

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Corporate Policy and Resources Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 13 April 2017 commencing at 6.30 pm.

Present: Councillor Jeff Summers (Chairman)
Councillor Mrs Anne Welburn (Vice-Chairman)

Councillor Owen Bierley
Councillor Matthew Boles
Councillor Michael Devine
Councillor Adam Duguid
Councillor Steve England
Councillor Ian Fleetwood
Councillor Tom Regis

In Attendance:

Manjeet Gill	Chief Executive
Ian Knowles	Director of Resources and S151 Officer
Alan Robinson	SL - Democratic and Business Support
Steve Anderson	
Manjeet Gill	Chief Executive
Gary Reeve	Team manager Property & Assets
Jo Walker	Team Manager Projects and Growth
Karen Whitfield	Leisure and Cultural Services Team Manager

Apologies: Councillor David Cotton

Membership: There were no substitutions

111 PUBLIC PARTICIPATION PERIOD

There was no Public Participation.

112 MINUTES OF PREVIOUS MEETING/S

- a) **RESOLVED:** That the minutes of the Corporate Policy and Resources Committee meeting of 9 February 2017 and the Special Meeting on 28 February be approved as a correct record.
- b) **RESOLVED:** That the minutes of the Joint Staff Consultative Committee meetings of 19 January and 2 March 2017 be noted.

113 DECLARATIONS OF INTEREST

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

114 MATTERS ARISING SCHEDULE

The Director of Resources gave a verbal update on the green item which had requested further confirmation that agency staff were not replacing permanent jobs, this had been discussed with the SureStaff Board and it was affirmed that no Council positions were being replaced by agency staff, but that there was no control over the private sector.

Regarding the dates of the Planning Training sessions scheduled for next year, a Member noted that the first session on CIL had not included invitations to Parish Councils and this was felt to be at odds with the West Lindsey priority of engagement, and would this please be reconsidered.

RESOLVED that the Matters Arising Schedule be noted.

115 FIXED TERM CONTRACT PROCEDURE

The report was outlined by the Strategic Lead for Democratic and Business Support.

The council employed some staff on temporary or fixed term contracts and as such it was good practice to have a policy and procedure document in place to ensure that guidance was given to managers and that the council met the legislative requirements that were in place.

The document applied to all staff employed on fixed-term or temporary contracts with the exception of: Apprentices; Placement students; and Agency Workers.

Feedback has been sought on the policy and it had been considered by the Joint Staff Consultative Committee on 30 March 2017 and was fully supported by Members, Unison and Staff Representatives. The policy would be made available to view on the Minerva site and hard copies available at the depots once formally agreed, and a clear communication will be sent to Managers to make them aware that the policy had been reviewed and to update them on their responsibilities.

A Member asked which posts would be most likely to be filled by a fixed term contract. It was affirmed that this did not apply to consultants, but would be to cover sickness or maternity leave, or for specialist knowledge for a particular project.

The recommendations were moved and seconded and on being voted upon it was:

RESOLVED that:

- a) the Fixed Term and Temporary Contract Policy and Procedure be approved and the policy be adopted for all employees of the council; and

- b) delegated authority be granted to the Director of Resources to make minor housekeeping amendments to the policy in future, in consultation with the chairmen of the Corporate Policy and Resources committee and Joint Staff Consultative Committee.

116 BULLYING AND HARASSMENT POLICY

The report was outlined by the Strategic Lead for Democratic and Business Support.

The council had a Bullying and Harassment Policy in place, however due to updates in legislation, changes to the ACAS definition and incorporating best practice a review was required to provide employees with the most up to date information.

The council recognised the importance of providing staff and managers with accurate information and guidance when navigating through the bullying and harassment legislation and requirements and had therefore fully reviewed the policy and proposed implementing a new updated policy.

The policy applied to all staff including employees, contractors, casual and agency staff and volunteers of the organisation for matters relating to issues of bullying or harassment and directs staff to resolve matters through an informal as well as a formal process.

