

Guildhall Gainsborough  
Lincolnshire DN21 2NA  
Tel: 01427 676676 Fax: 01427 675170

**This meeting will be webcast 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, Marshall's Yard, Gainsborough, DN21 2NA, , on **Monday, 14th November, 2016 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. APOLOGIES FOR ABSENCE
  
2. MINUTES OF THE PREVIOUS MEETING  
*To confirm as a correct record the Minutes of the previous meeting held on 10 October 2016*  
**(PAGES 1 - 10)**
  
3. MEMBERS' DECLARATIONS OF INTEREST  
*Members may make any declarations of interest at this point and may also make them at any point during the meeting.*
  
4. MATTERS ARISING  
**(PAGES 11 - 12)**
  
5. ANNOUNCEMENTS
  - i) Chairman of Council
  - ii) Leader of the Council
  - iii) Head of Paid Service

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

Large Clear Print: Braille: Audio: Native Language

6. PUBLIC QUESTION TIME
7. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 9
8. MOTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 10
9. RISEHOLME NEIGHBOURHOOD PLAN  
**(PAGES 13 - 16)**
10. REVIEW OF POLLING PLACES  
**(PAGES 17 - 32)**
11. TRADING COMPANY APPOINTMENTS  
**(PAGES 33 - 38)**
12. NATIONAL APPOINTMENT OF EXTERNAL AUDITOR  
**(PAGES 39 - 66)**
13. MINUTES OF COMMITTEE MEETINGS  
To receive the Minutes of Committee Meetings published since the Council Meeting on  
10 October 2016.  
**(PAGES 67 - 124)**

M Gill  
Chief Executive  
The Guildhall  
Gainsborough

Friday, 4 November 2016

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# Public Document Pack Agenda Item 2

West Lindsey District Council - 10 October 2016

## WEST LINDSEY DISTRICT COUNCIL

Minutes of the Meeting of Council held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 10 October 2016 at 7.00 pm.

**Present:** Councillor Roger Patterson (Chairman)  
Councillor Mrs Jessie Milne (Vice-Chairman)

Councillor Gillian Bardsley	Councillor Hugo Marfleet
Councillor Sheila Bibb	Councillor Giles McNeill
Councillor Owen Bierley	Councillor Mrs Pat Mewis
Councillor Matthew Boles	Councillor Richard Oaks
Councillor David Bond	Councillor Maureen Palmer
Councillor Jackie Brockway	Councillor Malcolm Parish
Councillor David Cotton	Councillor Judy Rainsforth
Councillor Stuart Curtis	Councillor Mrs Diana Rodgers
Councillor Christopher Darcel	Councillor Lesley Rollings
Councillor Michael Devine	Councillor Reg Shore
Councillor Adam Duguid	Councillor Thomas Smith
Councillor Steve England	Councillor Lewis Strange
Councillor Paul Howitt-Cowan	Councillor Jeff Summers
Councillor Stuart Kinch	Councillor Trevor Young
Councillor Angela Lawrence	

**In Attendance:**

Manjeet Gill	Chief Executive
Ian Knowles	Director of Resources and S151 Officer
Penny Sharp	Commercial Director
Mark Sturgess	Chief Operating Officer
Alan Robinson	Strategic Lead Democratic and Business Support
Andy Gray	Housing and Communities Team Manager
Dinah Lilley	Governance and Civic Officer

**Also Present:** Four members of the public

**Apologies for absence:** Councillor Ian Fleetwood  
Councillor John McNeill  
Councillor Tom Regis  
Councillor Anne Welburn  
Councillor Angela White

## 45 CHAIRMAN'S WELCOME

The Chairman of Council welcomed the newly elected Councillor Maureen Palmer and congratulated her on the election result at Cherry Willingham.

The Chairman also noted good wishes to be sent to Reverend Sue Deacon, recovering from illness.

#### **46 MINUTES OF THE PREVIOUS MEETING**

**RESOLVED:** that the Minutes of the meeting held on 5 September 2016 be confirmed as a correct record, subject to the amendment that Councillor Angela Lawrence be marked as present.

