaction Award for Local Authority Searches and the Best Performing National Land Information Service Level 2, Local Land Charges Department, with the Chief Executive highlighting their success at being recognised at a national level.

In thanking the Chief Executive for his announcements, and before moving on with business, the Chairman added that he had received a response from the relevant minister regarding the Council's concerns about health and safety around battery storage, which had also been forwarded to Councillor Bridgwood who had raised the issue initially.

68 PUBLIC QUESTION TIME

The Chairman advised the meeting that no public questions had been received.

69 QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 9

The Chairman advised the meeting that three questions had been received pursuant to Procedure Rule No.9. The questions had been circulated to all Members, separately to the agenda, and published on the website.

He invited Councillor I. Fleetwood, Local Ward Member for Bardney, to put his question to the Leader, as follows:

“At the last Full Council Meeting the Leader responded to my motion regarding keeping balances owned by the District Council within the realms of those tax payers who had been resident in the District – This was voted down which is a major disservice to the many residents who have contributed to make West Lindsey what it currently stands for!

Even worse than this, the Leader maintained that the previous Administration had invested outside of the District and his Deputy Leader maintained that there had been no social contribution or benefit to the rate payers of the District. I maintain the Leader has misled everybody because if the investment portfolio is checked anybody can see that approximately a third of the total investment (about £6.5 million pounds) has been invested within the District Council boundary creating opportunities that they both failed to recognise!

Would the Leader and Deputy Leader please apologise to the Council and residents of the District?”

The Chairman thanked Councillor Fleetwood for his question and invited Councillor Trevor Young, as Leader of the Council, to respond, with the response being as follows:

“Councillor Fleetwood, thank you for your question. The simple answer to your question is no, I will not apologise. The issue of whether a council should be allowed to invest out of their area is a contentious issue, and the rules have now changed not allowing councils to invest out of area, following numerous poor financial decisions being made by councils, which has led to many facing bankruptcy.

During the years of Conservative governments’ underfunding of local authorities, councils were forced into having to look into investments to raise revenue, or simply withdraw or reduce services. With the uncertainty of returns on investments, should councils be allowed to play Russian roulette with hard-earned council tax money being invested out of their areas? Councils have lost millions up and down the country and the potential risk involved was clearly recognised by the government when the rules have now been changed. Out of area investments based on financial returns are extremely risky and the fact is that the asset value of some of the investments made by this previous administration will be far lower than the original purchase price.

The Liberal Democrat Group do not oppose commercial investments, but they have to deliver social return, support local growth, economic development and local employment. South Yorkshire must be delighted by the way that West Lindsey has purchased a hotel in Keighley, a knicker factory in Sheffield, a gym in Sheffield and a car sales room in Doncaster, protecting many of their local jobs whilst the numbers of jobless in West Lindsey is at an all-time high. Supporting their local economies by tens of thousands of pounds and creating thousands of pounds of extra revenue through their local authorities creating less burden on the council tax by collecting rates, etc. So Chairman, I won't apologise and we stick in terms of what our position is around commercial investments. Thank you.”

Councillor Fleetwood, with permission of the Chairman, made further supplementary comments during which it was noted that he thought all of the investments, wherever they were taken, were checked for validity and proven to be the best investments available to the council at the time. He commented they were proven opportunities to keep the rates of council tax to a low, and to maintain the balances of the council correct. He stated that, to his knowledge, none of the investments had failed.

The Chairman thanked both Councillors for their comments, noting the usual process was not to debate following a question. With that in mind, he invited Councillor E. Bailey, Local Ward Member for Lea, to pose her question to the Leader of the Council, which was as follows:

“Can the Leader of the council outline the efforts he and officers have made to lobby the Government for further funding for the Internal Drainage Boards to finance essential repairs and to undertake infrastructure changes to build up resilience measures to help mitigate further flooding. The current arrangements place unreasonable strains on the finances of District Councils and Council Payers. Can the Leader also undertake that he and the Chief Executive will continue to lobby DEFRA and The Treasury to ensure equitable funding for the IDBs.

Thank you”

The Chairman thanked Councillor Bailey for her question and invited Councillor Trevor Young, as Leader of the Council, to respond, with the response being as follows:

“Thank you, Chairman. Councillor Bailey, thank you for your question. Really important question. The Council is a member of the LGA special interest group on the Internal Drainage Boards whose objective is to seek a revised approach to the government to the funding mechanism for the Internal Drainage Boards that removes the need for a direct Council subsidisation. The group is made up of a majority of authorities which are affected by drainage board levies. Regular meetings have taken place with officers who have attended, and also an event took place at the House of Commons to raise awareness. Our local MP is very supportive and has been lobbying where possible. The group has been successful in securing £3million in 2023-24 and £3million in 2024-25, and £5million has been promised for 2025-26, which is shared amongst the affected councils depending on the level of levy raised year to year. The group recognises that the important role of drainage boards undertake and the work they do, but it is seeking a longer term solution to funding, and the council is also responding to funding consultations for the government, highlighting the impact on the budget of the drainage board levies.

Whilst your question, Councillor Bailey, specifically relates to internal drainage boards, it is clear that in West Lindsey there are many instances and concerns around the maintenance of watercourses by the Environment Agency, and in relation to this I can tell you that the Deputy Leader has a planned meeting next week with the MP to explore ways that we can better challenge the Environment Agency to ensure higher standards of maintenance on the watercourses and the reduce of flood risk in our communities. Thank you.”

The Chairman thanked the Leader for his response, and on confirming with Councillor Bailey that she had no supplementary questions, invited her to pose her next question to Councillor L. Rollings, Chairman of the Prosperous Communities Committee, which was as follows:

“Can the Chairman of the Prosperous Communities Committee explain how WLDC are ensuring that the NSIP developers in our area are fulfilling their obligations and recommendations to work with the communities to ensure that their proposed projects do not create further problems (Such as road damage etc), and how they are planning to provide benefits to our local area, such as discount on electricity or funding community projects. Can she also explain that procedures are in place to ensure that any jobs created will be for local people and whom will be responsible for enforcing these agreements?

Is she able to assure us that all the NSIP developments currently being given consent by The Secretary of State for Energy Security and Net Zero have undertaken to provide community and social gain. What timescales have been agreed and what are the arrangements for ensuring that the promises are delivered?

Thank you”

The Chairman thanked Councillor Bailey for her question and invited Councillor Rollings, to respond, with the response being as follows:

“Yes, thank you, Councillor Bailey. A really important question with an awful lot to it, and I think it demonstrates the level of concern there is amongst a whole range of community groups and people in our communities that are very concerned with the way that these NSIPs are moving forward. There are three development consent orders for nationally significant solar development in West Lindsey in place with others in progress. The development consent order is a grant, basically grants planning permission by the government, bypasses the local authority.

All three consents have a requirement to set up a community liaison group of which the terms of reference must be submitted to West Lindsey District Council for approval. The community liaison group is required to be in place for the entirety of the development and at this early stage, post -consent, no details have been submitted for consideration. In terms of wider matters, such as community projects and job creation, this is not something that is controlled through the planning process. However, officers have been researching options for the development of a community benefits policy, which will be the subject of reports at Prosperous Communities Committee later this year. So thank you once again, Councillor Bailey, for this.

We know that this is something you've taken a very keen interest in on the Council, and we know that these huge solar developments are a cause of great concern. I was only talking to a farmer today who was saying, ‘what happens when the farmers have gone, when these solar farms come into being? Who will look after our countryside?’ It is a big concern. There is an awful lot to do still and I hope my answer has given you some reassurance, and with your position as Vice Chair on the Committee as well, I hope this is something that you will be able to take a keen lead on for the authority going forward. Thank you.”

With permission of the Chairman, Councillor Bailey posed a supplementary question, enquiring whether there was any information regarding the time frames involved for council approval of the community liaison groups, or when the information was required to be submitted ahead of development starting. By way of response, Councillor Rollings explained there had not yet been any government-led direction as to how or when that process would work, with the Chief Executive invited to add further detail. He advised Members that it was still considered to be the early stages of the NSIPs, however on receipt of any updated information, Members would be advised accordingly.

With further comments being indicated from the floor, the Chairman reiterated the usual practice of question and response, and brought the discussion to a close, thanking all for their input, and moving on to the next item of business.

70 MOTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 10

The Chairman advised the meeting that one Motion had been submitted pursuant to Council Procedure Rule No. 10 and this was set out in the agenda.

As the mover of the first motion, Councillor Boles was invited to read aloud his motion to the meeting, as follows:

Motion 1 – Back West Lindsey – Stop a Mega-Council

“This Council Notes:

1. The Government’s English Devolution announcement in December 2024, which included reference to supporting local government reorganisation.
2. The proposals being considered by some counties to merge existing district councils into large, county-wide unitary authorities, as seen recently in North Yorkshire.
3. The significant concerns of residents, businesses and the third sector across Lincolnshire regarding the negative impact a mega-council would have on local democracy, accountability, and the effective delivery of public services.
4. The financial situation of mega-councils created in recent years such as Somerset and North Northamptonshire have not improved post-unitarisation. The financial crisis in local government has not been solved by unitarisation.

This Council Believes:

1. Decisions affecting West Lindsey should be taken in West Lindsey.
2. In its 50 years of existence West Lindsey has been a successful council responding to the needs of its community. This level of localised action would be lost in mega-council, one county unitary.
3. Whilst the current two-tier system presents some challenges, the solution does not lie in the creation of vast and remote mega-councils that would diminish local voices and accountability.
4. If unitarisation is to be implemented in Lincolnshire, it should be based on smaller, more localised areas that are aligned with existing communities and their identities, rather than a single, county-wide mega-council.
5. That any restructuring of local government in Lincolnshire must be driven by the genuine needs and preferences of local communities, and should not be a top-down imposition that disregards local concerns.

This Council Resolves:

1. To reject the creation of a large, county-wide mega-council for Lincolnshire.
2. To call upon the Leader of the Council to write to all Council Leaders in Greater Lincolnshire and the Secretary of State for Housing, Communities and Local Government to inform them of West Lindsey’s wish to remain West Lindsey, and request that they abandon any plans for a county-wide mega-council.
3. We instruct officers to ensure that the continuing identity of West Lindsey District as a major contributor to Central Lincolnshire is at the forefront of any thinking and planning that they undertake from now on

I so move
Councillor Matthew Boles”

With the motion duly seconded, debate ensued, with Members voicing their support for, or opposition to, unitary councils.

As a point of information, a Member highlighted that the proposals in Lincolnshire under Local Government Reorganisation was not for one sole ‘mega-council’, rather for there to be authorities with around 500,000 residents, which meant dividing the approximately 1.1 million residents in Greater Lincolnshire. Concern was raised that, even if the Council did not support the proposals, it was important for the district to be represented in order to have a voice as far as was possible.

Attention was drawn to the success of West Lindsey District Council, both in managing the finances and supporting local communities as they needed to be supported. Concern was expressed that the larger a unitary council, the lower the focus on individual communities. Members stated this being particularly relevant in an area so rural as Lincolnshire.

There was recognition that some councils were failing financially, and the move to larger, unitary councils may afford some financial benefits to those areas, however this was countered with the costs involved with creating new unitary authorities, with Members voicing the thought that areas across the country should be able to decide what would best benefit them, rather than the government prescribing the same approach regardless of situation.

Members raised concerns regarding the potential impact on local democracy, with fewer seats available leading to Elected Members having to represent much larger areas, and the sense that it would lead to a loss of local representation. Members who had been liaising with their Wards reiterated the sentiment that residents welcomed being able to name their representative and knowing they stood for their specific area. It was felt this would be lost in a larger authority with fewer Members. Additionally, it was highlighted that the demands on Councillor time would radically increase, not least because of travel time across a much larger ‘patch’. This led to concerns that a much smaller pool of people would be able to commit to being a Councillor, with, for example, those working full time and / or with families, being unable to stand for election.

In supporting the motion, and voicing support for the current system and specifically the success of West Lindsey District Council, a Member proposed a recorded vote. With no seconder, the proposal fell.

Members expressed ongoing consternation that the communication between all authorities, from Lincolnshire County Council to the districts and boroughs, was seen to be one-sided, with the smaller authorities having a sense of being ‘told’ what was to happen, rather than being consulted with. It was felt that the best outcome for Lincolnshire would come from clear representation from all borough and district councils.

In bringing the debate to a close, the Chairman highlighted the importance of communication across all parties, including within the Council as well as involving staff. On putting the motion to the vote it was

RESOLVED that

- a) the creation of a large, county-wide mega-council for Lincolnshire be rejected; and
- b) the Leader of the Council be called upon to write to all Council Leaders in Greater Lincolnshire and the Secretary of State for Housing, Communities and Local Government to inform them of West Lindsey's wish to remain West Lindsey, and request that they abandon any plans for a county-wide mega-council; and
- c) officers be instructed to ensure that the continuing identity of West Lindsey District as a major contributor to Central Lincolnshire be at the forefront of any thinking and planning that they undertake from now on.

71 MEDIUM TERM FINANCIAL PLAN 2025/26 TO 2029/30 THE BUDGET 2025/26 CAPITAL PROGRAMME 2025/26 TO 2029/30

Members gave consideration to a report which presented the Medium-Term Financial Plan (MTFP) for 2025/26 onwards, alongside the 2025/26 Budget and the Capital Programme from 2025/26 to 2029/30.

The Leader made the following budget speech to Council in presenting the report:

“This report sets out the medium-term financial plan for 2025-26 onwards. The purpose of the medium-term financial plan is to set out robust overall framework for the Council's financial strategy and spending plans over the next five years in support of delivering the corporate plan. The report sets out the revised financial plans with the financial analysis for changes in government funding, the economic environment, local engagement and the priorities of the council. The plan reflects the revisions to previous estimates and covers the period of 2025-26 to 2029-30. The medium-term financial analysis includes the budget for 2025-26 for approval. A balanced budget for 2025-26 is proposed without the requirement to support it with funds from the general fund balance.

The final local government finance settlement was delivered in February, which announced a further five years new homes bonus in 2025-26, which will be put into the growth reserve. The reset of the business rates and the wider review of the local government funding were not announced, and they are now expected during 2025. It is likely that these will result in a reduced funding for the council.

The referendum limit for council tax has been set for district councils at up to 3% or £5 whichever is the higher. For 2025-26, the West Lindsey part of council tax is increased by 2.98%. This equates to a rise of £7.21 for a Band D property. The 2025-26 budget totals £21.155 million and is fully funded and represents a balanced budget.

The capital programme totals £13.79 million over a medium-term financial plan and is fully funded. During 2025-26, plans will be developed and expanded in the capital programme to deliver the priorities on leisure and wellbeing and improve access to health services whilst

addressing inequalities. As and when these plans are developed, these will be shared with Members at the earliest opportunities.

Also included in the medium-term financial plan are the risk register, at appendix 2, and the Pay Policy Statement and Human Resources Statement in appendices 13 and 14 respectively.

Our engagement with the peer challenge review process in January highlighted that it would be beneficial for us to have a greater level of direction and clarity on our priorities in the Executive Business Plan in order that these progress and can be quickly achieved in terms of delivering our priorities. It would not have made sense to present one plan only to present a refreshed version in a few weeks' time. So common sense has prevailed, and this will be presented to Members in June and it will include:

1. an extension of the work around health and wellbeing through high level work with partners to facilitate improved GP provision across Gainsborough and the district.
2. to improve opportunities for increased access to leisure and preventative help opportunities through a refurbishment of the West Lindsey Leisure Centre, and improvements to Market Rasen Leisure Centre, and improved access to a green space and woodland on both Leisure Centre sites, and in Gainsborough and Market Rasen, and to include improved swim and changing facilities and the provision of an indoor bowls area.
3. to consolidate the work around the excellent cinema and heritage projects in Gainsborough through the provision of further grant funding opportunities to support property owners and businesses to enable them to deliver high quality retail and hospitality opportunities and attract new businesses in the town.
4. we will be continuing with the community grants programme, a scheme that has enabled communities across the district to access funding to improve their local facilities and increase social activity in their areas.
5. to bring Gainsborough in line with Market Rasen, we'll be introducing two hours free car parking to support businesses in the town.