The policy covered all situations both within the workplace and in any work related setting outside the workplace, including for example, business trips, conferences and work-related social events.

The old policy had been reviewed and, rather than making amendments, a new policy had been written to ensure a robust policy and procedure was in place for the council, its staff and managers.

Feedback has been sought on the policy and it had been considered by the Joint Staff Consultative Committee and was fully supported by Members, Unison and Staff Representatives. Some amendments were made following a request from Unison at JSCC and this has been incorporated into the proposed policy for the Corporate Policy and Resources Committee.

The policy would be made available to view on the Minerva site and hard copies available at the depots once formally agreed, and a clear communication would be sent to Managers to make them aware that the policy had been reviewed and to update them on their responsibilities, and training had already been rolled out to managers to raise awareness of their responsibilities with regard to this matter.

An e-learning awareness module would be rolled out to all staff.

The report was moved and seconded without discussion and on being voted upon it was:

RESOLVED that:

- a) the Bullying and Harassment Policy be approved and the policy be adopted for all employees of the council; and
- b) delegated authority be granted to the Director of Resources to make minor housekeeping amendments to the policy in future, in consultation with the chairmen of the Corporate Policy and Resources committee and Joint Staff Consultative Committee.

117 REVIEW OF INFORMATION GOVERNANCE POLICIES (2)

The Information Governance Officer presented the report stating that there was a requirement to review and maintain policies on a regular basis to comply with legislation. The report presented the next twelve of a range of policies to be reviewed (the first five having been approved at the previous meeting), these being:-

This report covered the 12 documents detailed below:

- a. Data Protection Breach Policy (Appendix 1)
- b. Freedom of Information and Environmental Information Policy (Appendix 2)
- c. Records Management Policy (Appendix 3)
- d. IT Infrastructure Security Policy (Appendix 4)
- e. Removable Media Policy (Appendix 5)
- f. Computer, Telephone, and Desk-Use Policy (Appendix 6)
- g. Email Policy (Appendix 7)
- h. Email Policy for ActiveSync Users (Appendix 8)
- i. Information Security Incident Management Policy (Appendix 9)
- j. Internet Acceptable Use Policy (Appendix 10)
- k. Mobile Device Policy (Appendix 11)
- l. Public Service Network Acceptable Use Policy (Appendix 12)

The report did not include the Bring Your Own Device Policy which had been reviewed and left unchanged. A reassessment of the IT technical infrastructure which supported user-owned devices was being carried out and was likely to require a major update of this Policy.

The changes made to each policy were set out at the end of the report and the policies themselves at appendices 1-12.

The reviewed policies had been considered by the Council's Management Team and the Joint Staff Consultative Committee and recommended to the Corporate Policy and Resources Committee for approval.

The report was moved and seconded without discussion, and on being voted upon it was:

RESOLVED that:

- a) the information policies as attached to the report be approved for implementation to all staff, elected members, and partners where appropriate; and
- b) delegated authority be granted to the Director of Resources to make minor housekeeping amendments to the policy in future, in

consultation with the chairmen of the Corporate Policy and Resources Committee and Joint Staff Consultative Committee.

118 IMPLEMENTATION OF PCI-DSS SECURITY POLICY

The report was introduced by the Information Governance Officer.

Payment Card Industry Data Security Standard (PCI DSS) was a worldwide standard that was set up to help businesses process card payments securely and reduce card fraud. It did this through tight controls surrounding the storage, transmission and processing of cardholder data that businesses handled. PCI DSS was intended to protect sensitive cardholder data. If an organisation lost card data and was not PCI DSS compliant then there was the potential for financial penalties.

Requirement 12 of the Standard required all organisations who took card payments to maintain a strong security policy, as set out in the report. The report therefore presented a new policy to comply with Requirement 12. The policy would be a sub-policy of the Council's IT Security Policy and, whilst essentially standalone, must be read and applied in conjunction with other policy documents in the set.

