

Guildhall Gainsborough
Lincolnshire DN21 2NA
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This meeting will be webcast and published on the Council's website

SUPPLEMENT 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, Marshall's Yard, Gainsborough, DN21 2NA, , on **Monday, 13th April, 2026 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

1. PUBLIC QUESTION TIME
Accepted Questions received, under this Scheme now attached.

(PAGE 3)

2. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 9
Accepted Questions received under this Scheme now attached.

(PAGES 4 - 5)

3. REPORTS FOR DETERMINATION

b. Revised - Policy Committee Structure Proposal

(PAGES 6 - 25)

e. To consider the granting of a dispensation for an Elected Member

Agendas, Reports and Minutes will be provided upon request in the following formats:

Large Clear Print: Braille: Audio: Native Language

(PAGES 26 - 31)

4. **EXCLUSION OF PUBLIC AND PRESS**

To resolve that under Section 100 (A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act.

5. **EXEMPT REPORT(S)**

- a. To consider the granting of a dispensation for an Elected Member- Exempt Appendix

(PAGE 32)

Paul Burkinshaw
Head of Paid Service
The Guildhall
Gainsborough

Wednesday 8 April 2026

MEETING OF FULL COUNCIL – 13 April 2026

AGENDA ITEM 6

PUBLIC QUESTIONS RECEIVED

Question to Leader of the Council

“Residents currently cut across a piece of waste land between Margaret Close and Mayfield Avenue as a shortcut between the two areas. However, the ground is frequently muddy, uneven, and unsuitable for residents with limited mobility, parents with pushchairs, and wheelchair users.

This route is regularly used by residents accessing the local doctors’ surgery, the nearby school, and is also in close proximity to [John Coupland Hospital](#). Providing a properly surfaced footpath would not only improve accessibility and safety but would also encourage walking, promote healthier lifestyles, and support safer routes to school. Improved pedestrian access to healthcare facilities is particularly important for elderly residents and those with mobility challenges.

Given the clear and consistent use of this route by the community, would the Council consider installing a formal, all-weather footpath across this land to ensure it is accessible, safe, and usable throughout the year?”

Thank you

Stephen Blogg
Resident of Gainsborough

END OF PUBLIC QUESTIONS

Agenda Item 7

MEETING OF FULL COUNCIL – 13 April 2026

AGENDA ITEM 7

QUESTIONS RECEIVED PURSUANT TO COUNCIL PROCEDURE RULE NO. 9

**1. Question to the Leader of the Council, Councillor Jackie Brockway –
Re: - Redevelopment of Council Sites**

“Could the Leader please inform the Council of the intentions for the redevelopment or future use of the old Guildhall site and the former B&M building on Lord Street, Gainsborough?”

Both sites are of significant strategic importance to the town, and residents feel that a clear plan should be established ahead of any local government reorganisation to ensure their long-term benefit to the community.

Councillor Paul Howitt Cowan

**2. Question to the Leader of the Council, Councillor Jackie Brockway –
Re: - Unrecoverable S106 Contributions**

“In light of the recent case in Sudbrook where a Section 106 Highways contribution has been deemed unrecoverable following the death of the original landowner and the subsequent liquidation of the successor company, could the Council provide:

- The total number of Section 106 agreements across the district that have resulted in unrecoverable contributions over the past ten years
- The total financial value of these unrecoverable sums
- A breakdown of the main reasons why these contributions could not be collected, including instances involving company insolvency, legal limitations, or prohibitive recovery costs
- And finally, what mitigation measures the Council is putting in place to reduce the risk of similar losses in future, such as strengthened monitoring of trigger points, earlier invoicing, enhanced due-diligence on land transfers, or revised legal drafting to protect the authority where ownership changes occur?”

Councillor Baptiste Velan

**3. Question to the Leader of the Council, Councillor Jackie Brockway –
Re: Safety Zones**

Leader, I have asked over the past couple of years why we have not looked into having Safety Zones in our town Centres to try to improve security to our night time economy?”

Councillor David Dobbie

END OF RULE 9 QUESTIONS.