I, therefore, Chairman, move the paper and the recommendations.”

The Leader of the Opposition, in responding, raised concerns regarding the delay of the Executive Business Plan. He recognised the comments of the Leader in relation to the peer review, however suggested that the delay with the Plan could lead to a lack of detail coming forward which could impact the finances related to project delivery. He welcomed the budget paper as a true and accurate reflection of current finances, a balanced budget, and future estimates, but questioned whether it would remain so when considered alongside the Executive Business Plan.

By right of reply, the Leader reiterated the purpose of the peer review being to improve, to listen, and to learn, and that a key recommendation had been relating to the Executive Business Plan. He accepted the timing had not been ideal, however offered assurance to the Leader of the Opposition and all present that the work on the Plan was being undertaken

in a timely manner and would be an improved version, taking on board the feedback received from the peer review and subsequent discussions.

Having had the recommendations contained within the report seconded as written, the Chairman opened the debate.

Members of the Committee praised the work which went into the preparation of the budget, MTFP and associated workstreams, recognising the efforts of Officers at a time of local and national change and uncertainty. Further concerns were raised regarding the delayed Executive Business Plan, however the explanations provided by the Leader were appreciated.

Members voiced support for continued funding for community projects which benefitted the district as a whole, recognising that the support offered to local communities created opportunities for grass root involvement. In accepting that the rate of Council Tax was increasing, Members highlighted the lack of clarity regarding funding from Central Government, and reiterated previously voiced concerns that Lincolnshire had been, and continued to be, chronically underfunded. In view of this, the funding streams available to local communities was evermore important.

Councillor L. Rollings, as Deputy Leader, reiterated the importance of community funding, noting that a map had been developed showing the spread of funding across the district. With regard to the projects underway in the market towns, she highlighted the ongoing challenges of retaining retail outlets in town centres, stating a desire for a renewed focus on attracting retailers to the towns and supporting the improvement works underway, for example the development in Gainsborough. With regard to health and wellbeing, she noted the disparity in access to services, and recognised the interaction between activity levels and wellness. She highlighted work which was already underway and the desire for the council to work with other sectors in order to improve service provision in the district, including ways of using the leisure centres to improve access. The co-ordinated use of green spaces, for example for walking clubs or simply as an accessible space, was also seen as a way to connect people across the district with options for improving health and wellbeing. It was anticipated that the availability of grant funding for the communities would further support these efforts, by enabling local people manage their own areas and activities.

The Chairman, in summarising the debate and bringing it to a close, highlighted the need for Members to support and champion their communities, whether that be by supporting with funding requests, or spreading the word of community events. He thanked Members for their comments and, having had the recommendations proposed and seconded, highlighted it was to be a recorded vote as per regulations.

On being put to the vote, votes were cast in the following manner:

For: Councillors Bailey, Barrett, Bierley, Boles, Bridgwood, Brockway, Brown, Bunney, Carless, Clews, Darcel, Dobbie, Flear, Fleetwood, Key, Lawrence, Lee, Morris, Mullally, Palmer, Patterson, Pilgrim, Rodgers, Rollings, Smith, J. Snee, M. Snee, Swift, Velan, Westley, and Young (31)

Against: Nil (0)

Abstentions: Nil (0)

With a total of 31 votes in favour, no votes against and no abstentions it was

RESOLVED that

- a) the external environment and the financial challenges which the Council could face in the medium to longer term depending on the outcome of future government policy be recognised; and
- b) the Statement of the Interim Director of Finance and Assets (Section 151 Officer) on the Robustness of Estimates and Adequacy of Reserves at paragraph 1.10 be **ACCEPTED**; and
- c) the Medium-Term Financial Plan 2025/26 to 2029/30 be **APPROVED** and Members be aware of the risks associated with it as detailed at appendix 2; and
- d) the formal Council Tax resolution as detailed in Appendix 8, this proposes a Band D equivalent amount of £248.76, be **APPROVED**; and
- e) the Revenue budget 2025/26 detailed at paragraph 1.4 be **APPROVED**; and
- f) the movement in earmarked reserves detailed at paragraph 1.6 be **APPROVED**; and
- g) the level of fees and charges for 2025/26 as detailed at appendix 3 be **APPROVED**; and
- h) the Capital Investment Strategy at Appendix 4 be **APPROVED**; and
- i) the capital Programme 2025/26 – 2029/30 and financing as detailed at Appendices 5 and 6 be **APPROVED**; and
- j) the Treasury Management Strategy 2025/26 be **APPROVED** and the Treasury Investment Strategy, the Borrowing Strategy and the Treasury and Borrowing Prudential Indicators detailed at Appendix 7 be **ADOPTED**; and
- k) the Minimum Revenue Provision (MRP) Policy as contained in the Treasury Management Strategy at Appendix 7 be **APPROVED**; and
- l) the 2025/26 Pay Policy Statement at appendix 13 be **APPROVED**; and
- m) delegation be given to the Corporate Policy and Resources Committee to approve any change to an existing Fees and Charges required during the year, which are required after the budget is set.

72 RECOMMENDATION FROM THE GOVERNANCE AND AUDIT COMMITTEE - CONSTITUTION REVIEW - OUTCOME OF THE LEGAL HEALTH CHECK OF THE CONSTITUTION AND ARISING RECOMMENDATIONS

The Chairman, in his capacity as Chairman of the Governance and Audit Committee, introduced the report regarding the outcome of the legal health check of the Constitution and the arising recommendations. He noted that the recommendations were divided up into three sections and detailed at section 2.1 of the report. The required amendments which stood recommended to Full Council were detailed at Appendix 1. He highlighted that these amendments were acquired by law and were categorised as class 'A', that being, they should be made as soon as possible as they related to legal requirements.

The Chairman noted that the report also set out the next steps, however those matters would be the subject of further reports in the future. He confirmed the report had been considered by the relevant committees and therefore moved the recommendations from the Chair. The motion was duly seconded and the Chairman invited comments from the floor.

Councillor D. Dobbie, as Vice Chairman of the Governance and Audit Committee, expressed his support for the recommendations, stating the Constitution was a living document and as such required updating and amending. He voiced his support for a review of the retention period for council recordings of public meetings, noting that members of the public could hold their own recordings indefinitely. He reiterated his support for the recommended amendments, with others echoing his comments.

With no further comments, the Chairman took the vote and it was unanimously

RESOLVED that the recommendation from the Governance and Audit Committee be accepted, and in doing so:

- a) the position in relation to the ongoing work relating to Constitutional amendments be received and **NOTED**; and
- b) the position in relation to the external health check work which had been carried out be received and **NOTED**; and
- c) the Constitution amendments as outlined in Appendix 1 and shown in Appendices 1 a-e, as recommend by Governance and Audit Committee at its meeting on 21 January 2025, be **APPROVED**.

73 COMBINED AUTHORITY (MAYORAL ELECTIONS) - APPOINTMENT OF LOCAL RETURNING OFFICER

The Chairman introduced the final item of the evening, explaining that the Combined Authority Mayoral elections, taking place on 1 May 2025, required the appointment of a local Returning Officer.

With full details provided within the report, the Chairman moved the recommendation and, having been seconded and with no indications to speak, took the vote. It was unanimously

RESOLVED that the arrangement to appoint Mr Ian Knowles, Chief Executive as the Local Returning Officer for the Greater Lincolnshire Mayoral election on 1 May 2025 be confirmed.

The meeting concluded at 8.31 pm.

Chairman

Agenda Item 9b

West Lindsey District Council - 18 March 2025

WEST LINDSEY DISTRICT COUNCIL

Minutes of the Meeting of Council held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 18 March 2025 at 7.00 pm.

Present: Councillor Stephen Bunney (Chairman)
Councillor Matthew Boles (Vice-Chairman)

Councillor Emma Bailey	Councillor John Barrett
Councillor Owen Bierley	Councillor Trevor Bridgwood
Councillor Mrs Jackie Brockway	Councillor Frazer Brown
Councillor Karen Carless	Councillor David Dobbie
Councillor Adam Duguid	Councillor Jacob Flear
Councillor Ian Fleetwood	Councillor Paul Howitt-Cowan
Councillor Paul Key	Councillor Mrs Angela Lawrence
Councillor Paul Lee	Councillor Jeanette McGhee
Councillor Peter Morris	Councillor Lynda Mullally
Councillor Maureen Palmer	Councillor Roger Patterson
Councillor Roger Pilgrim	Councillor Mrs Lesley Rollings
Councillor Tom Smith	Councillor Jim Snee
Councillor Mrs Mandy Snee	Councillor Paul Swift
Councillor Baptiste Velan	Councillor Trevor Young

In Attendance:

Ian Knowles	Chief Executive
Peter Davy	Financial Services Manager (Deputy Section 151 Officer)
Sally Grindrod-Smith	Director Planning, Regeneration & Communities
Nova Roberts	Director of Change Management, ICT & Regulatory Services
Lisa Langdon	Assistant Director People and Democratic (Monitoring Officer)
Rachael Hughes	Head of Policy and Strategy
Ellen King	Policy & Strategy Officer – Corporate Strategy & Business Planning
Katie Storr	Democratic Services & Elections Team Manager

Apologies

Councillor Eve Bennett
Councillor Liz Clews
Councillor Christopher Darcel
Councillor Sabastian Hague
Councillor Mrs Diana Rodgers
Councillor Moira Westley

74 MEMBERS' DECLARATIONS OF INTEREST

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

75 LOCAL GOVERNMENT REORGANISATION - OPTIONS

The Chairman explained the item of business for the Extraordinary Meeting was the Local Government Reorganisation options paper, and he invited the Chief Executive to introduce the report.

The Chief Executive explained that the report in front of Members set out the latest position in respect to Local Government Reorganisation (LGR), the timeline which local authorities were required to work to, and a proposal that contained six potential options for reorganisation in Lincolnshire, detailed in Appendix A of the report.

There were four recommendations in the report, with the substantive recommendation being Recommendation 2, which covered the proposal that was suggested to be submitted to the Ministry of Housing, Communities and Local Government (MHCLG) by 21 March 2025. In considering the options presented within the report, Members were reminded that it was important to consider the proposal which had been developed represented a moment in time and Members were not necessarily required, at this stage, to commit to any one particular option.

It was explained that the Minister had stated that the interim submission due on 21 March was a 'temperature check' and there would be time for refinement and further development ahead of the requirements to submit a final proposal on 28 November 2025. As such, by submitting the presented proposal, the Council was not restricted at this stage to those six options, and there would be opportunity to continue working on a final option, both cross party within the Council and with Leaders across Greater Lincolnshire.

The proposal under consideration contained six initial options, and, in the absence of any local consensus on suitable geographies, Officers had drawn up a menu of options presenting a high-level, data-based appraisal of each. The data used reflected the challenges and opportunities presented to West Lindsey from the perspective of people and place, predominantly focused on the economy, deprivation, demographics, health and wellbeing, employment and skills, and housing. From an organisational perspective, the higher-level financial analysis of each of the options was also included. It was explained these were not exhaustive data sets, and further data would be used to help refine the options ready for the submission of any final proposal, based on the direction of the Council, based on the discussions during the current meeting and over the coming months.

Members heard there was no consensus in Greater Lincolnshire around a single model, and a number of proposals had been circulated over the previous days from other councils. All ten Greater Lincolnshire Leaders had committed to work together to develop a final proposal that was in the best interests of the people of Lincolnshire. Whilst there were differing views on boundaries, there was a broad alignment on principles. Similar data sets had been used across each council to assess the merits of each option. Most interim proposals were focused on a place-based approach, and all but two of the interim proposals published favoured a three-unitary model, merging the two unitaries of North Lincolnshire and North East Lincolnshire and dividing the county.

The paper presented was an early consideration of the options proposed for submission to MHCLG as the Council's interim proposal on Local Government Reorganisation. Keeping

the options broad at this stage allowed Members the time and space to work together to refine these over the coming months, supported by officers. The next stage would focus on refining the options presented before aiming to reach a cross-party consensus on the preferred option that would be taken forward for development into West Lindsey's final submission, which was due on 28 November. Members were advised this could include an all Member workshop as a follow-up to the meeting, as well as continued engagement by Greater Lincolnshire Leaders.

The Chairman thanked the Chief Executive and called on the Leader of the Council to open the debate.

The Leader explained that he had attended the District Council Network conference the previous week, during which the attending Labour Minister had made very clear that LGR would go ahead, whether that involved working with local councils or not. The Leader noted that, given the breadth of options and opinions regarding LGR, he was not expectant of a consensus amongst Council Members at this stage, however he did ask that Members accepted the current position and engaged with the onwards steps. In criticising the timeframes around LGR, and the speed with which it was planned to be implemented, he noted there would be divisions, and in such a large, diverse area as Lincolnshire, it may prove increasingly difficult to find a meaningful solution. He praised the work of Officers over the previous weeks in drawing up the options paper, and highlighted that there was significant work ongoing to meet with the other councils within Greater Lincolnshire.

Members heard details of some of the other proposals which had been put forward in the region, with the Leader noting potential strengths and weaknesses, as well as highlighting areas where there may be scope for further discussions, for example with Lincoln. It was explained that option E contained within the paper had received some consensus of support amongst local Leaders. That option would consist of a north – south divide, with the north area to include West Lindsey, North Lincolnshire, North East Lincolnshire and Lincoln. Those councils which would fall in the south of the region had also expressed support for that option. The Leader concluded by recognising that, whilst the Council was ultimately opposed to LGR, wanting to retain autonomy as West Lindsey District Council, the reality was that there needed to be engagement with the process if there was to be any scope for influencing the outcome. The Leader therefore proposed that option E be supported, whilst work continued around the Central Lincolnshire partnership, ensuring options were kept open.

The Chairman thanked the Leader, and invited Councillor I. Fleetwood, Leader of the Opposition, to speak.

Councillor Fleetwood expressed some support for the views expressed by the Leader, thanking the Officers for the time they had spent on preparing the paper and for the all-Member briefing which had been delivered earlier in the month. He noted his displeasure with the timescales put forward by the government, questioning the realities of achieving LGR within such a short time frame, whilst recognising that it was still necessary to remain engaged with the process.

Members were reminded of the efficiency of West Lindsey District Council, delivering quality services, retaining a stable financial position, employing excellent officers, and benefitting from committed and hardworking Councillors, all of whom had contributed to the success of

the district over the past 14-15 years.

With regard to option C contained within the report, the Leader of the Opposition acknowledged the comments made earlier by the Leader, however voiced his belief that the amalgamation of the district, borough and county councils would facilitate a smooth transition with minimum disruption. He recognised it would not be a perfect situation, with significant consideration required of head office location, office space, number of Councillors to be accommodated in a Council Chamber, however he expressed his opinion that it would negate the concerns of Lincoln fringe areas regarding the creation of a 'Greater Lincoln' area.

The Leader of the Opposition went on to suggest that, if option C were not suitable, the next suggestion he would look to would be option D, to provide a clear-cut area in terms of population and geography, although it would include significant cross-border organisation in terms of being two separate regions. With regard to the six options contained within the report, he expressed a preference for reducing the options to a clear one or two proposals to put forward.