The Policy applied to staff, contractors and third parties who accessed the Council's Cardholder Data Environment (CDE) for the purposes of taking payments or maintaining the payment systems.

It was clarified that the Audit undertaken was by the County Council's auditors and the policy was part of moving from limited to substantial assurance.

The policy was moved for adoption and seconded. On being voted upon it was:

RESOLVED that:

- a) the PCI-DSS Security Policy be approved for formal adoption; and
- b) delegated authority be granted to the Senior Information Risk Owner (SIRO) to make minor house-keeping amendments to the Policy in the future, in consultation with the Chairmen of the Corporate Policy and Resources Committee and the Joint Staff Consultative Committee.

119 MAYFLOWER 400 RESOURCES

The Leisure and Cultural Services Team Manager informed members that 2020 marked the 400th anniversary of the sailing of the Mayflower and it had been nationally recognised that Gainsborough Old Hall had an important part in the story.

Mayflower 400 was a national initiative lead by Plymouth City Council to join up the various locations associated with the story and to promote international tourism opportunities, particularly looking at the American market. In 2015 WLDC signed a Compact signifying their commitment to working to promote and commemorate the

anniversary. Work had continued to support both the national initiative and also at looking what could be done on a local/regional level to optimise the benefit for the local area.

In March 2017 the Prosperous Communities Committee considered a report setting out the national, regional and local opportunities presented by Mayflower 400 and agreed the benefits of adopting a regional approach to the initiative and resourcing this accordingly. This approach avoided the risk of duplication of effort across neighbouring authorities, strengthened the case for funding and provided efficiencies in terms of financial commitment. Work had already commenced to secure appropriate levels of funding from other Districts including Doncaster, Bassetlaw and Lincolnshire County Council.

The Prosperous Communities Committee had acknowledged the need for West Lindsey District Council funding to be secured and recommended that this be brought before Corporate Policy and Resources Committee for approval. The suggested level of financial contribution from West Lindsey District Council was £30,000 per year for three years, as detailed in the report.

Members agreed that this was an exciting project. Workshops had been attended by some, and there was great potential across a wide area. The recommendations in the report were moved, seconded and voted upon.

RESOLVED that, as recommended by Prosperous Communities, it be agreed that a total budget of £30,000 per year for three years be set aside to support Mayflower 400.

120 GAINSBOROUGH TRANSPORT AND DEVELOPMENT STUDY

The Team Manager Projects and Growth presented the report seeking support for the procurement of a strategic transport model in the Gainsborough urban area for the purpose of promoting sustainable growth through improving traffic flows within the town whilst also maintaining connectivity from Nottinghamshire and South Yorkshire into the District safeguarding the economic benefits to West Lindsey of the primary routes to Scunthorpe, Lincoln and the coast.

The Council's regeneration plans for Gainsborough and wider area were predicated on housing led economic growth which was formalised through statutory obligations to seek to deliver the emerging Local Plan. Due to the position of Gainsborough and its relationship with the Trent Bridge it was important to consider the impact of any growth in the town on the wider District. The river crossing was considered a key gateway providing access routes across the area.

In February 2016 members approved a Regeneration Delivery Plan for Gainsborough, this included an outline project for infrastructure delivery. The Homes and Communities Agency had also funded an infrastructure study for the town. As part of this regeneration programme Mouchel were commissioned by ALTAS (Part of the Homes and Communities Agency) and West Lindsey District Council to produce the Gainsborough Infrastructure and Planning Delivery Strategy (GIPDS).

As a partner of Lincolnshire County Council, Mouchel had been invited to provide a proposal, including a methodology and fee structure to undertake a more detailed study of a number of development related transport issues in Gainsborough with a view to safeguarding the gateway routes from South Yorkshire and Nottinghamshire into the District of West Lindsey, focussing specifically on connectivity and traffic flows.

The context behind the project along with the Study Objectives and Project Approach were set out in the report, along with the timescales for the project plan.