Agenda Item 9b



Full Council

13th April 2026

Subject: Committee Structure Proposal

Report by:

Chief Executive
Paul Burkinshaw

Contact Officer:

Lisa Langdon
Lisa.langdon@west-lindsey.gov.uk
Assistant Director People and Democratic
Services and Monitoring Officer

Purpose / Summary:

To approve proposals for a new Committee structure, to take effect from the Annual Council Meeting in May, which would see the Council operate with three policy Committees instead of two. The proposed terms of reference for the three new Policy Committees are appended to this Report. Should the proposal be agreed by Full Council, delegation is sought for the Monitoring Officer and Section 151 to make any necessary changes to the Constitution to effect the changes needed for this new Committee structure.

RECOMMENDATION(S):

1. To approve the proposed Committee Structure and draft terms of reference as outlined within this Report to take effect from the Annual Council Meeting in May 2026.
2. To delegate authority to the Monitoring Officer and Section 151 to make any changes required to other parts of the Constitution to effect the changes set out in this report.

IMPLICATIONS

Legal:

There are no direct implications arising from this report.

Changing the Committee Policy model is a change to the Council's Constitution and therefore this proposal has been considered by the Governance and Audit Committee prior to it being presented for approval at the full Council meeting.

Financial: FIN/176/26/GA/SL

This proposal would see an additional Committee chair and vice chair, with allowance payable at a cost of £4,900 pa from 2026/2027.

This cost would be met from the Salary Contingency Budget during 2026/2027 and reflected in the ongoing base budgets from 2027/2028.

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 from this report

Section 17 Crime and Disorder Considerations:

None directly arising 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 Council on Monday, 2nd March, 2026, 7.00 pm | West Lindsey District Council](#)

[Agenda for Governance and Audit Committee on Tuesday, 25th November, 2025, 2.00 pm | West Lindsey District Council](#)

Risk Assessment:

NA

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. Background

1.1 The Council currently operates with two Policy Committees which are -

- Corporate Policy and Resources Committee,
- Prosperous Communities Committee.

There are currently 11 Councillors on each Committee. The Committees are politically balanced in accordance with the statutory requirements. This report sets out proposals which would see the two existing Committees removed, and three new Policy Committees brought into existence as follows -

- Thriving Council Committee
- Thriving People Committee
- Thriving Places Committee

1.2 The terms of reference of the policy committees would be on the basis of the existing role of the two policy committees, however the remits of the three proposed committees would be aligned to the three corresponding themes of the new Corporate Plan and set out each committee's responsibility for ensuring delivery of the relevant element of the Council's Corporate Plan and the specific Thematic Plan and incorporate responsibility for matters within the relevant service areas which will be set out in the Constitution.

1.3 The Thriving Council Committee would retain responsibility for specific budget and financial matters which are currently the responsibility of

the Corporate Policy and Resources Committee. However, these will be subject to further review to enable decision making by relevant committees without referral being needed to the Thriving Council Committee where this is perhaps not necessary or beneficial.

- 1.4 The proposed draft detailed terms of reference of each policy committee are set out in the Appendix to this Report, the new text being seen in italics, and the text to be removed being seen but with a strikethrough line throughout. These will be subject to further review and refinement subject to approval of the proposal and the final terms of reference presented to the Annual Council Meeting.
- 1.5 Should the recommendations in this Report be approved, officers will produce a committee timetable based on this model, and preparations will be made for the usual reports taken to the May 2026 Annual General Meeting to be based upon three Policy Committees instead of two.

2. Rationale

- 2.1 The Council has recently refreshed its Corporate Plan and three clear themes are detailed within this, those being -

- Thriving Council
- Thriving People
- Thriving Place.

Each theme is accompanied by a Thematic Business Plan which details the key deliverables, measure of performance and risks associated with delivery of the respective Corporate Plan theme. This follows a recommendation made by the Local Government Association Peer Challenge team, which was that the Council refresh its business planning process. As part of this the Chief Executive was keen to ensure stronger alignment and clarity of activity against the Corporate Plan. This refreshed plan was approved by Full Council on 2nd March 2026 [Agenda for Council on Monday, 2nd March, 2026, 7.00 pm | West Lindsey District Council](#).