#### **47 MEMBERS' DECLARATIONS OF INTEREST**

No declarations were made.

#### **48 MATTERS ARISING**

One item was noted as having been completed.

**RESOLVED:** that the Matters Arising Schedule as at 30 September 2016 be noted.

#### **49 ANNOUNCEMENTS**

Chairman of the Council

The Chairman informed the meeting that he and the Vice Chairman, Councillor Jessie Milne, had attended a number of events, one worthy of particular note was the Wolds Arts Festival at Market Rasen and Caistor which had been well attended by the public.

Leader of the Council

The Leader announced that he had recently attended a tour of the Gainsborough Academy and commended the enthusiasm of staff and students, and expressed the hope that Ofsted would give the establishment the time needed to turn itself around. Support was being offered by the Council, local colleges and businesses with work experience and mentoring.

The Leader also noted that a local business had approached him to thank the Council for the provision of free parking after 3pm which had seen an improvement in footfall.

The Leader also mentioned the work of the Joint Planning Committee on the Central Lincolnshire Local Plan, and the Devolution report on the agenda. It was noted that those authorities undergoing Devolution would be at the front of the queue for Housing funding in the future.

Head of Paid Service

The Chief Executive wished the Commercial Director, Penny Sharp, well in her new job, and listed a number of her achievements while she had been at West Lindsey District Council.

There had been a number of developments in the health arena, an update on which would be given at the following meeting in November.

**50 PUBLIC QUESTION TIME**

There were no questions from the public.

**51 QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 9**

A Question had been received from Cllr Lewis Strange.

“Chairman thank you.

My question to you, is to ask that this Council and the Prosperous Communities Committee, to look again at car park charging in Market Rasen before the implementation is delivered.

If it is really too late, to stop car park charges, then at least adopt the approach of north Lincolnshire and elsewhere, where a visitor can park for two hours free of charge, at any time. This has proved to work in Brigg which is booming, would you not agree that we need to work with the businesses and town council of Market Rasen? And listen to the comments from our member of parliament and its local West Lindsey Members - they are local and understand the problems that Market Rasen faces.”

Lewis Strange-the Kelsey Wold ward.

A response was given by the Chairman of the Prosperous Communities Committee, Councillor Sheila Bibb.

“Thank you Cllr Strange for this question regarding the car parking charges in Market Rasen. However this is only one area within West Lindsey and the proposed charges are in fact part of an overall strategy regarding car parking charges throughout the District. This was adopted by the council as part of its medium term financial strategy at the Council meeting held in March 2016 and followed a series of workshops and public engagement exercises.

It may be worth noting here that some businesses in Market Rasen expressed the view that, because many people took advantage of the free parking to leave their vehicles there all day, there was in fact insufficient ‘churn’ of vehicles which in turn adversely affected the businesses in Market Rasen.

The subject of Market Rasen parking charges has been debated at all committees and the current policy reflects the outcome of those deliberations and is designed to comply with the agreed strategy namely:

- A full cost recovery for operating and maintaining West Lindsey District Council car parks
- Equity in approach across all West Lindsey District Council car parks
- Support for local businesses by offering an element of free parking

In the case of Market Rasen this has meant recognizing that they have a different offer and therefore the parking charges there will be at half the rate of Gainsborough. There will be free parking after 3.00 pm, in line with car parks elsewhere in the District.

When brought to the Prosperous Communities Committee it was agreed that once the charges were implemented, the situation would be reviewed in six months. We are certainly mindful of all the comments received, both before the strategy of introducing charges was developed and since. What we are aiming for here is an equitable approach and the actions taken will be monitored and reviewed after six months.

A clear decision has been made, and in line with the Council's constitution, can only be reviewed after 6 months. The Council is committed to reviewing the impact of charges in Market Rasen, and is working with the Chamber of Commerce to make sure that the evaluation captures the perspective of businesses and residents as well as car park performance.

Thank you again for the question and raising the continued concerns of your constituents."