The Chairman thanked the Leader of the Opposition and invited speakers from the floor.

During the ensuing debate, several Councillors voiced their unhappiness with LGR plans, citing the success of West Lindsey District Council and stating a desire to remain autonomous. However, in recognising the inevitability of LGR, support was voiced for option C, in terms of minimal disruption and keeping the county area working together. Members also voiced concern about other proposals put forward, suggesting that West Lindsey needed to be clear about preference at this stage, in the same way other councils were stating their preferences with minimal or no interactions with other areas.

There was also significant support for option E, looking at a north-south divide. It was suggested that this option would open up opportunities for economic growth for West Lindsey in a way other options would not.

Thanks to the Officers involved were expressed across the board, praising the work undertaken behind the scenes to prepare the options under consideration.

As an alternative viewpoint, a Councillor suggested the focus should be on service provision and how to best benefit the residents of all areas, with the opinion voiced that option A would be the preferred proposal. In response to a question as to how LGR would work alongside the new devolved powers to the Mayor of Greater Lincolnshire, it was explained that ideally, the Combined Authority would have had more time in which to become embedded, however the timeframes for LGR had been set by the government and as such, LGR would progress alongside the new Combined Authority.

A Member of Council enquired as to the lack of east-west split options, to which it was explained that with North Lincolnshire and North East Lincolnshire working together in relation to the Humber area, it was unlikely any proposal would include splitting those two authorities.

With further support voiced for option A, accepting that option D could be accepted as the secondary approach, the Chairman invited the Leader of Council to provide closing remarks.

The Leader thanked all Members for their thoughts and input, recognising there was a multitude of considerations to take into account, not least the organisation of adult social care, children's services and highways. He summarised the support which had been provided for options A and E, suggesting that Officers be tasked with undertaking further work on those two options to present to Members by way of an all-Member briefing, or at another meeting of Full Council. He rescinded his previous motion, and instead proposed that option A and E be supported as the two options for Officers to take forward and work on in more detail.

Members were reminded that there was a motion which had been proposed and seconded, that being for options C and D to be the two options to be taken forward. On taking the vote, and no majority in favour, the Chairman declared that the motion was lost.

The Chairman then took the vote for the second motion, that being for options A and E to be taken forward, with a majority vote, the motion was carried.

Members were invited to review the recommendations contained within the report, with it being highlighted that all options would be submitted to the government at this stage, however the carried motion would be used as providing the requested direction. The Leader of the Opposition reiterated his preference for option D to also be included.

With Members indicating clear understanding and agreement that **all** options would be put forward and no options would be removed at this stage, having had the recommendations within the report proposed and seconded, the Chairman took the vote and it was

RESOLVED that

- a) the matters set out in the report be noted, and further updates in respect of Local Government Reorganisation be received in due course; and
- b) the options included as Appendix A be submitted to Government by 21 March 2025 as the Council's interim position on LGR, noting the preferences detailed in the above debate ; and
- c) the requirement by government for councils to work together be noted and work with other Greater Lincolnshire councils to develop proposals for Local Government Reorganisation be agreed; and
- d) officers be supported and provided with further direction for further development of proposals for Local Government Reorganisation, with referral back to Council for any decisions required in accordance with the timeline set out by Government.

The meeting concluded at 8.09 pm.

Chairman

Agenda Item 10a



Full Council
12 May 2025

Subject: RECOMMENDATION from Governance and Audit Committee - Constitution amendments – Articles and Committees

Report by:	Monitoring Officer
Contact Officer:	<p>Lisa Langdon Assistant Director for People and Democratic Services and Monitoring Officer. Lisa.Langdon@west-lindsey.gov.uk</p> <p>Katie Storr Democratic Services and Elections Team Manager</p>
Purpose / Summary:	<p>The purpose of this report is to seek amendments are made to the Council’s articles and committees in accordance with the legal advice received, to ensure the Constitution is up to date with legislative requirements and remains fit for purpose.</p> <p>The Governance and Audit Committee considered this report on 22 April 2025 and RECOMMEND the report to Council.</p>

RECOMMENDATION(S):

That Council:

(1) accept the RECOMMENDATION of the Governance and Audit Committee to receive and note the position in relation to the Constitutional amendments relating to articles and Committees.

- (2) accept the RECOMMENDATION of the Governance and Audit Committee to accept the Constitution amendments as outlined in Appendix 1

IMPLICATIONS

Legal:

The Council is required by law to prepare, and keep up to date, the Constitution (Section 9P Local Government Act 2000 as amended).

It is not uncommon for authorities to update Constitutions in a piecemeal fashion over time due to the length and complexity of Constitutions. Therefore, an external “health check” Constitution review has been carried out by expert governance lawyers. The document produced is legally privileged and does not form part of this report, however Governance and Audit committee members have had sight of the full legal advice.

Financial :

There are no financial implications associated with this report

Staffing : There are no staffing implications arising from this report. The work is primarily conducted by the Monitoring Officer, Deputy Monitoring Officer with the senior officers on the Management team being regularly updated.

Equality and Diversity including Human Rights : It is imperative that when dealing with all governance issues, people are treated equally and fairly. The Monitoring Officer, Deputy Monitoring Officer and wider team are aware of Equality legislation and ensure that equality and diversity is considered and applied as appropriate at all times.

Data Protection Implications : There are no direct data protection implications associated with this report. Good governance should ensure that the GDPR 2016 and associated regulations and guidance are complied with, and the Monitoring Officer and Deputy Monitoring Officer are aware of the need to adhere to these requirements. The Assistant Data Protection Officer reports directly to the Monitoring Officer and works closely as required with the Deputy Monitoring Officer.

Climate Related Risks and Opportunities: The organisation is aware of its responsibilities surrounding climate change, and much of the work referred to within this report is conducted over email with limited printing of paper documents, and where possible meetings and discussions are held virtually using the MS teams function, thereby saving in fuel costs and emissions.

Section 17 Crime and Disorder Considerations: Whilst there are no direct implications, the work carried out by the Monitoring Officer and wider teams contributes to cohesion and informal resolutions within communities, and therefore promotes community safety. The Monitoring Officer and Deputy Monitoring Officer are able to provide a police contact to anyone who suspects or alleges criminality.

Health Implications: There are no health implications arising from this Report.

Title and Location of any Background Papers used in the preparation of this report :

<https://democracy.west-lindsey.gov.uk/ieListDocuments.aspx?CId=132&MIId=3617&Ver=4>

Risk Assessment :

Good governance and up to date practices and procedures for decision making ensure the organisation is legally compliant, whilst protecting against ultra vires decisions. Further, good governance is essential for ensuring value for money and protecting against reputational damage, and financial loss. Ensuring good governance at all levels protects the organisation from external claims and challenges.

“Failure to comply with legislation” and “inability for the Council’s governance to support quality decision making” are strategic risks for the organisation and these risks are considered regularly by the Management Team prior to consideration at the Governance and Audit committee.

The Constitution is Council’s key document for governance and powers, and compliance with the Constitution is essential to keep the organisation safe and legally compliant.

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

☐

No

X

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

X

No

☐

1 Background

- 1.1 The Council's Constitution is the key governance document for the organisation, and sets out the Council's functions, how the Council operates, the terms of reference for the Committees, the Articles, the Codes and Protocols, the delegated functions of officers and various procedure rules, including the Contract Procedure Rules. Members should note that this review did not include consideration of the Contract Procedure Rules as this is a separate, discrete piece of work that required finance and procurement involvement and direction, particularly in light of the changes from the Procurement Act 2023. The work was completed and reported to both Governance and Audit Committee and Council in January 2025
- 1.2 The Constitution is a legal document and often referred to in governance circles as a "living" document as the legal requirements are often subject to change, the membership of Councils and therefore political balance changes, Codes and Protocols are updated over time, and officer delegations may change. This results in Constitutions being amended piecemeal over time which can result in inaccuracies, duplications or omissions. Therefore, it is good practice to seek a health check review which can provide holistic consideration of the document itself, and ensure it is legally compliant and in line with up to date practices.
- 1.3 Members of the Governance and Audit Committee have previously received a report on the work which has been carried out to ensure the Constitution is a legally compliant and fit for purpose document, including a briefing session being provided in January 2025. This report concentrates on the second stage of that process which considers some amendments to the Council's Articles and Committee numbers.
- 1.4 Members can be assured that the external health check review work has found the Constitution to be a "largely legally compliant" document, however it can be updated and improved in some areas and that is what this report aims to do.

3. The Amendments

- 3.1 The required amendments seeking approval are detailed at Appendix 1. These amendments are either good practice or legally required, and were highlighted in the legal advice as amendments that needed to be made.
- 3.2 In relation to the Council's Standards Committee, CIPFA formally advise against placing this committee within the audit committee sphere, therefore it is outlined in Appendix 1 that the Standards committee is kept separate from other committees and becomes a full Committee in its own right. This results in an amendment to the Governance Audit Committee's Terms of Reference and removes the need for the Standards Committee to have its own Article.

- 3.3 The Council's licensing functions under the Licensing Act 2003 are an entirely separate regime and must be dealt with distinctly from the Council's other licensing and regulatory matters, and it is therefore advised this fact is made clearer by creating a separate committee article which can be seen at Appendix 1a, as opposed to the current arrangement where is listed with all the other committees.
- 3.4 The Chief Officer Employment Committee should be increased to meet the requirements for the Joint National Council (JNC) process for chief officer disciplinary matters. This requires that the Committee would need to form an Investigation and Disciplinary sub committee, and also be able to form a separate appeals panel if needed. To ensure quoracy, it is suggested the numbers on this Committee are therefore increased from 8 to 9. The Officer Employment Procedure Rules have also been amended to comply with the JNC Conditions of Service handbook (previously the rules only referred to an Independent Panel and the amendment makes provision for an Investigation and Disciplinary sub committee and an Appeals Panel).
- 3.6 Article 10 considers Joint Committee Arrangements and currently advises that: -

"Details of any joint arrangements, including any delegations to joint committees, will be found in the Council's Responsibility for Functions in Part IV of this Constitution"

Therefore, reference should be made in Part IV to the District Joint Committee for devolution and the Central Lincolnshire Joint Strategic Planning Committee, these references are currently absent.

4 Recommendations

- 4.1 The Governance and Audit Committee has considered the detail of this Report and recommend that Council receive and note the position in relation to the Constitutional amendments relating to articles and Committees, and accept the Constitution amendments as outlined in Appendix 1.

Appendix 1

1.Changes arising from Para 3.2.

- Article 9 to be deleted in its entirety [Microsoft Word - Part II Articles](#)
- the Committee be added to the list of Committees in Article 8 under 8.2
- the Governance and Audit Committees Terms of Reference (part IV page 9 be amended as follows: -

“(d) Ethics and standards

1. Promote and maintain high standards of conduct by Councillors and co-opted members”

Be removed.

- The word Sub be removed from the Standards Committee’s title on its term of reference page

2.Changes arising from Para 3.3

- A new article be included as attached at Appendix 1 a (which will become article 9)
The Licensing Committee and the below reference be deleted from the list of Committees in Article 8 under 8.2 Article [Microsoft Word - Part II Articles](#)

“Hearings about licensing matters will be considered by the Licensing Sub-Committee for liquor licensing or gambling (Licensing Act 2003 and Gambling Act 2005) and by the Regulatory Sub-Committee for all other matters”

This is now expressed in the newly created Article.

3. Changes arising from Para 3.5

- The Chief Officer Committee Procedure Rules be amended as shown at Appendix 1b.

4. Changes arising from Para 3.6

- New Pages be created after Page 23 in Part IV Responsibility for Functions as shown in Appendix 1c .
- The following be added to the Governance and Audit Terms of Reference.

“To approve any changes to the District Joint Committee which are deemed more than “house-keeping” – House keeping amendments can be made by the MO following consultation with the Chairman of the Committee.”

(Note this matter was previously agreed by Council in 2024/25.

5. General Amendments then arising

- The changes to the Committee's above will result in a new diagram being developed at Article 8 page 20 to shown the District Joint Committee, that the Standards Committee is a full Committee and to make it clear that the JSCC is not subject to the Local Government Act 1972 Article [Microsoft Word - Part II Articles](#)
- Indexes and Contents Pages will also be amended.

Appendix 1 A

New Article 9 - Licensing Committee

9.1 The Licensing Committee is established under Section 6 of the Licensing Act 2003 and Section 154 of the Gambling Act 2005. It is distinctive from the Council's other Committees which are governed by Section 101 of the Local Government Act 1972.

9.2 There is no requirement for the Committee to be politically balanced (unlike the Council's other Committee's) The provisions of the Local Government (Committees and Political Groups) Regulations 1990 do not apply.

9.3 Functions

To be responsible for:

1. Exercising the Council's functions as licensing authority so far as required or permitted by the Licensing Act 2003, as amended, in accordance with sections 6, 7, 9 and 10 of that Act, associated regulations and the delegation set out in appendix 1 of the Statement of Licensing Policy.
2. Recommending the setting and adoption of the Statement of Licensing Policy to the Council.
3. Exercising the Council's functions as licensing authority under the relevant sections of the Gambling Act 2005, associated regulations and the delegations set out in appendix 1 of the Gambling Policy (Statement of Principles).
4. Recommending the setting and adoption of the Gambling Policy to the Council.
5. Making arrangements for any hearing in relation to these responsibilities to be considered and determined by the Licensing Sub-Committee for matters relating to the Licensing Act 2003 or Gambling Act 2005.

9.4 Hearing Panels

9.4.1 Hearings about licensing matters will be considered by the Licensing Sub-Committee for liquor licensing or gambling (Licensing Act 2003 and Gambling Act 2005)

9.4.2 Any member of the Licensing Committee may be called upon to sit on the Licensing Sub-Committee to deal with applications under the Licensing Act 2003 (three Members plus one reserve).

9.4.3 Meetings of the Licensing Sub-Committee are convened as and when necessary and the quorum of Hearings shall be three Members.

9.4.4. Natural Justice Principles will apply to all Hearings

Note:

Any Member wishing to serve or substitute on this Committee must have undertaken such training as deemed appropriate by the Monitoring Officer, and as a minimum, within the previous two years of the date of the meeting.

Members who have not received the appropriate training will not be permitted to sit on the Committee when it is determining Policy matters and will not be eligible to sit on Hearings heard under the Sub-Committee arrangements

Officer Employment Procedure Rules

Rule 1. Recruitment and Appointment

1.1 Declarations

(i) Any candidate for appointment as an officer shall sign a written declaration stating whether they are the relative of an existing Councillor or officer of the Council, or of the partner of such persons.

(ii) "Relative" means a spouse, partner, parent, parent in law, son, daughter, stepson, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, cousin or the spouse or partner of any of the preceding persons, and "partner" means a member of a couple who live together.

(iii) No candidate so related to a Councillor or an officer will be appointed without the authority of the relevant director or nominated officer by him/her.

1.2 Seeking support for appointment

(i) Subject to paragraph (iii), the Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.

(ii) Subject to paragraph (iii) no Councillor will seek support for any person for any appointment with the Council.

(iii) Paragraphs (i) and (ii) above shall not preclude a Councillor from giving a written testimonial of an applicant's ability, experience or character in relation to an application for a post.

Rule 2. Recruitment of Head of Paid Service and Chief Officers

2.1 Job Description and Advertising Where the Council proposes to appoint a Head of Paid Service or a Chief Officer, and it is not proposed that the appointment be made exclusively from among its existing officers, the existing Head of Paid Service, in consultation with the Chief Officer Employment Committee of the Council, shall:

(a) draw up a statement specifying the duties of the Chief Officer concerned and any qualifications or qualities to be sought in the person to be appointed;

(b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and

(c) make arrangements for a copy of the statement mentioned in paragraph (a) above to be sent to any person on request.