- 2.2 Following approval of the Corporate Plan and Thematic Business Plans alongside the budget which aligns resources to delivery of the Corporate Plan, it is necessary to consider how these can be most effectively and efficiently delivered through the council's governance and decision making processes.
- 2.3 The Peer Challenge team also recommended the Council review its internal governance arrangements to ensure that internal governance supports focused, effective and accountable delivery. This has resulted in Strategic Delivery Panels being created for each of the three themes. These are internal panels which will provide oversight and co-ordination to ensure that workstreams and projects remain on track to deliver. Each Strategic Delivery Panel will be led by one of the Council's three Directors. Of these, the Governance and Audit

Committee on 25th November 2025 to update on the arrangements regarding internal governance. [Agenda for Governance and Audit Committee on Tuesday, 25th November, 2025, 2.00 pm | West Lindsey District Council](#)

- 2.3 Taking the above into consideration and how the council's democratic processes and committee structure can most effectively and efficiently support delivery of the Corporate Plan, it is considered that a three Policy Committee model as outlined in this report and the appendix will better suit the needs of organisation. The three Policy Committees will align with the three themes thereby providing clear responsibility of the relevant committee in leading delivery of the commitments in the Corporate Plan, the three Strategic Delivery Panels, and the refreshed senior management structure. This will allow for greater ownership by officers and elected members and provide increased accountability as performance will be regularly reported to the corresponding Policy Committee in accordance with the three themes.

3. Elected Member involvement

- 3.1 A three Policy Committee model will require three Chairs and three Vice Chairs. The Council's Committees are appointed to at the Annual General Meeting in May and this will still be done in the usual way in accordance with the political balance rules.
- 3.2 It is intended that the Chair and Vice Chair of each of the three Policy Committees will be invited onto the corresponding internal Strategic Delivery Panel to provide Member oversight and input. This will support the Chair and Vice Chair in their awareness of the workstreams flowing through the internal Strategic Delivery Panels and into the respective Policy Committee. Decisions will still be made at Committees in the usual way (internal Strategic Delivery Panels will not replace constitutional committee decision making), however a strength of the three Committee Policy model is that the Chair and Vice Chair will have a greater knowledge and understanding of delivery as they will have attended the internal Strategic Delivery Panel, thus creating a stronger sense of political ownership and leadership of delivering the Corporate Plan within the organisation. In addition, it is intended that the Leader or Deputy Leader of the Council will also be invited to attend the Strategic Delivery Panels to provide strategic oversight and perspective across the 3 themes and overall delivery of the Corporate Plan which will be the subject of an annual report to Full Council in addition to the regular reporting of performance to the relevant policy committee.

4. Recommendation

- 4.1 To approve the proposed Committee Structure and terms of reference as outlined within this Report to take effect from the Annual Council Meeting in May 2026.
- 4.2 To delegate authority to the Monitoring Officer and Section 151 to make any changes required to other parts of the Constitution to effect the changes required for a three Policy Committee structure.

Constitution of West Lindsey District Council

Part IV

Responsibility for Functions



Responsibility for Functions

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Council

The following functions will only be exercised by the full Council:

1. To approve and adopt the following plans and strategies which together make up the Council's budgetary and policy framework:
 - Budget¹ and Council Tax including council tax base
 - Corporate Plan
 - Local Plan
 - Local Council Tax Support Scheme
 - Housing Strategy Statement
 - Statements of Licensing Policy and Gambling Policy
 - Pay Policy Statement
2. To consider and determine whether any additional plans or strategies, both statutory and non-statutory, should be adopted or approved;
3. To adopt and change the Constitution when necessary after consideration by the Governance and Audit Committee;
4. At the annual meeting to appoint the Leader and Deputy Leader of the Council;
5. To consider a resolution to remove the Leader and/or Deputy Leader and appoint a replacement Leader and/or Deputy Leader;
6. At the annual meeting to appoint the Chairman and Vice-Chairman of the Council;
7. To agree and/or amend the terms of reference for committees, deciding on their composition and making appointments to them;
8. To appoint representatives to outside bodies;
9. To adopt an allowances scheme under Part VI of the Constitution;
10. To determine any changes to the name of the district;
11. To confirm the appointment and the dismissal of the Head of the Paid Service;
12. To consider advice, views and recommendations from the Independent Panel (Section 27a of the Localism Act) and agree action to be taken in relation to Chief Executive/statutory officer disciplinary matters.

¹ The budget includes the allocation of financial resources, including the setting of fees and charges, for different services and projects, proposed contingency funds, the council tax base, setting the Council Tax, controlling the Council's borrowing requirement and capital expenditure in line with CIPFA's "Prudential Code for Capital Finance in Local Authorities", and the setting of virement limits.