Councillor Strange further noted that he was not against car parking charges, but wished to dissuade long term parking of commuters. East Lindsey had implemented charges and then withdrawn them. Gainsborough had six times the footfall of Market Rasen and shops were in danger of closing.

## **52 MOTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

There were no motions pursuant to Procedure Rule 10.

**Note** Councillor Shore questioned the status of the meeting, as this date had not been in the scheduled timetable and if the meeting was an extraordinary one then the agenda should comprise a single item.

The Chief Executive responded by stating that the minutes of the previous meeting record that an 'additional' meeting had been arranged to tie in the requirements of the Devolution agenda. The Constitution was silent on the arranging of additional meetings, however the required five days' notice had been given. There was never any intention that the meeting be an 'extraordinary'.

### **53 DISTRICT COUNCIL BY-ELECTIONS 2016**

The Chairman again congratulated Councillor Palmer on being elected and also thanked all staff who had worked on the election process.

**RESOLVED:** that the result of the by-election at Cherry Willingham on 29 September 2016, be received.

### **54 GREATER LINCOLNSHIRE DEVOLUTION PROPOSAL**

The Chief Executive noted that a workshop had been held during the previous week in order to clarify any queries or answer questions on Devolution, there had been no political bias or persuasion involved. The Chief Executive then briefly recapped the history and timeline to date, and noted that the latest position was set out in the report, which invited consent for the Secretary of State to make an order. The ensuing financial and legal implications were set out in the report.

All constituent authorities had been requested support an annual contribution of £50,000 towards the cost of the Combined Authority. Council was therefore requested to approve this ongoing contribution, which would require an increase to the Base Budget of £50,000 which would therefore be included in the 2017/18 Medium Term Financial Plan. However these costs would be made from reductions in budgets to the Central Lincolnshire Combined Authority costs for the JPU (Joint Planning Unit) as the combined Authority will discharge some functions of that unit such as infrastructure delivery once the Local Plan was in place.

This contribution would meet the costs associated with a Mayoral election and the establishment of statutory and other support to enable the work of the Combined Authority to be discharged.

It was noted that there was an error in paragraph 4.1 in that 'North Lincolnshire' should be replaced with 'West Lindsey'.

Devolution 2 had been under discussion since April, which would cover matters such as Health, Housing and Public Protection. The Manchester devolved authority had reached level 8-9.

A letter was circulated, which had been received that afternoon, from Sajid Javid, the Secretary of State for Communities and Local Government, which outlined a number of areas, and confirmed that Government was "keen to use the opportunity of any second deal to build on the positive progress made in discussions to date around Greater Lincolnshire's ambitions to accelerate housing delivery."

The One Public Estate project sought to ensure better delivery of services, a good example of which was the installation of the Job Centre within the Council building. The John Coupland Hospital had under-utilised space which was being considered for a health hub. These issues were relevant to the Corporate Plan Priorities.

The Leader of the Council noted that all Members had had access to the governance

documentation and scheme of delegation for some time, and that the deal represented a significant amount of funding for Lincolnshire. Areas to benefit from this and future deals included Skills and Education for 16+, accelerated growth for business (particularly agriculture and energy), Transport (particularly public), Housing, a Strategic Infrastructure Plan, a review of public sector land, protection against coastal and fluvial flooding, increased powers for Internal Drainage Boards, the previously mentioned John Coupland Hospital Hub, and the retention of business rates.

Lengthy debate ensued with Members raising a number of questions.

It was noted that the Manchester authority received twice the amount of funding that was proposed for Lincolnshire, whereas Lincolnshire was five times the size of Manchester. There were distinct differences within different areas of Lincolnshire – North and North East Lincolnshire had good connections yet the rest of the area was more rural. There were two separate Police and Ambulance services, which were shared with the north bank of the Humber. The figures for consultation with the Citizens Panels were also queried.

Some Members felt that the deal meant a loss of, rather than a gain, of power and control, the cost of the Mayoral role was questioned, and it was asked whether the funding was new money or simply reallocated.