The Authority had successfully secured grant funding from the Greater Lincolnshire Local Enterprise Partnership for the Housing Unlocking fund for £4million as part of the Gainsborough Growth Programme. £1.85 million of this was earmarked to accelerate the delivery, specifically in relation to infrastructure. This allocation would be used to fund this study removing any cost liability to the authority. Along with the grant funding, negotiation had been undertaken with Lincolnshire County Council for them to help client this work, with a view to providing specialist knowledge to support the project management element of this study. This in kind benefit provided approximately £5,000 worth of consultancy fees.

The Ward Councillor for Gainsborough noted that the project was exactly what was needed for the area, and questioned if Members would be able to feed into specific issues. The Developer Contribution Officer noted that she would feed that back to the Consultants to ensure that this be part of the brief.

It was questioned how the value of the survey had been benchmarked, and whether this had been to tender. The response was that guidance had been given by the County Council as the highways authority and that its consultant Mouchel had been used. It was hoped that further funding could be levered in, and that an evidence base would be needed to support applications. The opportunity to work with the County Council highways department to improve the road infrastructure was welcomed. There would be two forms of governance, as the LEP was the ultimate accountable body it had its own assurance process.

The recommendations in the report were moved, seconded and voted upon.

RESOLVED that:

- a) the need for the Strategic Transport Model and Development Study be acknowledged, and its procurement be agreed;
- b) the Single Growth Fund 3 Grant award be accepted and the Director of Resources be delegated to accept the Terms and Conditions of the grant once known; and
- c) the release of £271,000 of the grant, to fund this study, be approved.

121 COMMERCIAL DELIVERY PLAN 12 MONTH UPDATE

The report was introduced by the Chief Executive and presented the annual review

of the Commercial Delivery Plan agreed in November 2015 by Council. It also summarised future themes as a result of reviews in December 2016, when the Commercial Director role was discontinued to focus management roles and therefore resources, on delivery themes now that the Commercial Plan and future business plans had been established over 2016. Those themes were, External Funding, Commercial Investments Portfolio, Commercial Community Projects (such as Leisure Provision), Growth and Regeneration, and continued development of Commercial capability.

The Commercial Delivery Plan for 2016/17 was appended to the report and outlined future themes and governance arrangements. A list of achievements and progress was also highlighted. The Commercial Delivery Plan for the year was approved in November 2015 by Council as part of its annual process of delivery for the Commercial Plan, and a Commercial Member Steering Group was established to provide advice, challenge and steer to shape key decisions that come to Committee. Examples of achievements were listed.

The Terms of Reference need to be reviewed by Committee and recommendations made, taking into account the overall direction for Commercial Plan priorities and governance matters such as risk management and Member conflict.

Independent advice had been deployed to provide assessments of proposed decisions for projects such as the hotel, town centre, joint venture procurement etc. A review of governance of programmes, roles and procedures, would be the subject of a future report as relevant, once those reviews had identified further improvements needed. The report sought to assure the Committee that the Chief Executive was undertaking the second line of assurance as part of her duties to inform Council's third line of assurance, Members and External Audit.

The future themes were based on the key delivery priorities and business cases decided in the Council's Commercial Plan. The proposed themes had now been organised based on individual strategic responsibilities at an officer level and for assurance to Committee and Council on the resource allocation and roles to ensure delivery.

The report set out the Key themes, Strategic Manager Trading and Environmental Operations.

Trading included services such as: Trade Waste; Surestaff – agency staff for seasonal work; Leisure Centres and Trinity Arts.

The key Community Commercial Projects were set out as being Leisure Centre Services Procurement and future provision at nil subsidy by Council and Community projects that had social as well as commercial benefits as the basis for the business case decision.

Key programmes of Growth and Regeneration work are, the Gainsborough Regeneration programme that included:

- Housing Zone Sites
- Urban extensions

- Town Centre Joint Venture
- Hotel Development
- Heritage and Public Realm
- The Gateway site

The Commercial Investment Portfolio focussed on increasing the Council's Commercial Land and Property portfolio in order to generate a return (revenue) that would address reductions in overall revenue budget due to cuts in Government grants.