13. To designate the Head of Paid Service, Monitoring Officer, Chief Finance Officer (Section 151 Officer) and Electoral Registration Officer / Returning Officer.
 14. To receive and consider reports from the Council's three statutory officers;
 15. To make, amend, revoke, re-enact or adopt bye laws and to promote or oppose the making of local legislation or personal bills;
 16. To consider those matters referred to it from time to time by the policy committees, the overview and scrutiny committee and by other council committees;
 17. To confer the title of Honorary Alderman and Freeman;
 18. To adopt the Council's Codes of Conduct.
 19. To exercise all local choice functions which the Council decides should be undertaken by itself rather than the policy committees;
 20. To consider and debate motions raised by Councillors;
 21. To debate issues that are the subject of petitions signed by a specified number of people (as set out in the Petitions Scheme in the appendix to the Constitution);
 22. To approve the appointment of external auditors for five financial years commencing 1 April 2018 and the approval of the Terms of Reference.
 23. To consider all other matters which, by law, must be reserved to Council.
 24. To adopt neighbourhood plans following a successful referendum.
-

Policy Committees

- **Thriving Council Committee**
- **Thriving Places Committee**
- **Thriving People Committee**

Roles and Functions

1. *All Policy Committees shall have delegated authority to exercise the Council's functions relating to the delivery of services, by on behalf of the Council and through any partnership arrangements that fall within the Committee's remit as set out below, subject to any restrictions set out elsewhere in the Council's Constitution including those matters reserved for determination by Full Council and as set out in the Financial Regulations and Contract Procedure Rules.*
2. *The Chair and Vice Chair of each Policy Committee shall be Member representatives of the corresponding internal Strategic Delivery Panel.*
3. *Development, approval and review of any plans, policies and strategies within the Committee's remit, subject to the requirement to make recommendations to the Thriving Council Committee and Full Council as set in the financial procedure rules.*
4. *To approve programmes of work, monitor performance and take decisions in respect of those matters within its remit.*
5. *To monitor all aspects of the work performed by any contractors appointed to deliver services within the remit of the Committee.*
6. *To consider and determine issues about any policy document from other organisations which affect the District and are related to this Committee's area of responsibility.*

7. *To contribute to the budget setting process as set in the financial procedure rules and as set out within this Constitution.*
8. *To review and recommend all fees and charges for services within the Committee's remit as part of the budget setting process.*
9. *To manage any budget assigned to the individual Committee*
10. *To maintain an oversight of performance within the committee's remit*

Remits

1. *Detailed below are the terms of reference of the Council's Policy Committees. Where a function does not clearly fall within the remit of one particular committee, the Monitoring Officer in consultation with the Leader of the Council and relevant Committee Chairman will determine the most appropriate committee to deal with the matter, and in the event of any conflicting views, the matter in question will be referred to the Thriving Council Committee.*
2. *The policy committees may sit concurrently if required.*

Thriving Council Committee

1. *Responsibility for delivering against the following theme of the Council's Corporate Plan- "Our West Lindsey, Our future 2026 – 2030"*
 - *Deliver good quality service for residents and businesses*
 - *Be a well managed council*
 - *Be a forward looking council*
2. *Develop, formulate and recommend the annual budget to Full Council in accordance with the Budget Policy Framework and financial procedure rules*

3. *The control and management of resources, including land, property, finance and staff to further the Council's objectives including the delegation of specific budgets to the Thriving Places Committee and the Thriving People Committee, such budget to be allocated in accordance with their terms of reference.*
4. *The performance framework of the Thriving Council Strategic Delivery Panel*
5. *The approval of the Committee timetable for each municipal year.*
6. *The exercise of any function, duty or power of the Council which is not delegated to another Committee, Sub-Committee or an officer, or reserved for decision by full Council under this Constitution or by law.*
7. *To recommend fees and charges to Full Council, and to change an individual fee and/or charge where the Authority needs to respond to market changes or changes to the cost base.*
8. *Approval of contracts in accordance with the Contract Procedure Rules.*
9. *Approving the creation of any new legal entity and appointments of Directors or other officers onto the Board of the legal entity and the nomination of the shareholder representative. This includes changing the directorship if required and this function cannot be sub delegated to an officer.*
10. *Service Areas*
 - *Finance and Accountancy*
 - *Treasury Management*
 - *Revenues and Benefits*
 - *Equality and Diversity*
 - *Land charges*
 - *Property and Assets*
 - *Bereavement Services*
 - *Car Parking Policy and Strategy*
 - *Human Resources*