Other Members felt that the opportunity was unique and it would be a momentous occasion for West Lindsey. Some parts of the district were adjacent to the other authorities and it would be good to work together. The Central Lincolnshire Local Plan was almost adopted and this was an example of working with other partner authorities. It was felt that a fairer deal for rural areas could be better achieved locally than from central Government. However it was stated that the authorities could work together without having to accept the deal as offered.

A number of Members remained sceptical, however agreed that whilst the offer was not ideal, a certain amount of trust had to be exercised. There were pros and cons to the deal, and the biggest concern of most people was the requirement for a Mayor, but there would be no deal without one. In response to some of the questions it was affirmed that the Government wanted a single point of accountability, hence the requirement for the mayoral post.

The Chief Executive confirmed that all those members of the citizens' panel who had email addresses had been contacted. The comparison with the deal for Manchester was referred to, whilst acknowledging that Lincolnshire was the larger area, the population figures were lower. It was affirmed that £15m was new money to Lincolnshire, and that the report referred to the annual contribution of £50,000 towards the cost of the Combined Authority and mayoral election.

Further concerns were expressed as to perceived 'double taxation', and the details being insufficient. It was suggested that there should be further bargaining to get a better deal. It was noted that to reject the deal would mean a loss for the whole of Lincolnshire, and a new deal having to be agreed for the remaining authorities.



Other Members made comparisons with the unification of London under the establishment of a Mayor, and that there were more common issues at local rather than central levels, exemplified by the Brexit result. There was no 'one size fits all'. It would be good to see the whole of Lincolnshire back together.

The recommendations in the report were moved and seconded en bloc, and in accordance with the Constitution Part V, page 11, paragraph 14.4, two Members of the Council called for a recorded vote to be taken.

**For:** Councillors Bardsley, Bibb, Bierley, Brockway, Cotton, Curtis, Duguid, England, Lawrence, Marfleet, G McNeill, Mewis, Patterson, Rollings, Shore, Strange and Summers.

**Against:** Councillors Boles, Bond, Darcel, Devine, Howitt-Cowan, Milne, Oaks, Parish, Rainsforth, Rodgers, Smith and Young

**Abstained:** Councillors Kinch and Palmer.

A total of 17 votes for, 12 against and two abstentions.

**RESOLVED** that:

- (i) the contents of the consultation report at Appendix 1 ("the Consultation Report") be noted;
- (ii) the giving of consents in principle be supported on behalf of West Lindsey District Council, as a constituent council of the proposed combined authority for the Greater Lincolnshire area, to the making by the Secretary of State of an order:-
  - a) for the establishment of a combined authority for the Greater Lincolnshire area pursuant to section 110 of the Local Democracy, Economic Development and Construction Act 2009 (LDEDCA).
  - b) for the making of constitutional provisions in relation to the combined authority in accordance with the draft Order at Appendix 2 pursuant to section 104 of LDEDCA.
  - c) for the delegation to the combined authority of the transport functions of the Secretary of State and the other functions of public authorities set out in the draft Order at Appendix 2 pursuant to sections 104 and 105A of LDEDCA.
  - d) for the functions of the Combined Authority specified in the draft Order to be exercisable only by the mayor subject to the conditions and limitations specified in the draft Order pursuant to S107D of LDEDCA.
  - e) for Chapter 1 Part 1 of the Localism Act 2011 to have effect in relation to the combined authority as it has in effect to a local authority.
  - f) for the combined authority to be treated as a levying body for the purposes of section 74 of the Local Government Finance Act 1988 in respect of expenses of the combined authority that are reasonably attributable to the exercise of any of its functions other

- than mayoral functions.
- g) for the combined authority to be given power to borrow under section 1 of the Local Government Act 2003 for a purpose relevant to any of its functions.
- (iii) the Chief Executive be delegated, in consultation with the Leader of the Council, authority to approve the giving of consent to the matters referred to in paragraph 3 when the terms of the Order are known; and
- (iv) Council notes and has due regard to the contents of the Equalities Impact Analysis at Appendix 2.