2.2 Interviews

(i) Where a post has been advertised as provided in Rule 2.1 above, the Chief Officer Employment Committee shall:

(a) interview all qualified applicants for the post; or

(b) select a shortlist of such qualified applicants and interview those included on the shortlist.

(ii) Where no qualified person has applied, the Head of Paid Service, in consultation with the Chief Officer Employment Committee, shall make further arrangements for advertisement in accordance with Rule 2.1(b).

Rule 3. Appointment of Head of Paid Service

3.1 The full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by the Chief Officer Employment Committee to the Council.

Rule 4. Appointment of Chief Officers

4.1 The Chief Officer Employment Committee will appoint chief officers and statutory officers. That Committee must include the Leader of the Council or his/her nominee.

Rule 5. Employment of Officers below Chief Officer

5.1 Appointment of officers below chief officer (other than assistants to political groups) is the responsibility of the Head of Paid Service or his/her nominee, and may not be made by Councillors.

Rule 6. Disciplinary Action and Dismissal – Statutory Officers

6.1 The Council's Statutory Officers (Head of Paid Service, Monitoring Officer and Chief Financial Officer) may not be dismissed or have disciplinary action taken against them unless the following points have been complied with.

6.2 Any disciplinary action required will be initially considered by an **Investigatory and Disciplinary Sub committee** (IDC) as set out under **Local Authorities (Standing Orders) (England) Regulations 2001 as amended**.

6.3 If the recommendation is dismissal, the authority must appoint an **Independent Persons Panel** which includes the independent persons who have been appointed by the authority

6.3 The **Independent Persons Panel** will meet at least 20 working days before consideration at a meeting of full Council. A report will be provided to that meeting with a recommendation from the IDC.

6.4 If the recommendation is action short of dismissal, the Statutory Officer has a right of appeal to an **Appeals Committee** consisting of members of **Chief Officer Employment Committee**.

6.4 Before the taking of a vote at the Council meeting on whether or not to approve such disciplinary or dismissal action, Members must take in to account, in particular:

- a) Any advice, views and recommendations of **an Independent Persons Panel if the recommendation is dismissal**;
- b) The conclusions of any investigation in to the proposed dismissal; and
- c) Any representations from Statutory Officers.

Rule 7. Dismissal – Statutory Officers

7.1 Only full Council will approve the dismissal of the Head of Paid Service, Monitoring Officer or Chief Financial Officer following the recommendation of such a dismissal by the Independent Disciplinary Panel (Rule 6 above).

Rule 8. Disciplinary Action and Dismissal – Other Officers

8.1 Disciplinary action against and dismissal of officers below Chief Officer (Chief Exec) level is the responsibility of the Head of Paid Service or his/her nominee.

8.2 Councillors will not be involved in disciplinary action against or dismissal of officers below Chief Officer level except where such involvement is necessary for any investigation or enquiry into alleged misconduct through the Council's procedures.

8.3 Disciplinary and Dismissal of Chief Officers who are not Statutory Officers will be undertaken through the Chief Officer Employment Committee as set out in Part iv of this Constitution.

Note: Due to the nature of this Committee's work, on occasion it may be necessary for discussions to be recorded in the absence of a Democratic Services Officer. However, no decisions or votes will be taken in the absence of such an officer

Appendix 1c - New Section after page 23 Part IV responsibility for function

Joint Committee Arrangements.

The Council currently has two Joint Committee arrangements in Place.

- * The District Joint Committee for Devolution; and
- * the Central Lincolnshire Joint Strategic Planning Committee

District Joint Committee for Devolution.

The current secretariat for this Committee is North Kesteven District Council .

The Committees terms of reference and Membership can be viewed at
xxxxxxxxxxxxx(link to NKDC)

The Council's Governance and Audit Committee is responsible for approving any changes to these terms of reference.

Central Lincolnshire Joint Strategic Planning Committee

The current secretariat for this Committee is North Kesteven District Council .

The Committee' s terms of reference and Membership can be viewed at
xxxxxxxxxxxxxxxxxxxxx (link to NKDC)

Agenda Item 10b



Annual Council

Monday 12 May 2025

Subject: Review Of The Allocation Of Seats To Political Groups On Committees/Sub -Committees

Report by:

Monitoring Officer

Contact Officer:

Katie Storr
Democratic and Elections Manager and Deputy
Monitoring Officer
katie.storr@west-lindsey.gov.uk

Purpose / Summary:

This report sets out the details of the political groups on the Council, the number of Members to be appointed to serve on each committee and the allocation to different political groups of seats on the committees.

RECOMMENDATION(S):

- 1) that the details of political groups, as set out in Appendix A, be noted;**
- 2) that the number of Members to be appointed to serve on each Committee, arising from the Head of Paid Service's delegated decision, and following consultation will all Group Leaders be noted; and**
- 3) that the allocation to different political groups of seats on committees, as set out in Appendix B, arising from the Head of Paid Service's delegated decision following consultation with all Group Leaders, be noted.**

IMPLICATIONS

Legal:

Council is required to review the allocation to different political groups of seats on committees and sub-committees, in accordance with the provisions of Section 15 of the Local Government and Housing Act 1989, when either a trigger is met (election, resignation change in Group Membership) or at least annually at its annual meeting as set out in the Constitution.

A legal health check of the Councils Constitution advised the Standards Committee should be made a full Committee, rather than a sub-committee, and the need for the Chief Officer Employment Committee to be increased in size to allow it split into three different Panels should the need arise.

There have been no changes to Group Memberships.

Financial :

FIN/26/26/CL/SL

None directly arising as a result of this report.

Staffing :

None directly arising as a result of this report.

Equality and Diversity including Human Rights :

None directly arising as a result of this report.

Data Protection Implications :

None directly arising as a result of this report.

Climate Related Risks and Opportunities :

None directly arising as a result of this report.

Section 17 Crime and Disorder Considerations :

None directly arising as a result of this report.

Health Implications:**Title and Location of any Background Papers used in the preparation of this report:**

Working Papers and Options considered in April 2025 held by Democratic Services.

Risk Assessment :

n/a

Call in and Urgency:**Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?**

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes☐**No****x****Key Decision:**

A matter which affects two or more wards, or has significant financial implications

Yes☐**No****x**

1. Introduction

- 1.1 In accordance with the provisions of Section 15 of the Local Government and Housing Act 1989, the Council is required to review the allocation to different political groups of seats on committees and sub-committees.
- 1.2 The last review of the allocations took place in January 2025 following the formation of a new group, the Consensus Independents Group.
- 1.3 A legal health check of the Councils Constitution which advised the Standards Committee should be made a full Committee, rather than a sub-committee, and the need for the Chief Officer Employment Committee to be increased in size to allow it split into three different Panels should the need arise.
- 1.4 There have been no changes to Political Groups since the last review.
- 1.5 Existing political groups for the purposes of the Local Government (Committees & Political Groups) Regulations 1990 are as follows:

Group	No. of Members	Leader	Deputy
The Liberal Democrat Administration Group	18	Councillor Trevor Young	Councillor Lesley Rollings
The Opposition Group	14	Councillor Ian Fleetwood	Councillor Roger Patterson
The Lincolnshire Independent	2	Councillor Paul Key	Councillor Chris Darcel
The Consensus Independent Group	2	Councillor Trevor Bridgwood	Councillor Jeanette McGhee

- 1.5 The Council currently has no unaligned Members.
- 1.6 The Council has delegated authority to the Head of Paid Service to agree, following consultation with the Group Leaders, the overall allocation of seats to groups resulting from the application of rounding.
- 1.7 Full details of group membership are set out in Appendix A.

2. The Allocations

- 2.1 In accordance with the provisions of section 15 of the Local Government and Housing Act 1989 (Duty to allocate seats to political groups), the Council is required to give effect, so far as reasonably practicable, to the following specified principles:
- (a) that not all the seats on a Committee/Sub-Committee are allocated to the same political group;
 - (b) that the majority of the seats on a Committee/Sub-Committee are allocated to a particular political group where the number of persons belonging to that group is a majority of the authority's membership;
 - (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary Committees which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary Committees of that authority as is borne by the number of Members of that group to the membership of the authority;
 - (d) subject to paragraphs (a) to (c) above, that the number of seats on the Committee/Sub-Committee which are allocated to each political group bears the same proportion to the number of all the seats on that Committee/Sub-Committee as is borne by the number of members of that group to the membership of the authority.
- 2.2 (b) above applies to a lesser degree as there is no one Group with a majority of seats on the Council. External advice has been undertaken to ensure the application of the rules has been applied equitably.
- 2.3 All of the Group Leaders were consulted on the number of Members to be appointed to serve on the Committees. Any "trading" required to achieve the mathematical requirement is matter for Group Leaders to determine between themselves.
- 2.4 In order to give effect, so far as is reasonably practicable, to the principles specified above and in consultation with Group Leaders as required by the delegation, it has been determined that the best fit to meet the political balance rules is for the: -
- Planning Committee, Corporate Policy and Resources Committee, Prosperous Communities Committee, Chief Officer Employment Committee to comprise 10 Members;
 - Standards Committee and Governance and Audit Committee to comprise 5 Members.
 - Licensing Committee, Regulatory Committee to comprise 11 Members *
 - Overview and Scrutiny Committee to comprise 14 Members

- 2.5 Applying group numbers to the seats available on the Committees gives the allocation set out in Appendix B, which is supported by the **majority** Group Leaders as the most reasonably practical in the circumstances.
- 2.6 The selected option required the two larger Groups to each give up one seat from any of the Ordinary Committees, with each smaller Group requiring one additional seat each to meet the political balance rules.
- 2.7 The Liberal Democrat Administration Group have surrendered a seat on the Chief Officer Employment Committee. The Conservative Group (Opposition) have surrendered a seat on the Planning Committee. The Lincolnshire Independent Group and the Consensus Independent Group must now decide between themselves which Group will take which seat.
- 2.9 *As agreed as part of the Annual Review of the Constitution during 2017/2018, the same 11 Members comprise both the Licensing Committee and the Regulatory Committee. Licensing Committee, and due to the linked nature Regulatory Committee, are the only Committees which fall outside of the Political Balance Rules and were not amended as part of this review.
- 2.10 The Overview and Scrutiny Committee is not deemed “an ordinary” Committee, and whilst it must be politically balanced, it sit separate to the block of “ordinary committees” Group Leaders indicated they were satisfied that the trigger for the latest review did not necessitate a change to the Overview and Scrutiny Committee.

Local Government & Housing Act 1989

The Local Government (Committees and Political Groups) Regulations 1990

Political Groups on the District Council – January 2025

Liberal Democrat Administration Group (18 Councillors)

(Comprising 17 Liberal Democrat Councillors and 1 Independent Councillor)

Liberal Democrat (17)

Councillor Emma Bailey

Councillor Eve Bennett

Councillor Matthew Boles

Councillor Stephen Bunney

Councillor Karen Carless

Councillor Liz Clews

Councillor David Dobbie

Councillor Jacob Flear

Councillor Sabastian Hague

Councillor Lynda Mullally

Councillor Lesley Rollings

Councillor Jim Snee

Councillor Mandy Snee

Councillor Paul Swift

Councillor Moira Westley

Councillor Baptiste Velan

Councillor Trevor Young

Independent Councillor

Councillor Paul Howitt Cowan

The Opposition Group (14 Councillors)

(Comprising 13 Conservative Councillors and 1 Independent Councillor)

Conservative (13)

Councillor John Barrett

Councillor Owen Bierley

Councillor Jackie Brockway

Councillor Frazier Brown

Councillor Adam Duguid

Councillor Ian Fleetwood

Councillor Angela Lawrence

Councillor Paul Lee

Councillor Peter Morris

Councillor Maureen Palmer

Councillor Roger Patterson

Councillor Roger Pilgrim

Councillor Tom Smith

Independent Councillor

Councillor Diana Rodgers

Lincolnshire Independents Group (2 Councillors)

Councillor Chris Darcel

Councillor Paul Key

Consensus Independent Group (2 Councillors)

Councillor Trevor Bridgwood

Councillor Jeanette McGhee

Appendix B

Political Make-up of the Council, on which calculations have been based: -

Political balance on the Council		
Group	No.	%
Lib Dem	18	50.0000%
Conservative	14	38.8889%
Lins Ind	2	5.5556%
Consensus Ind	2	5.5556%
Vacant	0	0.0000%
Council of	36	100%

Number of Seats allocated to each Group based on vary size Committees and rounding applied.

Single committee spread (or sub-committee)												
Committee Size	% LD	Rounded to whole	Con	LI	Cons Ind	Vacant	check					
18	9.000	9	7.000	7	1.000	1	1.000	1	0.000	0	18	
17	8.500	8 or 9	6.611	7	0.944	1	0.944	1	0.000	0	#VALUE!	
16	8.000	8	6.222	6	0.889	1	0.889	1	0.000	0	16	
15	7.500	7 or 8	5.833	6	0.833	1	0.833	1	0.000	0	#VALUE!	
14	7.000	7	5.444	5	0.778	1	0.778	1	0.000	0	14	
13	6.500	6 or 7	5.056	5	0.722	1	0.722	1	0.000	0	#VALUE!	
12	6.000	6	4.667	4 or 5	0.667	1	0.667	1	0.000	0	#VALUE!	
11	5.500	5 or 6	4.278	4	0.611	1	0.611	1	0.000	0	#VALUE!	
10	5.000	5	3.889	4	0.556	0 or 1	0.556	0 or 1	0.000	0	#VALUE!	
9	4.500	4 or 5	3.500	4	0.500	0 or 1	0.500	0 or 1	0.000	0	#VALUE!	
8	4.000	4	3.111	3	0.444	0 OR 1	0.444	0 OR 1	0.000	0	#VALUE!	
7	3.500	4	2.722	3	0.389	0	0.389	0	0.000	0	7	
6	3.000	3	2.333	3	0.333	0	0.333	0	0.000	0	6	
5	2.500	3	1.944	2	0.278	0	0.278	0	0.000	0	5	
4	2.000	2	1.556	2	0.222	0	0.222	0	0.000	0	4	
3	1.500	2	1.167	1	0.167	0	0.167	0	0.000	0	3	

Selected Committee Size Option and Balance Across Total Number of Ordinary Committees

Fig 1

V3 Committees (exc O&S)	Places	LD	C	LI	CI	check
Prosperous Communities	10	5	4	0	1	10
Corporate Policy and Resources	10	5	4	1	0	10
Governance and Audit	5	3	2	0	0	5
Planning	10	5	4	0	1	10
Chief Officer Employment	10	5	4	1	0	10
Standards	5	3	2	0	0	5
Total	50.00	26	20	2	2	50
Number of committees requiring variation		Minus 1	Minus 1	Plus 1	Plus 1	
		25	20	3	3	

Fig 2

GROUP	Proportion	% of C'I	Rounded to whole	% comparator of whole numbers
Lib Dem	25.0000	0.5000	25	0.5
Conservat	19.4450	0.3889	19	0.38
Lins Ind	2.7778	0.0556	3	0.06
CI	2.7778	0.0556	3	0.06
	50.00		50	

**TABLE 1 –
ORDINARY COMMITTEES SPLIT PER GROUP HAVING APPLIED ANY VARIATIONS REQUIRED AND AGREED BY GROUP LEADERS (shown in red circle in Fig 1)**

	LDA	OGrp	LI	CI	Total
Prosperous Communities (10)	5	4	0	1	10
Corporate Policy and	5	4	1	0	10

Resources (10)				1	
Governance and Audit (5)	3	2	0	0	5
Planning (10)	5	4 (3)*	0	1	10
Chief Officer Employment (10)	5 (4)*	4	1	0	10
Standards (5)	3	2	0	0	5
Total no. of seats (50)	26	20	2	2	50

*These are the seats which the larger groups have offered up in trading to the smaller groups to meet the Political balance equation

TABLE 2

WITH POLITICAL BALANCE APPLIED	LDA	OGrp	LI	CI	Total
Overview and Scrutiny Committee (14)	7	5	1	1	14

TABLE 3

	LDA	OGrp	LI	CI	Total
Licensing (11)	6	5	0	0	11
Regulatory (11)	6	5	0	0	11
Total no. of seats (22)	12	10	0	0	22

Note the membership of the two committees above has to be identical

Licensing Committees must comprise at least 10 Members in accordance with the LA 2003

These meetings do not have to be politically balanced and did not form part of this review.