- *Democratic and Elections*
- *Communications*
- *ICT and digital*
- *Customer Services*
- *Any other functions under the Thriving Council Theme*

Thriving Places Committee

1. Responsibility for delivering against the following theme of the Council's Corporate Plan – "Our West Lindsey, Our future 2026-2030"

- *Enabling inclusive local growth and regeneration*
- *Deliver homes that meet local need*
- *Support clean green and safe communities*

2. Service areas

- *Strategic Housing*
- *Spatial Policy and Local Plan*
- *Enabling affordable homes*
- *Economic development*
- *Markets*
- *Tourism*
- *Support to businesses*
- *Antisocial behaviour*
- *Public protection and environmental issues*
- *Litter, recycling, waste and street cleansing*
- *Planning and Development*
- *Housing Strategies*
- *And any other functions under the Thriving Places Theme*

Thriving People Committee

1. Responsibility for delivering against the following theme of the Council's Corporate Plan – "Our West Lindsey, Our Future 2026-2030"

- *Champion health, wellbeing, culture and active lifestyles*
- *Supporting communities to thrive*
- *Enable independent living, improve housing conditions and support vulnerable residents*
- *Boost skills and pathways into employment*

2. Service areas

- *Community wellbeing including health, crime and disorder*
- *Community interaction and engagement*
- *Home options*
- *Private sector housing*
- *Health and wellbeing*
- *Public health*
- *Leisure and culture*
- *Any other functions under the Thriving People Theme*

Corporate Policy and Resources Committee

As the principal committee of the Council to be responsible for:

- ~~1. The formulation (but not the adoption or approval) of:
(a) the Policy Framework;
(b) the budget; and
(c) the Council's objectives and priorities.~~
- ~~2. The control and management of resources, including land, property, finance and staff to further the Council's objectives, including the delegation of specific budgets to the Prosperous Communities Committee for a specific purpose, for the services quoted in their Terms of Reference.~~
- ~~3. Ensuring compliance with the Council's budget including its revenue and~~

~~capital budgets and the management of the Council's assets.~~

- ~~4. The performance framework of the council.~~
- ~~5. The approval of the Committee timetable for each municipal year.~~
- ~~6. The exercise of the Council's functions relating to:
 - ~~• Equality and Diversity~~
 - ~~• Health and Safety (as an employer)~~
 - ~~• Voluntary Sector~~
 - ~~• Climate change~~
 - ~~• Information Assurance~~~~
- ~~7. The adoption and approval of strategies and policies not forming part of the Policy Framework apart from those policies for which delegated power is given to the Head of Paid Service to approve under Part IV of this Constitution.~~
- ~~8. The exercise of any function, duty or power of the council which is not delegated to another Committee, Sub-Committee or an officer, or reserved for decision by full Council under this Constitution or by law.~~
- ~~9. To recommend fees and charges for service areas within its remit or following a recommendation from the Prosperous Communities Committee, to full Council.~~
- ~~10. In addition to recommending fees and charges to Council on an annual basis, CP&R has the delegation to change individual fees and charges where the Authority needs to respond to market changes or changes to the cost base.~~
- ~~11. Approving the creation of any new legal entity and appointments of directors or other statutory officers onto the Board of the legal entity and the nomination of the shareholder representative. This includes changing the directorship if required and this function cannot be sub-delegated to an officer.~~
- ~~12. Approval of the business plans of any wholly owned, companies, joint ventures or other legal entity in which the Council has an interest.~~
- ~~13. To make appointments to be Member Champions deemed to be relevant to the remit of the Committee.~~

~~This Committee can meet concurrently with the Prosperous Communities Committee.~~

~~Prosperous Communities Committee~~

To be responsible for the following areas:

1. ~~The regeneration, housing and planning strategies which together form the council's approach to place shaping.~~
2. ~~The Council's role in the community around health and crime and disorder including the wellbeing of the community and the development of partnerships.~~
3. ~~The Council's approach to community interaction and engagement.~~
4. ~~To manage any budget assigned to the Committee by the Corporate Policy and Resources in relation to the service areas listed under paragraph 5.~~
5. ~~All services under these strategic areas :~~
 - a. ~~Strategic Housing~~
 - b. ~~Home Options~~
 - c. ~~Private Sector Housing~~
 - d. ~~Enabling Affordable Homes~~
 - e. ~~Supporting People~~
 - f. ~~Economic Development~~
 - g. ~~Markets and Car Park Policy~~
 - h. ~~Tourism~~
 - i. ~~Countryside Management and Open Space~~
 - j. ~~Support to Business~~
 - k. ~~Growth~~
 - l. ~~Litter, Recycling, Waste and Street Cleansing~~
 - m. ~~Anti-Social Behaviour~~
 - n. ~~Family Intervention~~
 - o. ~~Public Protection and Environmental Issues~~
 - p. ~~Public Health~~
 - q. ~~Transport~~
 - r. ~~Leisure and Culture~~
 - s. ~~Planning and Development~~
 - t. ~~Land Charges~~
 - u. ~~Cemeteries and Bereavement services~~
6. ~~The Prosperous Communities Committee is responsible for overseeing an effective partnership approach throughout the Council. The Prosperous Communities Committee is responsible for approving protocols, delegations, including frameworks to inform decisions around partnership engagement. The Prosperous Communities Committee is the focus for forming partnerships with other local public, private, voluntary and community sector organisations **to address local needs** (where there is a financial implication this will need to be considered by the Corporate Policy and Resources Committee).~~

- ~~7. — Exercising the Council's statutory functions in these areas.~~
- ~~8. — Authorising the institution, prosecution or defence of any legal proceedings in connection with the functions of the committee.~~
- ~~9. — Adopting any relevant plans, strategies and policies other than those identified for adoption by the Council or the Corporate Policy and Resources Committee.~~
- ~~10. — To recommend fees and charges for service areas within its remit to Corporate Policy and Resources / full Council.~~
- ~~11. — To make appointments to be Member Champions deemed to be relevant to the remit of the Committee.~~

~~This Committee can meet concurrently with the Corporate Policy and Resources Committee.~~

Agenda Item 9e



Full Council

13 April 2026

Subject: Dispensation for Councillor Non-Attendance – Councillor Liz Clews

Report by:

Monitoring Officer

Contact Officer:

Katie Storr
Democratic and Elections Team Manager
Katie.storr@west-lindsey.gov.uk
01427 676594

Purpose / Summary:

To consider a further dispensation under the Local Government Act 1972 to approve the non-attendance of Councillor Liz Clews at a meeting within a six-month period.

RECOMMENDATION(S):

Council is asked, having considered the circumstances of non-attendance, to consider whether or not to approve the reason(s) for Councillor Liz Clews non-attendance at meetings ("Dispensation"). If the Dispensation is given, under Section 85(1) of the Local Government Act 1972 Councillor Liz Clews shall continue to be a Member of the Council (up until 12 November 2026).

That where the Dispensation is given, the matter be brought back to full Council before 12 November 2026.

IMPLICATIONS

Legal:

The requirement to attend qualifying meetings and the consequence of non-attendance is set out in Section 85 of the Local Government Act 1972. Failure to attend a qualifying meeting within the stipulated six-month period means that the Council is required to forthwith declare the office to be vacant (section 86 Local Government Act 1972) unless the failure was due to a reason approved by Full Council.

For qualification purposes, attendance can be at any committee or sub-committee of the authority, or a meeting of any joint committee, joint board or other body who for the time being any of the functions of the authority are being discharged, or who were appointed to advise the authority on any matter relating to the discharge of its functions, and attendance as representative of the authority at a meeting of any body of persons.

There is no specific provision within Section 85 of the Act regarding any matter that the Council must take into account when considering approval of a reason. There is no mechanism in the Local Government Act 1972 to pre-approve absence and it is generally considered that if the Council approves a reason for non-attendance, the six-month attendance requirement recommences for the next following 6 month period.

Financial :

No additional financial costs in granting the dispensation

Allowances continue to be payable in a Member's absence. Allowances stop being payable when a Member resigns, loses offices, or chooses to forgo them.

In the event of a councillor ceasing to be a Member of the Council, the basic allowance of £ 7346.71 per annum will not be payable whilst the office remains vacant.

The Council would bear the costs of conducting a by-election with an estimated cost of £10,000

This would be met from existing resources.

Staffing :

N/A

Equality and Diversity including Human Rights :

The council must, in exercising its functions, have due regard to the need to eliminate discrimination, harassment and victimisation; to advance equality of opportunity between persons who share a relevant protected characteristic and those who do not; and to foster good relations between such groups, in accordance with section 149 of the Equality Act 2010.