**Note:** Councillors Bond, Darcel, Rodgers and Young left the meeting at 9.01pm

## **55 WEST LINDSEY INDEPENDENT LIVING POLICY 2017-2019**

The Chairman of the Prosperous Communities Committee, Councillor Sheila Bibb, introduced the report which had been considered by the Committee on 13 September 2016. Full Council are asked to note the policy and approve the introduction of the additional fee for the stairlift pilot.

The West Lindsey Independent Living Policy 2017-2019 replaced the Housing Assistance Policy 2014-2016 and set out the intention to undertake Disabled Facilities Grants and also improve service by offering another project through independent living. It was decided this being a standalone policy would ensure it was clear how West Lindsey intend to support the Better Care Fund and improve services to disabled people living in West Lindsey.

The independent living policy had been written to include a one year pilot project for the delivery of Stairlifts. Stairlifts were an essential part of many disabled people's lives as it allows them to access essential facilities. The benefits of the pilot project were set out in the report:

- Quicker installation of stairlifts for customers who are identified as needing them.
- One stop shop for all people who require a stairlift whether eligible for a DFG or not
- Warranties offered for all stairlifts (currently not offered under DFG)
- Reduced risk of falls on stairs due to faster installations
- Help and advice for all people in West Lindsey seeking a stairlift. (not just those with an OT recommendation)

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

**RESOLVED** that:

- a) the policy be noted, and
- b) the additional fee of £120 be added to the fees and charges schedule be approved.

**Note:** Councillor Boles left the meeting at 9.03 pm.

## **56 FOUR YEAR AGREEMENT**

The Chairman of the Policy and Resources Committee, Councillor Jeff Summers introduced the report. As part of the local government final settlement in February 2016, the DCLG offered Local Authorities the opportunity to sign up to a four year deal regarding the three elements of grant within the announcement. Those grant areas are, Revenue Support Grant (RSG), Rural Services Delivery Grant (RSDG) and Transition Grant (TG).

The level of reductions to the bottom line exceed the net funding gap for the years 2018/19 and 2019/20 as there was a requirement in 2020/21 of £1,065k. The proposals were therefore geared to deliver a balance over four years not just the four years required by DCLG.

In making a decision on submitting a four year efficiency plan and agreeing the level of government funding set out in the settlement for 2016/17 the following matters should be taken into account.

- Revenue Support Grant (RSG)
- Rural Service Delivery Grant (RSDG)
- WLDC Strategy
- the Risks involved

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

**RESOLVED** that:

- a) the Council pursue a 4 Year Settlement and provide a supporting Efficiency Plan;
- b) the Efficiency Plan along with the MTFP as agreed in March 2016 be submitted;
- c) the Chief Executive and Director of Resources in consultation with the Leader be delegated to make any presentational changes deemed appropriate before submission.

**Note:** Councillors Shore and Rollings left the meeting at 9.06 pm.

## **57 WEST LINDSEY TRADING COMPANY**

The Commercial Director introduced the report which had been considered by the Corporate Policy and Resources Committee and also the Governance and Audit Committee, the minutes of which were set out in the body of the report. Support for

the proposals was voiced by both Committee Chairmen.

A number of local authorities had identified that setting up a trading company – wholly owned by the Council, but operated as a separate legal entity – offered a way to develop services beyond their existing focus.

West Lindsey District Council was developing a portfolio of commercial propositions based on both existing and new activities. Currently these activities were generating a modest level of income, but there was an ambition to build a number into significant revenue generating operations.

Further taxation advice was being taken for each individual company.