Members welcomed the report and noted that it was good to have a Direction of Travel, as in the future it was important to have more responsibility for the Council's own funding instead of reliance on the government. Members felt that the Commercial Member Steering Group was a useful forum even though not a decision making body, and that it was good to have regular reports to both policy committees.

The Chief Executive highlighted the thorough risk assessment within the report and emphasised that whilst this was a considered proposal it was not without commercial risk. This was recognised by Cllrs Regis and Duguid but supported as a necessary action to support the Authority's revenue budget.

The paragraph numbering in recommendation 2 was corrected, and Members felt that paragraph 6 of the Terms of Reference should be clarified as Cllr Kinch had been appointed for his expertise rather than that he was a member of the Challenge and Improvement Committee. Any references within the Terms of Reference to the Commercial Director would be updated to the Director of Economic and Commercial Growth.

The recommendations within the report were moved, seconded and voted upon.

RESOLVED that:

- a) the Commercial Delivery Plan review be approved;
- b) having given consideration to the future governance as outlined in Section 4.3 and 4.4 of the report, the Chief Executive be delegated to work with the Chairman of Corporate Policy and Resources Committee and Councillor Bierley, on reviewing the Terms of Reference; and
- c) the future delivery themes as outlined in the report be approved.

122 COMMITTEE WORK PLAN

RESOLVED: that the Committee Work Plan be noted.

123 EXCLUSION OF PUBLIC AND PRESS

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the

following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

124 COMMERCIAL INVESTMENT PORTFOLIO

The report was introduced by the Director of Resources and sought to approve the strategy for the investment property portfolio and delegation of decisions to the Director of Resources in consultation with the Chair of Corporate Policy and Resources.

As part of the Commercial Strategy agreed in 2015 the Council agreed to develop an investment portfolio that would deliver a minimum of 3% net return with a maximum expenditure of £20m.

The report set out a proposed strategy for the acquisition of additional properties to be managed alongside existing commercial assets. WLDC currently managed a mixed portfolio of freehold and leasehold properties totalling 54 lettable units with a rental income and Service Charge contributions. The objective was for WLDC to increase the size of this portfolio by making a further investment in commercial property over the next four years to generate a target net income.

Working with the commercial property consultant, Cushman & Wakefield, officers had developed an investment strategy for the Council that aimed to balance risk across the portfolio whilst achieving the target returns required. The key recommendations and proposals were contained within the Cushman & Wakefield report, appended to the report.

The report from Cushman & Wakefield set out the current market assessment and indicated that it was still possible for WLDC to make investments based on current borrowing rates and provide additional income to support the Council's medium term financial position. The use of borrowing costs as part of the business case allowed the Council to borrow, where that was necessary, and ensure a prudent approach to managing the risk of market volatility through providing at an appropriate level for property value variations.

Members sought clarification on the legal status of loans and investments and it was noted that it was not allowed to borrow money to invest, however to obtain a loan to purchase property or commercial establishments in order to generate revenue was acceptable. Other Councils were taking this route, and whilst the risks were acknowledged it was acknowledged that such projects were long term investments.

The recommendations as set out in the report were moved, seconded and on being voted upon it was:

RESOLVED that:

- a) the strategy, scoring criteria and the minimum score for property acquisitions, attached to the report, be agreed;
- b) a Capital Budget of £20m be released for investment and this be financed by Prudential Borrowing, be agreed;

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- c) decisions to acquire assets in accordance with the recommendations within the strategy and with a total cost not exceeding £20m be delegated to the Director of Resources in consultation with the Chairman of Corporate Policy and Resources;
- d) the Director of Resources provide an annual report to Corporate Policy and Resources Committee on the Investment Property Portfolio; and
- e) a Valuation Risk Reserve be created.

The meeting concluded at 7.49 pm.

Chairman