Agenda Item 10c



Annual Council
Monday, 12 May 2025

Subject: Appointment of Members to the Committees for the 2025/26 Civic Year

Report by:	Monitoring Officer
Contact Officer:	Katie Storr Democratic Services & Elections Team Manager katie.storr@west-lindsey.gov.uk
Purpose / Summary:	This report sets out the wishes expressed by political groups in respect of the appointment of Members to serve on the Committees of the Council for civic year 2025/2026 as result of the allocations having been amended under Section 15 of the Local Government and Housing Act 1989.

RECOMMENDATION(S):
(1) In accordance with the provisions of section 16 of the Local Government and Housing Act 1989 and the wishes expressed by political groups, Members be appointed to serve on the Council’s Committees for 2025/2026 civic year as set out within this report or provided verbally at the meeting.

IMPLICATIONS

Legal:

In accordance with the provisions of section 16 of the Local Government and Housing Act 1989 and the wishes expressed by political groups

Financial:

None directly arising from this report

Staffing:

None directly arising from this report

Equality and Diversity including Human Rights:

None directly arising from this report

Data Protection Implications:

None directly arising from this report

Climate Related Risks and Opportunities:

None directly arising from this report

Section 17 Crime and Disorder Considerations:

None directly arising from this report

Health Implications:

None directly arising from this report

Title and Location of any Background Papers used in the preparation of this report:

Notices received from the Group Leaders on the allocation of Committee/ Sub-Committee places – documents available from the Guildhall, Gainsborough (on request).

Risk Assessment:

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

☐

No

☐

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

☐

No

☐

1. Introduction

- 1.1 In accordance with the provision of section 16 of the Local Government and Housing Act 1989, it is the duty of the Council to make appointments to Committees in accordance with the wishes expressed by political groups following the determination under section 15 (the allocation of seats to political groups).
- 1.2 Section 2 details the wishes expressed by the political groups.

2. Appointment of Committees

2.1 Chief Officer Employment Committee (10 Members)

Councillor O Bierley
Councillor J Brockway
Councillor P Morris
Councillor M Palmer
Councillor L Rollings
Councillor M Snee
Councillor M Westley
Councillor T Young
Councillor (*Lincs Ind*)
Councillor (*Lincs Ind or Consensus Ind*)

2.2 Corporate Policy and Resources Committee (10 Members)

Councillor O Bierley
Councillor M Boles
Councillor S Bunney
Councillor I Fleetwood
Councillor R Patterson
Councillor T Smith
Councillor P Swift
Councillor M Westley
Councillor T Young
Councillor (*Lincs Ind*)

2.3 Governance and Audit Committee (5 Members)

Councillor J Brockway
Councillor S Bunney
Councillor D Dobbie
Councillor A Lawrence
Councillor B Velan

2.4 Licensing Committee (11 Members)

Councillor J Barrett
Councillor E Bailey
Councillor E Bennett
Councillor L Clews
Councillor D Dobbie
Councillor P Lee
Councillor M Palmer
Councillor Mrs D Rodgers
Councillor T Smith
Councillor J Snee
Councillor M Snee
Councillor B Velan

*NB: One too many names provided by the Administration – to be resolved at Council

2.5 Regulatory Committee (11 Members)

Councillor J Barrett
Councillor E Bailey
Councillor E Bennett
Councillor L Clews
Councillor D Dobbie
Councillor P Lee
Councillor M Palmer
Councillor Mrs D Rodgers
Councillor T Smith
Councillor J Snee
Councillor M Snee
Councillor B Velan

*NB: One too many names provided by the Administration – to be resolved at Council

2.6 Planning Committee (10 Members)

Councillor J Barrett
Councillor M Boles
Councillor T Bridgwood
Councillor K Carless
Councillor D Dobbie
Councillor I Fleetwood
Councillor T Smith
Councillor J Snee
Councillor P Swift
Councillor (*Lincs Ind or Consensus Ind*)

2.7 Prosperous Communities Committee (10 Members)

Councillor E Bailey
Councillor O Bierley
Councillor F Brown
Councillor S Bunney
Councillor P Lee
Councillor J McGhee
Councillor L Mullally
Councillor R Patterson
Councillor L Rollings
Councillor T Young

2.8 Overview and Scrutiny Committee (14 members)

Councillor E Bailey
Councillor J Barrett
Councillor T Bridgwood
Councillor F Brown
Councillor K Carless
Councillor L Clews
Councillor J Flear
Councillor P Howitt-Cowan
Councillor P Morris
Councillor L Mullally
Councillor M Palmer
Councillor R Pilgrim
Councillor M Westley
Councillor *(Lincs Ind)*

2.9 Standards Committee (5 Members)

Councillor J Brockway
Councillor Mrs D Rodgers
Councillor L Rollings
Councillor M Snee
Councillor M Westley

Agenda Item 10d



Annual Council

Monday, 12 May 2025

Subject: Appointment of Committee Chairmen and Vice-Chairmen for the 2025/26 Civic Year and to agree the normal commencement time for each Committee

Report by:

Monitoring Officer

Contact Officer:

Katie Storr
Democratic Services & Elections Team Manager
katie.storr@west-lindsey.gov.uk

Purpose / Summary:

This report seeks to appoint Chairmen and Vice-Chairmen to each of the Committees for the 2025/2026 Civic Year and determine the normal commencement time of each of the Committees.

RECOMMENDATION(S):

(1) That Council appoint Chairmen and Vice-Chairmen, as detailed in Table 1 of the report, for the 2025/26 Civic Year to the following Committees: -

- (a) Chief Officer Employment Committee
- (b) Corporate Policy and Resources Committee
- (c) Planning Committee
- (d) Governance and Audit Committee
- (e) Licensing Committee
- (f) Overview and Scrutiny Committee
- (g) Regulatory Committee
- (h) Prosperous Communities Committee
- (i) Standards Committee

(2) That Council agree the normal commencement time for each of the above-named Committees in accordance with the schedule detailed in Table 1 of the report.

IMPLICATIONS

Legal:

It is the responsibility of Full Council to agree Chairmanships, Vice-Chairmanships, and start times for meetings at its Annual meeting.

Financial:

Special responsibility allowances are payable to Committee Chairmen and Vice-Chairmen at a rate agreed by the Independent Remuneration Panel. These costs are met from the Members' Allowance budget which is set following any recommendation from the Panel and subsequent approval by Full Council.

The Vice Chairmen for the Overview and Scrutiny Committee, the Governance and Audit Committee, and the Corporate Policy and Resources Committee share the allowance.

All payable Special Responsibility Allowances in this report can be met from existing budgets.

Staffing:

None directly arising as a result of this report.

Equality and Diversity including Human Rights:

None directly arising as a result of this report.

Data Protection Implications:

None directly arising as a result of this report.

Climate Related Risks and Opportunities:

None directly arising as a result of this report.

Section 17 Crime and Disorder Considerations:

None directly arising as a result of this report.

Health Implications:

None directly arising as a result of this report.

Title and Location of any Background Papers used in the preparation of this report:
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Notices received from the Group Leaders on the allocation of Committee/ Sub Committee places – documents available from the Guildhall, Gainsborough (on request).

Risk Assessment:

N/A

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

☐

No

☐

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

☐

No

☐

1 Introduction

- 1.1 Following the Constitutional changes agreed in March 2019, Council are the responsible body for the appointment of Chairmen and Vice-Chairmen to each Committee, thereby avoiding the need for the traditional “mini-meets” following each Annual Council.
- 1.2 Council are also responsible for determining the normal commencement time for each of the Committees.
- 1.3 Council can also determine whether a Committee should have one or two Vice-Chairmen, no Committee is permitted to have more than two.
- 1.4 Table 1 below sets out the nominations for each available position and proposed commencement time for each Committee.
- 1.5 Counter nominations are acceptable, except in the case of the Chairman for the Chief Officer Employment Committee and the Corporate Policy and Resources Committee, which are chaired by the Leader of the Council or his nominee, as stated in the Constitution.

Table 1

Committee	Chairman	Vice Chairman/men	Normal Start Time
Chief Officer Employment Committee	Cllr M Westley	Cllr M Snee	Meetings convened as required
Corporate Policy & Resources Committee	Cllr T Young	Cllr P Swift Cllr M Westley	6.30pm
Planning Committee	Cllr M Boles	Cllr J Snee	6.30pm
Governance & Audit Committee	Cllr S Bunney	Cllr D Dobbie Cllr B Velan	2.00pm
Licensing Committee*	Cllr J Snee	Cllr M Snee	6.30pm**
Overview & Scrutiny Committee	Cllr P Howitt-Cowan	Cllr J Flear Cllr M Westley	6.30pm
Regulatory Committee*	Cllr J Snee	Cllr M Snee	6.30pm**
Prosperous Communities Committee	Cllr L Rollings	Cllr E Bailey Cllr T Young	6.30pm
Standards Committee	Cllr L Rollings	Cllr M Snee	Meetings convened as required

* Position must be held by same person

** Sub-Committees for these meetings will be convened as required and start times agreed per meeting.

Agenda Item 10e



Annual Council

Monday, 12 May 2025

Subject: Appointments on Outside Bodies Which Have Expired, including Member Champions

Report by:

Monitoring Officer

Contact Officer:

Katie Storr
Democratic Services and Elections Team
Manager
Katie.storr@west-lindsey.gov.uk

Purpose / Summary:

To appoint to those positions on Outside Bodies which have expired; including Member Champions in respect of Armed Forces and Risk.

RECOMMENDATION(S):

- 1. That Councillor Matthew Boles be appointed to the Trustees of Francis Barker Trust, the Trustees of Gainsborough Education Charity, and the Trustees of W G Rose Memorial until the end of the civic year 2029/30;**
- 2. That Councillor Karen Carless be appointed as the Council's Member Champion for Armed Forces the end of the civic year 2026/27;**
- 3. That Mrs Alison Adams, lay Independent Member on the Governance and Audit Committee, be appointed as the Council's Member Champion for Risk until the end of the civic year 2026/27.**

IMPLICATIONS

Legal:

Appointment to outside bodies is a requirement of the Constitution and predominantly run on a four-year cycle, aligned with Members' terms of office. However, where an Outside Body requires their appointments to run on a different cycle, Council are requested to re-appoint as necessary. With regard to the two Member Champion roles, these were appointed by Council in June 2023 for the period of two years, and are therefore also now expired.

Financial:

Members are entitled to claim allowances for attendance at bodies and groups to which they have been formally appointed, or in the undertaking of their Member Champion role. Costs can be met from within existing member travel budgets.

Staffing:

None arising from this report

Equality and Diversity including Human Rights:

None arising from this report

Data Protection Implications:

None arising from this report

Climate Related Risks and Opportunities:

None arising from this report

Section 17 Crime and Disorder Considerations:

None arising from this report

Health Implications:

None arising from this report

Title and Location of any Background Papers used in the preparation of this report:
--

Correspondence with Outside Body agencies, held by Democratic Services Appointment of Member Champions – 26 June 2023 – Council
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Risk Assessment:

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

☐

No

☐

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

☐

No

☐

1 Outside Bodies – Expired Appointments

- 1.1 The Council makes a number of appointments to Outside Bodies, where such bodies have requested formal representation, and is required annually to make appointments to such outside bodies where vacancies exist.
- 1.2 The majority of Outside Body appointments now have a four-year term and expire in-line with the elections cycle. However, there are three appointments which have expired. These are:
 - **Trustees of Francis Barker Trust**
 - **Trustees of Gainsborough Education Charity**
 - **Trustees of W G Rose Memorial**
- 1.3 The Administration Group have asked that the same representative continues to represent the Council on these bodies. Therefore, Council is asked to appoint Councillor Matthew Boles to those bodies listed above.
- 1.4 All three positions must be held by the same person, at the request of the Outside Bodies, due to the logistics of their meetings.

2 Member Champions – Expired Appointments

- 2.1 Responsibility for appointing Champions sits within the remit of the relevant Policy Committee under which the Member Champion Area sits. However, Council can undertake any power it has delegated to its Committees.
- 2.2 There are two Champion roles which are linked to wider best practice or adopted covenants, these being the Risk Champion (linked to the work of Audit Committees) and the Armed Forces Champion – as part of our covenant commitment.
- 2.3 Appointment to these roles was made by Council in June 2023, for the duration of two years, and, having expired, are now requested to be re-appointed.
- 2.4 Council is therefore asked to:
 - appoint Councillor Karen Carless as the Council's Member Champion for Armed Forces until the end of the civic year 2026/27; and
 - appoint Mrs Alison Adams, lay Independent Member, on the Governance and Audit Committee, as the Council's Member Champion for Risk until the end of the civic year 2026/27.



Full Council
12 May 2025

**Subject: Recommendation from the Governance and Audit Committee
-Annual Report of the Monitoring Officer 2024/2025**

Report by:	Monitoring Officer
Contact Officer:	Lisa Langdon Assistant Director for People and Democratic Services and Monitoring Officer. Lisa.Langdon@west-lindsey.gov.uk
Purpose / Summary:	<p>The Annual Report from the Monitoring Officer aims to provide an overview of governance matters relating to this Committee, and to seek appointment of Ms Fiona Souter and Ms Sarah Lawrie as members of the Independent Remuneration Panel until Annual Council May 2029.</p> <p>The Governance and Audit Committee considered this report on 22nd April 2025 and RECOMMEND this report to Council.</p>

RECOMMENDATION(S):

That Council:

- (1) accept the RECOMMENDATION from the Governance and Audit Committee and receive and endorse the information contained with the Monitoring Officer’s Annual Report
- (2) accept the RECOMMENDATION from the Governance and Audit Committee and agree that the governance outlined in Section 2 of the report, in respect of managing Commercial and Economic Growth, provides

assurance that the council is taking appropriate mitigating measures against the risks identified in its commercial approach

- (3) accept the RECOMMENDATION from the Governance and Audit Committee to approve the appointment of Ms Fiona Souter as a Member of the Independent Remuneration Panel until Annual Council May 2029 (Section 7.1) be approved.
- (4) accept the RECOMMENDATION from the Governance and Audit Committee to approve the appointment of Ms Sarah Lawrie as a Member of the Independent Remuneration Panel until Annual Council May 2029 (Section 7.1) be approved.

IMPLICATIONS

Legal:

The Council is required by law to prepare, and keep up to date, the Constitution. There is no legal requirement for the Monitoring Officer to produce an annual report of this nature, however it has previously been requested by Members and aims to provide transparency in respect of the wider governance associated work the Monitoring Officer is involved with on an annual basis.

Financial: FIN/5/26/GA

No financial implications arising from this report. Lay Members do attract a remuneration fee which is established by the independent Remuneration Panel. The fees are contained within existing budget provision.

Staffing: There are no staffing implications arising from this report. The work is conducted by the Monitoring Officer, Deputy Monitoring Officer and wider departments.