The recommendations as set out in the report were moved en bloc and were seconded and voted upon. It was then:

**RESOLVED** that:

- a) the proposed group structure for trading companies (the trading arm) to facilitate the return of profits to the Council which can be used to ensure the sustainable delivery of front line services, be approved;
- b) authority be delegated to the Corporate Policy and Resources Committee for approval of annual business plans and accounts for the Group Holding Company and its individual subsidiaries;
- c) the Shareholder Agreement for the Group Holding Company and its associated subsidiaries be approved;
- d) the Articles of Association for the Group Holding Company and its associated subsidiaries be approved;
- e) the nomination of the Commercial Director as Company Director and Chief Executive as Non-Executive Director for the Group Holding Company (WLDC Trading Ltd) and its Sure Staff subsidiaries (Sure Staff Lincs Ltd and WLDC Staffing Services Ltd) be approved;
- f) the nomination of the S151 Officer, (the Director of Resources) as the Council's Shareholder representative be approved; and
- g) That Council authority be delegated to the Council's Section 151 Officer and the appointed Director of the SureStaff subsidiaries to agree the format and content of a Resourcing Agreement for the supply of services by the Council.

## **58 MINUTES OF COMMITTEE MEETINGS**

**RESOLVED** that the minutes of the Committee Meetings published since the Council meeting of 5 September 2016 be received.

The meeting concluded at 9.14 pm.

Chairman

## Council Matters Arising Schedule

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**Purpose:**

To consider progress on the matters arising from previous Council meetings.

**Recommendation:** That members note progress on the matters arising and request corrective action if necessary.

**Matters arising Schedule**

NONE

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**COUNCIL**

**Date: 14 November 2016**

**Subject: Riseholme Neighbourhood Plan Adoption**

Report by:

Chief Operating Officer: Mark Sturgess

Contact Officer:

Luke Brown  
Neighbourhood Plan Officer  
Luke.brown@west-lindsey.gov.uk

Purpose / Summary:

To fully 'make' (adopt) the Riseholme Neighbourhood Plan.

**RECOMMENDATION(S): To make the Riseholme Neighbourhood Plan in accordance with the Neighbourhood Planning Regulations 2012.**

## IMPLICATIONS

**Legal: This work is a duty under the Localism Act 2011 and the Neighbourhood Planning Regulations 2012.**

**Financial : FIN/84/17**

**Additional financial contributions are available from DCLG to support Neighbourhood Planning therefore there will be no additional cost to the Council.**

**Staffing: Internal resources in place to deal with Neighbourhood Planning**

**Equality and Diversity including Human Rights: The Plan has been examined under the Neighbourhood Planning Regulations for any issues relating to equality and diversity.**

**Risk Assessment : n/a**

**Climate Related Risks and Opportunities : n/a**

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

<https://www.west-lindsey.gov.uk>

**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**



## Neighbourhood Planning

### 1. Summary

Following a positive referendum result on the 27th October 2016, West Lindsey District Council is publicising its decision to 'make' the Riseholme Neighbourhood Development Plan part of the West Lindsey Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

### 2. Background

Parish Council, as the qualifying body successfully applied for the town to be designated as a Neighbourhood Area, under the Neighbourhood Planning (General) Regulations (2012), which came into force in January 2015. Following the submission of the Riseholme Neighbourhood Plan to the Council, the plan was publicised and comments were invited from the public and stakeholders. The consultation period closed in August 2016.

### 3. Decision & Reasoning

West Lindsey District Council appointed an independent Examiner; Mr Andrew Ashcroft, to review whether the plan met the basic conditions required by legislation and whether the plan should proceed to referendum.

The Examiner's Report concluded that the plan meets the Basic Conditions, and that subject to the modifications proposed in the report and which are set out in the Riseholme Neighbourhood Plan Decision Statement September 2016, the plan should proceed to a Referendum. It was agreed at the Council meeting of West Lindsey District Council on the 12th September 2016 that the plan should proceed to referendum and, in the outcome of a successful referendum result, it should be 'made' (adopted).

A referendum was held on 27th October 2016, 89% of those who voted were in favour of the plan. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 as amended requires that the Council must make the Neighbourhood Plan if more than half of those voting have voted in favour of the plan.

West Lindsey District Council is not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

The referendum held on 27<sup>th</sup> October 2016 met the requirements of the Localism Act 2011; it was held in the Parish of Nettleham and posed the question:

***'Do you want West Lindsey District Council to use the Neighbourhood Plan for Riseholme to help it decide planning applications in the neighbourhood area?'***

The count took place on the 27<sup>th</sup> October 2016 and greater than 50% of those who voted were in favour of the plan being used to help decide planning applications in the plan area.