In particular, the council must have due regard to the need to remove or minimise disadvantages experienced by persons with protected characteristics, take steps to meet their different needs, including the specific needs of disabled people, and encourage their participation in public life. The council must also have due regard to the need to tackle prejudice and promote understanding.

An Equalities Impact Assessment is not required in relation to this report.

Data Protection Implications :

None

Climate Related Risks and Opportunities:

None

Section 17 Crime and Disorder Considerations:

None

Health Implications:

None

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

Report to Council in September 2025

[Agenda for Council on Monday, 8th September, 2025, 7.00 pm | West Lindsey District Council](#)

Risk Assessment :

n/a

Call in and Urgency:

Is the decision one which Rule 14 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. Background and Introduction

- 1.1 Section 85 (1) of the Local Government Act 1972 provides that if a member of a Local Authority fails to attend at least one meeting of that Authority within a six-month consecutive period, the member shall cease to be a member of the authority.
- 1.2 Section 85 (1) of the Local Government Act 1972 states that “if a member of a Local Authority fails, throughout a period of six consecutive months from the date of their last attendance, to attend any meeting of the Authority they will, unless the failure was due to some reason approved by the Authority (a dispensation) before the expiry of that period, cease to be a member of the Authority.”
- 1.3 Attendance can be as a member at a meeting of any committee or sub-committee of the authority, or at a meeting of any joint committee, joint board or other body by whom for the time being any of the functions of the authority are being discharged, or who were appointed to advise the authority on any matter relating to the discharge of their functions, and attendance as representative of the authority at a meeting of any body of persons.
- 1.4 The Council must consider whether or not to approve a reason to grant relief from the application of the Section 85 six-month rule.
- 1.5 There are no examples of reasons to be given, however the Council as a public body is required to act reasonably in its decision making.

2 Request Received

- 2.1 Council approved a dispensation for Councillor Clews at its meeting on 8 November up until 12 May 2026. At that time Councillor Clews had not been able to attend any Council or Committee meetings, since the Annual Council Meeting held on 12 May 2025.
- 2.2 Unfortunately, due to ongoing illness Councillor Liz Clews, Scotter and Blyton Ward Member, has still not been able to attend any Council or Committee meetings, since the Annual Council Meeting held on 12 May 2025. Council approved a reason for the absence on 8 September 2025 but a further period of 6 months will expire on 12 May 2026.
- 2.3 The Leader has received a request for the Council to consider approving a further extension to the usual six-month attendance rule enabling Councillor Clews to remain in office. Information provided by the family is at Appendix 1 and is exempt.

3. Legal Position

- 3.1 Council can only consider approval of any reasons for non-attendance before the end of the relevant six-month period, which will be 12 May 2026.
- 3.2 Once any councillor loses office, through failure to attend for the six-month period, the disqualification cannot be overcome by the councillor subsequently resuming attendance nor can retrospective approval of the Council be sought for an extension in time. Therefore this matter must be considered prior to 12 May 2026.
- 3.3 Should the Council approve the reason for absence, the six-month attendance requirement recommences from the point that the previous six-month period expires. Therefore, in the event that Councillor Clews does not attend a qualifying meeting between now and 12 May 2026, the dispensation would commence from that date, meaning that Councillor Clews would continue to be a Councillor until at least 12 November 2026.
- 3.4 Should Councillor Clews attend a qualifying meeting before 12 May 2026, the dispensation would fall and the six-month rule would reapply from the date of that attendance.
- 3.5 If the Council decided not to approve the dispensation, subject to continued non-attendance, the Authority would be required to declare a vacancy on 13 May 2026, and Councillor Clews would cease to be a member of the authority.
- 3.6 The Council must consider whether there are reason(s) to grant relief from the application of the Section 85 six-month rule.
- 3.7 The council as a public body must not make a decision that is so unreasonable that no authority would have made it. The Council should take into account relevant considerations and not consider irrelevant matters.

4 Recommendation

- 4.1 Council is asked, having considered the circumstances of non-attendance, to consider whether or not to approve the reason(s) for Councillor Liz Clews non-attendance at meetings (“Dispensation”). If the Dispensation is given, under Section 85(1) of the Local Government Act 1972 Councillor Liz Clews shall continue to be a Member of the Council (up until 12 November 2026).

That where the Dispensation is given, the matter be brought back to full Council before 12 November 2026.

Agenda Item 11a

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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