Equality and Diversity including Human Rights: It is imperative that when dealing with all governance issues, people are treated equally and fairly. The Monitoring Officer, Deputy Monitoring Officer and wider team are aware of Equality legislation and due to the sensitive nature of this work, particularly that relating to complaints made under the Standards regime, ensure that equality and diversity is considered and applied as appropriate at all times.

The provisions under the Regulation of Investigatory Powers Act 2000 are founded on the premise of protecting human rights, and the governance surrounding this legislation ensures the human rights of the residents of West Lindsey are protected.

Data Protection Implications: The information contained in this report is, by its very nature, personal and often sensitive data. Therefore, staff only know about specific information if they need to, and information is kept confidential as appropriate, with care being taken in relation to the sending out of correspondence (such correspondence being marked “confidential” where necessary).

Climate Related Risks and Opportunities: The organisation is aware of its responsibilities surrounding climate change, and much of the work referred to within this report is conducted over email with limited printing of paper documents, and where possible meetings and discussions are held virtually using the MS teams function, thereby saving in fuel costs and emissions.

Section 17 Crime and Disorder Considerations: Whilst there are no direct implications, the work carried out by the Monitoring Officer and wider teams contributes to cohesion and informal resolutions within communities, and therefore promotes community safety. The Monitoring Officer and Deputy Monitoring Officer are able to provide a police contact to anyone who suspects or alleges criminality.

Health Implications: There are no health implications arising from this Report.

Title and Location of any Background Papers used in the preparation of this report :

Monitoring Officer Annual Report 2023/24 submitted to Council in May 2024

Risk Assessment :

Good governance and up to date practices and procedures for decision making ensure the organisation is legally compliant, whilst protecting against ultra vires decisions. Further, good governance is essential for ensuring value for money and that the Council is acting within its own powers and procedures at all times. Ensuring good governance at all levels protects the organisation from external claims and challenges.

“Failure to comply with legislation” and “inability for the Council’s governance to support quality decision making” are strategic risks for the organisation and these risks are considered regularly by the Management Team prior to consideration at the Governance and Audit committee.

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

☐

No

X

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

X

No

☐

1 Introduction and Summary

1.1 This report sets out the Annual Report of the Monitoring Officer for 2024-2025, which aims to provide an overview in respect of governance matters associated with this Committee.

1.2 The report includes for information purposes: -

- details of the governance arrangements in place to manage Commercial and Economic Growth, including WLDC owned companies;
- presents a high-level data analysis of the number, nature and outcome of complaints received under the Code of Conduct, during the 2024/25 civic year;
- notification of pending appointments of Independent Lay Persons to various roles across the Council, for recommendation to Council where terms of office are due to expire;
- support the Monitoring Officer has provided to a number of Parish Councils to ensure their continued functioning;
- the use and frequency of urgent delegated committee decisions taken by the Head of Paid Service; and
- information in respect of the Council's Regulation of Investigatory Powers (RIPA) Policy and the number of times the Council has used it powers.
- This year's report also includes details of an internal audit undertaken on the Code of Conduct complaint process and summarises the arising recommendations to be implemented.

Monitoring Officer's Annual Report

2. Governance arrangements in place to manage Commercial and Economic Growth

2.1 The Sections below provide updated positions, together with information on how the Council governs its business interests.

2.2 West Lindsey Owned Companies

2.2.1 West Lindsey District Council controls ownership in the four companies listed below. These are managed using nominated representatives acting as Directors and carrying out the shareholder function. In practice the shareholder role is carried out by way of formal reporting to the Corporate Policy and Resources Committee.

Company	Reg. No.	Date incorporated	WLDC Staff/Roles		Shareholding
WLDC Trading Ltd	10547086	Jan 2017	SGS– Director Vacant – Director Vacant – Shareholder Representative PD - Secretary		Sole Shareholder
WLDC Staffing Services Ltd	10276205	Jul 2016			
SureStaff (Lincs) Ltd	06476932	Jan 2018			
Market Street Renewal Ltd	10298200	Jul 2016 – moved to wholly owned company in Sept 2023	SGS	Director	Sole Shareholder
			AM	Director	
			Vacant	Shareholder Representative	
			PD	Secretary	

Key: -

AM – Andrew Morriss – Independent Lay Member of the Governance and Audit Committee

PD – Interim Director of Finance and Assets (S151 Officer)

SGS – Sally Grindrod-Smith – Director of Planning and Regeneration, Projects and Growth

- 2.2.2 There has been a new Director appointment and a Director resignation for each of West Lindsey owned companies during 2024 – 2025. Additionally, a company secretary was appointed to Market Street Renewal Limited.
- 2.2.3 There is a vacancy for the shareholder representative for all the West Lindsey owned companies. The replacement for this role would need to be agreed by the Corporate Policy and Resources committee and confirmed at the next available board meeting for West Lindsey owned companies. There is also a Director Vacancy for Surestaff / Staffing Services which will require an appointment by the Corporate Policy and Resources committee.
- 2.2.4 Business Plans for West Lindsey Owned Companies are currently being updated for 2025. Business Plans will continue to be reviewed and presented to the Corporate Policy and Resources Committee annually.
- 2.2.5 In conclusion there have been no major concerns reported around the governance of the West Lindsey owned companies and they have not been subject to any legal challenge during the year 2024 – 2025.

2.3 Development Agreements

- 2.3.1 A development agreement is a term which is used to cover a variety of agreements amongst developers, landowners, purchasers, tenants and funders. Each agreement will, of course, require to be tailored to the parties and the circumstances of the particular development, but they tend to have a number of elements in common.

- 2.3.2 Many include some or all of the following obligations on the developer:
- to carry out the particular development in line with agreed plans and specifications;
 - to procure the provision of collateral warranties by the contractor and consultants to the purchaser/tenants and funder;
 - provisions which are designed to ensure the quality of the development;
 - letting obligations, which set out the minimum criteria for any prospective leases which the developer seeks to secure, perhaps with an agreed form of lease attached; and
 - A timetable for the development, including a long-stop date for completing it.
- 2.3.3 The Council entered into a Development Agreement with MUSE in 2017 to support the regeneration of Gainsborough Town Centre. This was a five-year agreement and has now ended. The Council conducted a public procurement exercise to select a development partner to lead the regeneration of RAF Scampton. The development partner was approved by the Corporate Policy and Resources committee in 2023, but the development agreement remains pending and subject to further discussions with the site owner. Should the discussions be successfully concluded the Corporate Policy and Resources committee will be presented with the final agreement for their consideration.

2.4 Commercial Property Portfolio.

- 2.4.1 At the Corporate Policy and Resources Committee on 13 April 2017 Members agreed a criteria for investment in commercial properties.
- 2.4.2 The criteria included Lot size, Location, Asset quality, Tenant ease term, Tenant Covenant, Occupation and Tenure. In addition, the committee agreed to delegate the application of the criteria to the Chief Executive following consultation with the Chairman of Corporate Policy and Resources Committee.
- 2.4.3 The criteria was revised at the meeting of the Corporate Policy and Resources on 10th May 2018 to increase the purchase price range to £10 million. This was to enable the portfolio to be balanced and to take advantage of a gap in the market for lots between £5 million and £10 million.
- 2.4.4 Appendix 1 sets out the scoring criteria which is currently used to evaluate properties for the portfolio.
- 2.4.5 The Council has bought no additional investment properties during 2024/2025 and it is not envisaged that any further commercial properties will be purchased. .

- 2.4.6 Members have been regularly updated on these properties in the budget monitoring reports which are provided on a quarterly basis to the Corporate Policy and Resources Committee, and this will continue to be the reporting mechanism regarding these investments.
- 2.4.7 As advised in the 2022 – 2023 Monitoring Officer's Annual Report, at the time of writing, the policy relating to Commercial Investments was due to being reviewed to ensure it accorded to the new government regulations relating to MRP.
- 2.4.8 This work was completed and the Council are fully compliant with the government regulations as outlined in the treasury management strategy approved by Council on 3rd March 2025.

3. Ensuring compliance with the Subsidy Control Act (2023)

- 3.1 The Subsidy Control Act (2023) was introduced during 2022 - 2023 replacing the State Aid legal requirements following Brexit. The new Act was designed to continue to ensure that the public sector applied a 'level playing field' approach to all aspects of procurement and therefore did not give undue financial support to bidders.
- 3.2 As reported in last year's Monitoring Officer Annual Report at the time of the Act's introduction the Council sought Legal advice to ensure it was adhering to all the requirements it placed on Local Authorities, and received assurance it is complying with the new legislation.
- 3.3 Officers continue to review each of our major projects on a case by case basis to ensure full compliance and no matters of concern have been raised.

4 Procurement Act 2023 and Resulting Revisions to Contract Procedure Rules.

- 4.1 The withdrawal of the UK from the European Union (EU) provided the opportunity for central government to introduce new legislation governing public sector procurement and contract management, as our previous regulations (as detailed in the Public Contract Regulations 2015) were the enactment of an EU Directive.
- 4.2 The resulting Procurement Act received royal ascent in 2023 (with the provisions coming into effect on 28th October 2024) resulting in the Council having to review its processes, policies, regulations, constitution and practice to be updated.
- 4.3 This matter was the subject of a full report to the Governance and Audit Committee at its meeting on 21 January 2025 which included an updated set of Contract Procedure Rules which were subsequently recommended to and adopted by Full Council in January 2025.
- 4.4 Training sessions on the new requirements have been provided to staff.

5 Overview of the Number, Nature and Outcome of Code of Conduct Complaints Received

5.1 The sections below set out the position in respect of Member Code of Conduct complaints data for the civic year 2024 - 2025 up to March 2025, with data having last been reported to Annual Council in May 2024.

5.2 During 2024 - 2025 19 complaints were received.

5.3 2 were in relation to District Councillors and 17 related to Parish Councillors.

5.4 The nature of these complaints is summarised below:

- | | | |
|------------------------|----|-------------------------|
| • Leadership | 2 | (2 Parish) |
| • Bullying/ Harassment | 4 | (1 District, 3 Parish) |
| • Respect | 13 | (1 District, 12 Parish) |

5.5 The level of complaints has risen slightly when compared to last year (15 in total 1 District Councillor 14 Parish Councillors) but overall remains on a par to previous years. The increase can be accounted for by a cluster of complaints relating to one Parish Council.

5.6 It is to be expected that the Council will receive more complaints about Parish Councillors as opposed to District Councillors, given the very high number of Parish Councillors compared to District Councillors, this trend has borne out during 2024 - 2025.

5.7 The Monitoring Officer has issued one formal action against a District Councillor but none against a Parish Councillor during 2024-2025.

5.8 The Monitoring Officer does regularly offer advice, guidance and words of caution in a bid to avoid costly and time-consuming investigations in matters which in main can be resolved by informal actions, this will always be the preferred method resolution.

5.9 There were no full investigations required by the Council during this year 2024-2025.

5.10 The level of formal complaints will never truly demonstrate the amount of work undertaken by the Monitoring Officer and Deputy Monitoring Officer in supporting Councillors, particularly Parish Councils, nor does it reflect the numerous enquiries which the Monitoring Officer receives which fall outside of the Monitoring Officers powers, or the volume of correspondence issued to prevent matters progressing to a formal stage.

5.11 As advised in the 2023/2024 Monitoring Officer's Annual Report, to increase knowledge and understanding around the Standards regime and the role of the Monitoring Officer, a series of training sessions were

provided for Parish Councils during the Summer of 2024. These sessions were held during July of 2024.

- 5.12 The Government has recently announced it is reviewing the Standards Framework, and the Monitoring Officer will continue to keep abreast of any outcomes.

6. Code of Conduct Complaint Process Audit

- 6.1 The Code of Conduct regime was subject to an Audit in December 2024 and that Audit concluded that the process provided reasonable assurance. There were some follow up actions which included amendments to the internal spreadsheets, providing refresher training for those who facilitate the process, and also considering extension of the response timescale. These actions are being implemented by the Monitoring Officer and Deputy Monitoring Officer.

7. Pending Appointments for Lay and Co-opted Members recommended by the Monitoring Officer for Council Approval.

7.1 Independent Remuneration Panel Member

- 7.1.1 Recruitment for Independent Members of the Remuneration Panel took place during February /March 2025. One vacancy had arisen due to the passing of one member of the Panel.
- 7.1.2 A recruitment process was undertaken, generating three applications. However, one applicant withdrew prior to interview. Following a formal interview process, overseen by the Monitoring Officer and Chairman of the Governance and Audit Committee, the positions have been provisionally appointed to Ms Fiona Souter and Ms Sarah Lawrie, subject to approval by Council.
- 7.1.3 Council will be asked, at their Annual General Meeting, to approve that Ms Fiona Souter and Ms Sarah Lawrie be appointed as Independent Members of the Remuneration Panel for a period of four years commencing Annual Council May 2025 and ceasing at the Annual Meeting of Council in May 2029.

7.2 Future Expiration Dates of Lay Persons Roles.

- 7.2.1 Terms of Office across Lay positions available on the Council are aligned to expire on a rolling basis, as opposed to all appointments expiring at the same time, to ensure that some level of knowledge and experience is retained,
- 7.2.2 During 2025/2026 three roles expire, these being: May 2026 - Mr S Beard (Standards Independent Person); May 2026 - Mr R Quirk and Mr T Hall (both Independent Remuneration Panel)

7.2.3 Recruitment will be undertaken towards the end of 2025/2026 civic year.

8 Support to Parish Councils.

8.1 The Monitoring Officer regularly supports Parishes on an informal basis throughout the year. As well as powers and duties in relation to the Code of Conduct, the Constitution also provides the Monitoring Officer the relevant authority to: -

4. To make, under Section 91 of the Local Government Act 1972, temporary appointments of Members to Town and Parish Councils following consultation with the Chairman of the Governance and Audit Committee. (Part IV / Page 33)

8.2 These appointments are made to prevent the Parish Council becoming inquorate due to resignations and it is typical for the Ward Member to be appointed.

8.3 During 2024 – 2025 this intervention has been used twice assisting the following Parishes: -

- Fenton and Torksey Lock; and
- South Kelsey

8.4 The appointments made under Order of Section 91 are no longer in place, as both Councils are now quorate.

8.5 The Council continues to strengthen its partnership and are working more closely with the Lincolnshire Association of Local Councils (LALC). LALC continues to champion the adoption of the West Lindsey Code of Conduct as we continue to Champion the raft of benefits afforded to Parishes by subscribing to the help and support of LALC

8.6 LALC also provided support in facilitated sessions organised by the Monitoring Officer to support a Parish Council experiencing some challenges. It is hoped this mutual support approach can continue.

8.7 The request for support can often exceed the internal resources available given there are over 600 parish councillors across the District. Requests also sometimes fall outside of Monitoring Officer's legal powers. To increase awareness of the Standards regime generally and the Monitoring Officer's role, as advised in Section 5 training sessions were held over the Summer 2024 and will be repeated periodically.

9 Urgent Delegated Decision Making Process

9.1 As anticipated in last year's report, the use of the urgent delegated decision provision continues to subside and is now back to Pre-pandemic levels, and being used rarely.