The results of the referendum were:

Question:		
Do you want West Lindsey District Council to use the Neighbourhood Plan for Riseholme to help it decide planning applications in the neighbourhood area?		
	Votes recorded	Percentage
Number of votes cast in favour of 'yes'	68	89.47%
Number of votes cast in favour of 'no'	8	10.53%

West Lindsey District Council has assessed that the plan including its preparation does not breach, and would not otherwise be incompatible, with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

In accordance with the Regulations and the Council's procedure the Riseholme Neighbourhood Development Plan is 'made' and planning applications in the area must be considered against the Riseholme Neighbourhood Development Plan, as well as existing planning policy, such as the West Lindsey Local Plan (2006) and its successors and the National Planning Policy Framework and Guidance

4. Recommendation:

**That elected members formally agree to 'make' (adopt) the Riseholme Neighbourhood Plan in accordance with the Neighbourhood Planning Regulations 2012.**



**Council**

**14 November 2016**

**Subject: Interim Review of Polling Districts and Polling Places**

Report by:

Celia Chapman

Contact Officer:

Celia Chapman  
Senior Electoral Registration Officer - Elections  
01427 676575  
Celia.chapman@west-lindsey.gov.uk

Purpose / Summary:

To consider the outcome of a recent interim polling district and polling place review

**RECOMMENDATION(S):**

- a) That Members approve the Polling Districts and Polling Places.**
- b) That Members approve delegated powers to the Returning Officer, following consultation with the Chairman and Leader of the Council, to approve changes to polling places occurring during an election period.**

## IMPLICATIONS

**Legal:** None arising from this report.

**Financial :** FIN/17/89 The designation of any additional polling places will have financial implications regarding the hire of premises and polling staff fees.

**Staffing :** The designation of any additional polling places will have staffing implications.

**Equality and Diversity including Human Rights :**

Representation of the People Act 1983 requires the accessibility needs of disabled persons to be taken into account when designating polling places.

**Risk Assessment :** None arising from this report.

**Climate Related Risks and Opportunities :** None arising from this report.

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

Interim Review of Polling Districts, Polling Places and Polling Stations 2016.  
<https://www.west-lindsey.gov.uk/my-council/government-in-lincolnshire/boundary-and-polling-district-reviews/>

**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 The Council is conducting an interim review of polling districts and polling places for Local Government elections. The review will have regard to the outcome of a review of the Lincolnshire County Council electoral arrangements undertaken by the Local Government Boundary Commission for England.
- 1.2 The Local Government Boundary Commission for England conducted an electoral review of West Lindsey in 2016 regarding the number of councillors and names, numbers and boundaries of divisions effective from May 2017. The decisions taken during the current review of polling districts and polling places will be incorporated in the register of electors published on **1 February 2016** (please note delayed publication)
- 1.3 In undertaking a review the local authority must:
- a) Publish notice of the holding of a review;
  - b) Consult the (Acting) Returning Officer for every parliamentary constituency which is wholly or partly in its area;
  - c) Enable any such (Acting) Returning Officer to make representations to the authority and publish them in a prescribed manner;
  - d) Seek representations from such persons that it thinks has particular expertise in relation to access to premises or facilities for persons who have different forms of disability;
  - e) Allow any elector in the authority's area to make representations which could include proposals for alternative polling places.
- 1.4 On completion of a review the authority must give reasons for its decisions in the review and publish such other information as is prescribed in the Act and regulations.
- 1.5 Details of the Returning Officer's proposals regarding polling districts, polling places, electorates and postal voters are set out at Appendix 2.

## **2. POLLING DISTRICT BOUNDARIES AND POLLING PLACES**

- 2.1 Polling Districts are, in effect, sub divisions of Electoral Wards. Each parish is automatically a polling district in its own right but then that area can be broken down into further polling districts dependent on the size of the parish and the number and location of the electors.
- 2.2 When designating polling districts the local authority must seek to ensure that all the electors in the area have such reasonable facilities for voting as are practical in the circumstances.
- 2.3 In determining where polling places should be located the Council must seek to ensure that all electors have such reasonable facilities for voting as are practical in the circumstances and that, so far as is reasonable and practical, polling places chosen are accessible to all electors, including those who are disabled.