- 9.2 During the civic year 2024 – 2025 to-date 2 urgent delegated decisions have been taken.
- 9.3 Members are notified of such decisions within 5 days of them having been made, they are also made available on the website for the public/press. <https://www.west-lindsey.gov.uk/my-council/decision-making-and-council-meetings/officer-decisions/>
- 9.4 The Chairmen of the Corporate Policy and Resources and/or Prosperous Communities Committees, are always consulted, as required by the Constitution.
- 9.5 The Head of Paid Service has continued with his informal commitment to extend the delegation limits to include the Leader of the Opposition, something first introduced during the Pandemic, and they continue to be afforded consultation rights on all urgent delegated decisions taken, attending when available.
- 9.6 The five day notification target has been met for all such decisions taken during 2024-2025

10 Regulation of Investigatory Powers (RIPA)

- 10.1 The Human Rights Act 1998 requires the Council and organisations working on its behalf, pursuant to Article 8 of the European Convention, to respect the private and family life of a citizen, their home and their correspondence.
- 10.2 The Regulation of Investigatory Powers Act 2000 (RIPA) provides a statutory mechanism for authorising covert surveillance, the use of a covert human intelligence source (CHIS), or the acquisition of communications data. It seeks to ensure that any interference with an individual's right under Article 8 of the European Convention is necessary and proportionate. In doing so, RIPA seeks to ensure that both the public interest and the human rights of individuals are suitably balanced.
- 10.3 West Lindsey, in common with all Local Authorities, is required to have arrangements in place to ensure that it abides by these regulations. This includes having an up-to-date Policy, carrying out training and keeping appropriate records. All requests to carry out surveillance have to go through an authorisation process, which includes approval by a magistrate.
- 10.4 Following a review of arrangements in January 2021, Members are advised annually of the number of surveillance requests which have been approved. It can be confirmed that during 2024/2025 no requests for the use of the Power were made.
- 10.5 Whilst the Authority has not needed to use its formal RIPA powers over the last four years, the relevant officers are aware of RIPA and its

implications. Information is also available for all officers on the Minerva intranet page.

- 10.6 The Monitoring Officer ensures the RIPA Policy remains up to date and fit for purpose.

APPENDIX 1 – ADOPTED INVESTMENT CRITERIA

Financial considerations				
Lot Size (Capital Value) - The core initial lot size target is £1.0m - £4m. Taking into account the Council's total investment return of £20m it is recommended that a minimum of 8 assets are held without any single asset being overly dominant. A spread of £1.0m to £4m implies an average asset value of £2.5m and a portfolio of c.8 assets.	£2.0m - £5m	£1.0m - £2.0m or £5m - £7.5m	£500k - £1.0m or £7.5m - £10m	<£500k or >£10m
	5	3	1	0
Rate of Return (Net Yield)* - Investments will look to achieve an overall target yield of circa +/- 1% of the average net yield of the entire portfolio for which the target is currently 7.0%. *the return to the council after consideration of agents fees (1%), legal fees (0.5%), Stamp Duty Land Tax (at prevailing rate), external management costs (if applicable), survey costs (estimated) and any void costs.	6% to 8%	5% to 6% / >8% to <10%	<5% or 10%	N/A (property vacant)
	5	3	1	0
Lot Size (Annual Rental Income) - The target income range is between £150k and £300k pa. This is driven by the Authority's target net return of 7% and the identified target lot size of £1.0m - £4.0m.	£125k p.a. - £300k p.a.	£100k p.a. - £125k p.a. or £300k p.a. - £600k p.a.	£50k p.a. - £100k p.a. or £600k p.a. - £800k p.a.	<£50k p.a. or >£800m p.a.
	5	3	1	0
Property/Asset Considerations				
Sector - The council should invest in a diversified and balanced portfolio with a focus on the traditional lower risk sectors of Offices, Industrial and Retail; the spread of sectors will limit the Council's exposure to volatility in a particular area.	Traditional Property type (Office, Industrial, Retail)	Leisure	Healthcare or Other Business Uses	Residential
	5	3	1	0

APPENDIX 1 – ADOPTED INVESTMENT CRITERIA

Location Quality - the 'Primeness' of an asset's location will depend very much on the nature of each individual asset and the market within which it competes. Prime locations by sector can broadly be outlined as follows: Offices - located within an established business district of a major UK city or on an established out of town business park with access to amenities and good transport links. Industrial - located within close proximity to UK motorway network or transport hub (airport/port/rail links) or an established and successful industrial/manufacturing park. Retail - located within the retail core of a major UK city or an established and successful out of town retail location.	Primary	Secondary	Tertiary	N/A
	5	3	1	0
Located Proximity to WLDC - Location will be dictated by opportunity to acquire investments that meet the strategy. A balanced portfolio would not usually be restricted to WLDC's administrative boundary and would consider opportunities to purchase further afield focusing initially on investments more locally, i.e. in the LEP/area, before expanding the search country/UK wide.	Within WLDC	Within 1 hr drive time	Within 2 hr drive time	>2hr drive time
	5	3	1	0
Tenure - When considering the tenure of an asset, freehold would be preferable to leasehold. Freehold provides the greater levels of security against a leasehold asset that would effectively decrease in value over time. However assets on long leasehold basis may still be suitable for consideration where the lease term remaining is 125 years or more.	Freehold	Long Leasehold (125 yrs+)	Long lease between 75yrs & 125yrs	Long lease less than 75yrs
	5	3	1	0
Building Condition - The age and specification of the property will also affect the ability of the Council to let or sell the property in the future. It must also be taken into consideration in respect of the cost of protecting the investment and the undertaking of repairs and refurbishment if the cost cannot be fully recovered from the tenant. Preference should therefore be for modern and efficient stock. Consideration should also be given to any landlord costs associated with works that may be required to bring the property up to a satisfactory EPC level (new leases should have a minimum EPC rating of 'E' by 1st April 2018) if it is not already.	Good	Fair	Poor	Not Acceptable
	5	3	1	0
Security of Income/Leasing				
Covenant Strength - With tenanted properties there should be consideration of the quality of the tenant and more importantly, their ability to pay the rent on time and in full. Consider Dun & Bradstreet, Experia credit rating when applying Financial Covenant score. If Property is multi-let it may be acceptable to have some weaker tenants within the tenant mix as the risk is diversified to a certain extent.	Strong financial covenant	Good financial covenant	Limited financial covenant	Poor financial covenant/vacant
	5	3	1	0

APPENDIX 1 – ADOPTED INVESTMENT CRITERIA

Unexpired Lease length - In the case of a tenanted property, the unexpired length of the term of the lease is of key importance in ensuring that the landlord's revenue stream is uninterrupted. This must consider any upcoming breaks and assumes the tenant breaks at the earliest opportunity. For multi-let properties consider the Weighted Average Unexpired Lease Term (WAULT) i.e. the average lease term remaining to first break, or expiry, across the property weighted by contracted rent.	10yrs+	5yrs to 10yrs	Between 2yrs & <5yrs	Less than 2yrs/Vacant/Holding Over
	5	3	1	0
Rent Review - To increase income there must also be consideration of upcoming Rent Reviews in terms of the time frame and the method (i.e. upward only, RPI/CPI etc.) There should also be some consideration to the Rental Growth Prospects.	Stepped rent/RPI or fixed uplifts	Open Market Rent (5 yearly)	Unusual review format (i.e. 14 yearly)	No RRs
	5	3	1	0
Rental Growth Prospects - This considers the passing rent in relation to the market conditions and prospects for increase in income having regard to estimated rental value compared to passing rent. At a minimum the Market Rent should be equal to the Passing Rent.	Substantial Rental Growth Prospect	Some Rental Growth Prospect	Rack Rented/No Likely Change	Over rented (i.e. Passing Rent > Market Rent)
	5	3	1	0
Repairing terms - There should be preference for investments with full repairing and insuring (FRI) terms meaning that all costs relating to occupation and repairs are borne by the occupier(s) during the lease term with only insurance premiums recharged and service charge (if applicable).	Full Repairing/fully S/C recoverable	Internal repairing - s/c recoverable by capped	Internal repairing - partially recoverable	Internal Repairing - non-recoverable/Landlord only
	5	3	1	0
Occupancy rate - Ideally the property will be fully let and income producing. A vacant or mostly vacant property potentially provides the opportunity to increase income (depending on market demand, building condition etc.) Also, there should be consideration as to the ease of getting the property fully occupied and the expense which the Landlord will have to pay in the interim i.e. empty rates, repairs and redecoration etc.	Fully let (100% let)	Part Let, Part Vacant (>70% & <100% let)	Mostly Vacant (50% - 70% let)	Predominantly vacant
	5	3	1	0

Agenda Item 10g



Full Council
Monday, 12 May 2025

Subject: Recommendation from Chief Officer Employment Committee - Appointment of Interim Head of Paid Service (incorporating Returning Officer and Electoral Registration Officer)

Report by:	Chief Executive
Contact Officer:	Ian Knowles Chief Executive ian.knowles@west-lindsey.gov.uk
Purpose / Summary:	To accept the RECOMMENDATION OF THE CHIEF OFFICER EMPLOYMENT COMMITTEE to appoint Mr Bill Cullen as the interim appointment for the Statutory role of Head of Paid Service, Returning Officer and Electoral Registration Officer

RECOMMENDATION(S):

That Council

1. accept the RECOMMENDATION from the Chief Officer Employment Committee and formally appoint Bill Cullen as Head of Paid Service, Returning Officer and Electoral Registration Officer from 1st July 2025 on an interim basis

IMPLICATIONS

Legal:

Section 4 Local Government and Housing Act 1989 requires that it shall be the duty of every relevant authority to designate one of their officers as head of their paid service.

Local Authorities (Standing Orders) (England) Regulations 2001, Regulation 5 provides “the power to approve the appointment or dismissal of the head of the authority’s paid service shall be exercised by the authority itself...”

Section 113 Local Government Act 1972 allows local authorities to enter agreement for sharing staff services with other local authorities.

The authority is required under Representation of the Peoples Act 1983 to appoint an Electoral Registration Officer and a Returning Officer.

Financial : FIN/17/26/SL

There is full budget provision for this post within the Medium Term Financial Plan.

Staffing : The arrangement will be pursuant to the provisions under Section 113 Local Government Act 1972, which provides a way for local authorities to share senior officer roles.

Equality and Diversity including Human Rights :

The arrangement will comply with the relevant laws in relation to Equality and diversity

Data Protection Implications : None from this report

Climate Related Risks and Opportunities: None from this report

Section 17 Crime and Disorder Considerations: None from this report

Health Implications: None from this report

Title and Location of any Background Papers used in the preparation of this report :

[Agenda for Chief Officer Employment Committee on Thursday, 6th March, 2025, 4.30 pm | West Lindsey District Council](#)

[Agenda for Chief Officer Employment Committee on Monday, 31st March, 2025, 6.00 pm | West Lindsey District Council](#)

Risk Assessment :

It is a statutory requirement to appoint a Head of Paid Service to ensure the management and coordination of the employees of the organisation. It is a role which a Council must have in place at all times.

If, for any reason it is not possible to implement this shared service arrangement, the Council will have to act promptly to consider other options for the Head of Paid Service role.

The Council also is required to have a Returning Officer and an Electoral Registration Officer and this shared arrangement will also see Mr Cullen being appointed to these roles, should this not occur, alternative arrangements will need to be made.

The permanent role is full time and a shared arrangement may not be able to cover all the non-statutory functions, should the Chief Officer Employment Committee wish to review this arrangement at any time they are able to do so.

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

☐

No

x

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

☐

No

x

1 Introduction

- 1.1 Following the announcement that the Chief Executive and Head of Paid Service Mr Ian Knowles is to retire, his last working day with the Authority will be 30th June 2025. Arrangements are ongoing regarding recruiting to his role on a permanent basis, however due to the seniority and nature of this role the recruitment process is very involved and requires various different stages. It is expected that any permanent replacement will not be available to start with the organisation until the middle of October 2025 at the very earliest.
- 1.2 The organisation requires an interim solution pending the permanent recruitment process and the Chief Officer Employment Committee have considered this at their meetings on 6th March and 31st March 2025. The Committee decided a shared arrangement should be considered and directed the officers to make enquiries of other Chief Executives who may be able to take on the role on an interim basis. A shared service arrangement involves sharing a Head of Paid Service with an existing Authority for a period of time. The Chief Officer Employment Committee will be kept updated regarding the permanent recruitment process.
- 1.3 As a result of enquiries made, the Committee met with Mr Bill Cullen, Chief Executive of Hinckley and Bosworth Borough Council on 14th April 2025, and unanimously recommended he act as the organisation's Head of Paid Service on an interim, shared basis. It was recommended that Mr Cullen also act as the Returning Officer and Electoral Registration Officer.

2. Regulations and provisions

- 2.1 Under Section 4 Local Government and Housing Act 1989, it is a requirement that the Council designate one of its officers as Head of the Paid Service.
- 2.2 The West Lindsey District Council Constitution, Part IV, pages 31-21 detail the functions of the Head of Paid Service.
- 2.3 Section 35 of the Representation of the People Act 1983 requires the Council appoint a Returning Officer and this is an independent statutory role. The Council is also required to have an Electoral Registration Officer appointed under this legislation and it is recommended that Mr Cullen be appointed to these roles on an interim basis.

3. Duties of the role

- 3.1 The role will require the interim Head of Paid Service to provide stewardship and leadership to the Council pending the recruitment of the permanent position. The role will exercise overall responsibility for corporate management and operational issues within existing budgets and be the principal staffing advisor for staff who are not subject to the terms of reference of the Chief Officer Employment Committee.

- 3.2 The interim Head of Paid Service will attend full Council meetings, meet and work with the Leader and Deputy leader as required, meet and work with other Group Leaders and elected members as required and attend meetings of the Council's Policy Committees.
- 3.3 The role will provide management, guidance, supervision and direction to the senior Management Team and chair the Management Team meeting at which all draft committee reports are considered, in addition to considering other matters which are to be decided by Management Team.
- 3.4 The role will include attending the weekly meeting of the Lincolnshire District Chief Executives and representing West Lindsey District Council's interests in this forum and any other meetings consisting of senior lead officers across Lincolnshire. The role will also provide leadership and a steer in relation to the ongoing work regarding Local Government Reorganisation.

4. Appointment

- 4.1 Mr Cullen is an existing Chief Executive for Hinckley and Bosworth Borough Council and has been in this role for 8 years. He is highly experienced in local government matters, has previously been the Chair for the District Council's Network Chief Executive Group, and recently led on the local government proposals for Hinckley and Bosworth.
- 4.2 Mr Cullen has met with the Chief Officer Employment Committee, which included three of the Council's Group Leaders, and he was asked various questions about his experience, knowledge and his views on how the shared arrangement will operate in practice. The senior Management Team has also met with Mr Cullen and arrangements are being made for his attendance at the Management Team's away day in June.
- 4.3 The shared service arrangement with Mr Cullen's organisation will be through a Section 113 Agreement which is a legal agreement and allows either party to withdraw from the arrangement providing reasonable notice.
- 4.4 The shared arrangement will be on a 2/3 days per week basis during which Mr Cullen will spend time each week in the Guildhall office building in addition to working on a virtual basis as required.

5. Recommendation

- 5.1 That the Council accept the RECOMMENDATION from the Chief Officer Employment Committee and formally appoint Bill Cullen as Head of Paid Service, Returning Officer and Electoral Registration Officer from 1st July 2025 on an interim basis.



Full Council

Monday, 12 May 2025

Subject: Recommendation from the Chief Officer Employment Committee - Appointment of S151 Officer

Report by: Chief Executive

Contact Officer: Ian Knowles
Chief Executive
ian.knowles@west-lindsey.gov.uk

Purpose / Summary: That Council accept the RECOMMENDATION of the Chief Officer Employment Committee to appoint Mr Peter Davy to the Council's Statutory Role of the Section 151 Officer.

The Chief Officer Employment Committee considered this matter at their meeting on 31st March 2025.

RECOMMENDATION(S):

1. That Council accept the RECOMMENDATION from the Chief Officer Employment Committee and formally appoint Peter Davy as S151 Officer from 13 May 2025

IMPLICATIONS

Legal:

The Chief Executive, as the Head of the Paid Service, has a duty under section 4 of the Local Government and Housing Act 1989 to determine the staffing arrangements necessary to deliver the Council's functions.

As an appointment has been made by Chief Officers Employment Committee to the Director of Finance and Assets post and given that this role carries the statutory responsibilities of S151 Officer, in accordance with the Local Government Act 1972, the appointment requires the approval of Council following a recommendation from the Chief Officers Employment Committee.

It is a statutory requirement for local authorities to have a Section S151 Officer in place, in order to ensure that their necessary roles and functions are delivered effectively.

Financial : FIN/16/26/SL

There is full budget provision for this post within the Medium Term Financial Plan.

Staffing : The Director of Finance and Assets (S151) job description, the constitution and statutory functions, reflects the requirements and obligations of this statutory role.

Equality and Diversity including Human Rights :

None from this report

Data Protection Implications : None from this report

Climate Related Risks and Opportunities: None from this report

Section 17 Crime and Disorder Considerations: None from this report

Health Implications: None from this report

Title and Location of any Background Papers used in the preparation of this report :

West Lindsey District Council Constitution
Local Government and Housing Act 1989
Local Government Act 1972
Local Authorities (Standing Orders) (England) Regulations 2001
[Agenda for Chief Officer Employment Committee on Monday, 31st March, 2025, 6.00 pm | West Lindsey District Council](#)

Risk Assessment :

It is a statutory requirement to appoint a Chief Finance Officer (S151) to ensure the proper administration of the Council's financial affairs

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

☐

No

x

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

x

No

☐

1 Introduction

- 1.1 The Local Government Act 1972 requires every local authority to appoint a suitably qualified officer responsible for the proper administration of its financial affairs. This role is commonly referred to as the Section 151 officer. The term S151 Officer has been used as a short form expression to refer to the role and duties of the 'Responsible Financial Officer' as defined by The Chartered Institute of Public Finance and Accountancy (CIPFA) (the function of the most senior finance officer employed by an organisation).
- 1.2 Section 113 the Local Government Finance Act 1988 requires that the officer appointed as the Chief Finance Officer (CFO) must be a member of a specified accountancy body.
- 1.3 The role of a CFO lies at the heart of any effective and well governed organisation. The over-riding duty of this officer is to fulfil the statutory responsibilities.

2. Regulations and provisions

- 2.1 Under Section 151 of the Local Government Act 1972, it is stated:
"..., every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs."
- 2.2 The West Lindsey District Council Constitution, Part IV Responsibility for Functions, requires the Council to designate the Head of Paid Service, Monitoring Officer, Chief Finance Officer (Section 151 Officer) and Electoral Registration Officer / Returning Officer.
- 2.3 Section 113 of the Local Government Finance Act 1988 provides that the officer appointed as the Chief Finance Officer (CFO) must be a member of a specified accountancy body to the position in a manner that enhances the overall reputation of the Council. The CFO has a statutory duty under Section 151 of the Local Government Act 1972 to ensure that there are proper arrangements in place to administer the Council's financial affairs.
- 2.4 Section 114 of the Local Government Finance Act 1988 requires the S151 Officer to report to the full Council, the District Executive and the External Auditor if the authority or one of its officers:
 - has made, or is about to make, a decision which involves incurring unlawful expenditure
 - has taken, or is about to take, an unlawful action which has resulted or would result in a loss or deficiency to the authority
 - is about to make an unlawful entry in the authority's accounts.

3. Appointment

- 3.1 The recruitment process has been managed by Penna Recruitment Agency.
- 3.2 The search process produced three candidates who were selected for the long list; however, one subsequently withdrew from the process and two were therefore taken forward for initial, technical interview.
- 3.3 The technical interviews were undertaken by Penna on 13 March 2025, which recommended one candidate be put forward for formal interviews. These took place on 31 March 2025, which included a management team panel, a presentation and a committee panel.
- 3.4 Peter Davy was appointed to the position of Director of Finance and Assets. The Chief Officer Employment Committee agreed to proceed with recommending his appointment to the Section 151 duties to Full Council. Mr Davy has been acting as the Council's interim S151 since 19th February 2025.
- 3.5 Peter Davy will take on the role as Director of Finance and Assets on 13th May and has ten years' of working in senior finance management roles, including his previous role with West Lindsey District Council as the Financial Services Manager.
- 3.6 Peter is a qualified accountant and a fellow of The Chartered Institute of Public Finance and Accountancy (CIPFA).

4. Recommendation

- 4.1 It is recommended that the Council accept the RECOMMENDATION from the Chief Officer Employment Committee and formally appoint Peter Davy as S151 Officer from 13 May 2025

Agenda Item 10i



Annual Council

Monday, 12 May 2025

Subject: Overview & Scrutiny Annual Report 2024/25 and Review of Operating Methodology

Report by:

Councillor P. Howitt-Cowan
Chairman of the Overview and Scrutiny Committee

Contact Officer:

Ele Snow
Senior Democratic and Civic Officer

Ele.Snow@west-lindsey.gov.uk

Purpose / Summary:

To present the Annual Report from the Chairman of the Overview and Scrutiny Committee

RECOMMENDATION(S):

That Members receive the Annual Report from the Overview and Scrutiny Committee

IMPLICATIONS

Legal: The Chairman of the Committee is required constitutionally (Part II, Article 7, paragraph 7.6) to submit an annual report to Council on the work the Committee has undertaken.

Financial: FIN/21/26/CL/VA

There are no financial implications arising from this report.

Staffing: The Committee is supported from existing resources and there are no other implications arising from this report.

Equality and Diversity including Human Rights:

Data Protection Implications:

Climate Related Risks and Opportunities:

Section 17 Crime and Disorder Considerations:

Health Implications:

Title and Location of any Background Papers used in the preparation of this report :

Agenda and minutes arising from the meetings of the Overview and Scrutiny Committee held during the 2024/2025 civic year, all of which are located on the West Lindsey District Council website and can be found [here](https://democracy.west-lindsey.gov.uk/ieListMeetings.aspx?Committeed=386)
<https://democracy.west-lindsey.gov.uk/ieListMeetings.aspx?Committeed=386>

Risk Assessment:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

☐

No

X

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

☐

No

X

1 Introduction

- 1.1 The Chairman of the Committee is required constitutionally (Part II, Article 7, paragraph 7.6) to submit an annual report to council, in which he details the work his committee has undertaken through the previous civic year and summarise the proposals for the work plan over the coming year. In line with the terms of reference for the committee, the Chairman should also update Annual Council with any amendments to the committee's operating methodology.
- 1.2 The Chairman's Annual Report is set out below.

2 Chairman's Annual Report

- 2.1 This year, as is customary, we have been involved in the Progress and Delivery work programme, with scrutiny of the policy committees' debate of the six-monthly reports and the working group assisting with the review of the P&D measure set. We have welcomed visitors and guest speakers, with some already set to return next civic year, and we have continued with work streams which had commenced in previous years.
- 2.2 At the start of the year, we undertook a review of the Operating Methodology, with this again due to take place at the start of the 2025/26 Civic Year. The Operating Methodology is attached at Appendix 1, with further details of the review provided in Section 5 of this report.
- 2.3 As I write this report looking back over the year, it is hard to believe that we are already at the halfway point through our current term of office. We have strong expectations for the coming year, with the biennial review of the Members' Handbook and options for a refresh of our training, and I look forward to welcoming new invited guests and focusing on the work of the Directorates within the Council.

3 Progress and Delivery

- 3.1 We are well accustomed now to the scrutiny of the Progress and Delivery (P&D) reporting through the two policy committees, with plenty of debate welcomed. As I do every year, I would like to extend my thanks to Darren Mellors and Claire Bailey of the Change, Programmes and Performance Management team, they really do a wonderful job with their reports.
- 3.2 Members of the Committee also formed a working group in order to review the P&D Measure Sets. Whilst this is usually something which takes place very couple of years, having a new Administration in place from the 2023 elections meant it was prudent to undertake a mini-review after the first year of data collection and performance review. The amended measure set has progressed through the policy committees and been approved for use from April 2025.

- 3.3 The coming Civic Year will see a continuation of the P&D reporting through our Committee, and it will be interesting to see whether the wider national and international context starts to feed into our West Lindsey data. No doubt Darren and Claire shall keep us well informed!

4 Programme of Outside Agencies and Presentation Items

- 4.1 We have continued our programme of invited guests and presenters. We again welcomed Inspector Michael Head, from Lincolnshire Police, which although is arranged in line with statutory requirements, always proves to be an engaging and in-depth discussion piece. We shall look forward to hearing his next update around the autumn time.
- 4.2 We were also joined by Everyone Active, who show clear signs of extending the community outreach programmes the Council has been so keen to see. They have offered to return after the summer, when they hope to report further gains and successes.
- 4.3 The Committee had hoped to receive a presentation from Safer Lincolnshire Partnership, sadly unforeseen circumstances led to a change of plans, but we were very happy to hear instead from our own Andy Gray, Housing and Environmental Enforcement Manager. In summarising the role of the Partnership, we also heard how Officers at West Lindsey District Council both feed into, and benefit from, the partnership working arrangements. It was very reassuring to understand the behind the scenes work which keeps our communities safe.
- 4.4 At our final meeting of the year, on 15 April 2025, we received not only a comprehensive presentation from Mr Matthew Harrison, Lincolnshire County Council Flood and Water Manager, regarding an overview of the responsibilities of the Lead Local Flood Authority and how those responsibilities are applied during West Lindsey District flooding events, but also a further update from Mr Andy Gray, regarding the work of the Flood Risk Management Working Group. Members will be aware of the various flooding incidents we have had in our district, and the concerns our residents have around the risk of future troubles. As a Committee, we took the opportunity to ask the necessary questions, whilst understanding there is a myriad of agencies and parties involved who share responsibilities. It was heartening to hear that the work of the Working Group has become business as usual within the Council, with the Overview and Scrutiny Committee continuing to receive updates from the Group in the future, with additional information to be received should there be any specific incidents of flooding. We did express our thanks to both Mr Harrison and Mr Gray, for their efforts in presenting some complex information succinctly for us, and it was comforting to know the level of work which goes on behind the scenes.

5 Operating Methodology

- 5.1 Following the amendments which had been enacted after the 2023/24 review, this current year saw no changes being made to the Operating Methodology (Appendix 1).
- 5.2 In line with the established approach to review the Operating Methodology at the end of each civic year, for any proposed amendments to be considered in line with the Constitution Review and for approval by the O&S Committee at the start of the next civic year, the current Operating Methodology formed a part of the discussions at our meeting in April 2025. There were no suggested amendments arising from those discussions and the document will now proceed for agreement at the first meeting of the O&S Committee in the new Civic Year.

6 Look Forward to Next Year

- 6.1 As we move into the third year, there will be a continuation of our P&D work, as detailed above, and we anticipate a full information session on the much-awaited legislation updates relating to Battery Energy Storage Systems. We already have a 'waiting list' of returning guests to be scheduled into the work plan, and there will be returning updates as work streams progress.
- 6.2 As is always the case, the Committee welcomes the opportunity to focus on areas as requested by the two policy committees, and I envisage a continuation of our close working relationship, whether that be the P&D work or task and finish groups.
- 6.3 The Committee will also undertake the biennial review of the Members' Handbook, particularly welcome as it was a new tool introduced in 2023 and it is always good to review such things, but it will also hopefully go hand in hand with a refresh of our training.

7 Concluding Remarks

- 7.1 I would like to take this opportunity to extend my thanks to all Members of the Committee, for their commitment to carrying out their role with vigour. Effective scrutiny requires understanding and diligence, which our Members demonstrate unfailingly. Our work plan has been full and varied, and we look forward to the opportunities in the upcoming year.
- 7.2 I would also like to thank our Officers for the support and guidance they have given us throughout the year. The Officers who have presented, contributed, or worked behind the scenes to ensure we as a Committee can fulfil our scrutiny role as effectively as possible, and of course Nova Roberts, as our Lead Officer, and our democratic support officers.

Overview and Scrutiny Operating Methodology

Functions covered within this document:

1. Performance management (for service areas presenting performance figures below target)
2. Pre-decision scrutiny (also known as pre-scrutiny and identified from the Forward Plan)
3. Ongoing project work (for example as requested or identified by a policy committee or Council)

1. Performance Management

The Committee can request a Service Performance Review (to identify reasons for off-track performance and ways to improve) when:

- The performance has been off track for at least two consecutive reporting periods
- Recommendations from the relevant committee have been implemented and allowed time to have an impact
- At least four committee Members wish to request the review

The following restrictions apply:

- A maximum of four such reviews can be requested in any municipal year
- Any service area subject to such a review is excluded from re-examination under any process for the subsequent six month period (ie, further two reporting periods)

Process for a Service Performance Review:

- The request is to be made in writing, signed by at least four committee Members, set out the reasons for the request and be submitted to the O&S Clerk at least 21 days prior to the next committee meeting.
- The request will be considered at the next meeting and, if agreed, terms of reference for the review group should be set.
- Alternatively, where a request for a Service Performance Review is identified during a Committee meeting, and is supported by at least four Members of Committee, this will replace the request in writing.
- The Chairman (or representative) of the relevant policy committee is to be invited to the meeting where the scope of the review is considered.
- The findings of the review will be heard by the O&S Committee and presented to the relevant policy committee, where the Chairman (or representative) of O&S shall also attend.
- If the policy committee does not wish to accept the recommendations of the review group, the decision shall be referred to Council.

2. Pre-Decision Scrutiny

The Committee can identify items for pre-decision scrutiny (also known as pre-scrutiny) from those detailed on the Forward Plan. These could be items which are politically sensitive or of high public interest and where the Committee considers it would be of benefit to scrutinise the proposed decisions in advance.

These items can be selected from the Forward Plan during meetings of the Committee by a proposer, seconder and majority vote.

The following restrictions apply:

- A maximum of four 'pre-scrutiny' items can be identified per municipal year.
- The Committee cannot dictate the timeline or prevent the decision being submitted to the relevant policy committee within the pre-agreed timescales.
- Any decision considered under pre-scrutiny cannot then be called-in under the traditional process.
- Any item considered under pre-scrutiny is excluded from re-examination under any process for the subsequent six month period.
- NB: The policy committee is not strictly bound by recommendations from O&S however it is expected that they should be given due consideration.

Process for Pre-Decision Scrutiny:

- The O&S Committee will receive the exact report due to be presented at the policy committee, at least 1 cycle prior to the policy meeting.
- The O&S Committee will make recommendations to the policy committee where it feels there are areas to be further addressed in order to support the proposed decision.
- The Officer responsible for the report will work with the Chairman / representatives of O&S to revise the report accordingly (when necessary).
- The amended report, along with the minute from the O&S meeting and the original report, will be submitted to the policy committee within the original timescale.

3. Ongoing Project Work

The O&S Committee can be requested by either of the policy committees, or Council, to conduct reviews of policy, services or any aspect of a service as identified by the relevant committee.

Any such request will be made to the Chairman of the O&S Committee from the Chairman (or representative) of the requesting committee / Council. The purpose, scope and terms of reference for the review will be agreed by the requesting committee and shared with the Chairman of O&S at the time of the request.

Such reviews will form part of the work plan for the O&S Committee, report timescales will be set out in the Forward Plan and recommendations will be agreed and shared with the referring committee.

Where the Committee chooses to conduct a review of policy or services that has not been referred by a policy committee, or does not fall under items 1 or 2 as detailed above, such reviews are limited to one review per civic year.

Updated Versions / Amendments to Operating Methodology*:

June 2019

May 2022

June 2023

*the Operating Methodology is reviewed annually by the Committee, however the above dates refer to amendments made.