### **3. CONSULTATIONS UNDERTAKEN**

- 3.1 Public notice of the interim review was given on 23 September 2016 and full details of the review were placed on the Council's website. The period for representations to be made on the Returning Officer's proposals was from 23 September 2016 to 14 October 2016.
- 3.2 In addition the following specific consultations were undertaken explaining the reason for the interim review and factors which could influence the Returning Officer's proposals regarding the location of polling districts/places:
- a) with all Members of the Council prior to the publication of the Returning Officer's proposals by way of email on 29 September 2016.
  - b) with all Town/Parish Councils and Chairs of Parish Meetings by way of email on 29 September 2016.
  - c) email advising of the review, accessibility and proposals dated 29 September 2016 to:
    - i. Gainsborough Constituency Conservative Association
    - ii. Gainsborough Constituency Labour Party
    - iii. West Lindsey Liberal Democrats
    - iv. United Kingdom Independence Party
    - v. Lincolnshire Independents
  - d) with 21 organisations and persons connected with the Disability Network within the West Lindsey area by way of email on 29 September 2016.

### **4. COMMENTS RECEIVED DURING THE CONSULTATION PROCESS**

- 4.1 A total of 2 responses were received and these are summarised in the schedule set out at Appendix 1. The schedule provides details of the parishes on which comment has been received, observations of the Returning Officer and the name of the person or organisation who has made comments or representations.

### **5. CONCLUSION**

- 5.1 Although there has not been an overwhelming response to the formal consultation process representations from Lissington Parish meeting raised concern about the situation of the polling place within Lissington. However, taking into account all relevant matters the original proposal remains as in Appendix 2.
- 5.2 In addition the Parish Council of Nettleham requested that electors registered within polling district LB be changed to the Old School, Mill

Hill and those electors registered with polling district LC be changed to the Village Hall, Brookfield Avenue. This request has been accepted and has now been incorporated within the final proposals in Appendix 2.

- 5.3 Market Rasen Ward - details of a change of polling station for electors in North Willingham and Sixhills is contained in Appendix 1.
- 5.4 Wold View Ward – details of a change to polling station arrangements at Brookenby Village Hall is contained in Appendix 1.
- 5.5 The Council is aware that in a vast, mainly rural area such as West Lindsey, there are many electors who have to travel some miles in order to vote at their allocated polling station. However, postal voting is available to all electors and is an easier and more convenient method of voting for many electors. The current records show that almost 11,234 electors have already chosen to vote by post on a permanent basis, an increase of over 700 since the last review was undertaken two years ago.
- 5.6 Throughout the interim review process every effort has been made to ensure that electors have such reasonable facilities for voting as are practical in the circumstances and that, so far as is reasonable and practical, polling places are accessible to all electors, including those who are disabled.
- 5.7 On occasions designated polling places may become unavailable for use during elections owing to the closure of buildings or premises being used for other events. The Returning Officer requires approval by the Council in order to change polling places at relatively short notice. It is recommended that delegated authority be given to the Returning Officer following consultation with the Chairman and Leader of the Council to approve any such changes during an election period.

WEST LINDSEY DISTRICT COUNCIL  
INTERIM REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2016

**SUMMARY OF REPRESENTATIONS AND COMMENTS RECEIVED  
as at close of public consultation on 14 October 2016**

**BARDNEY WARD**

No written responses or comments received.

**CAISTOR & YARBOROUGH WARD**

No written responses or comments received.

**CHERRY WILLINGHAM WARD**

No written responses or comments received.

**DUNHOLME & WELTON WARD**

Lissington Parish Meeting requested to re-instate polling station in Lissington LN3 5AE.

The reasons for this are listed as:

- i) Lissington up until 2014 had their own polling station and feel partially disenfranchised and being treated as second class electors
- ii) It is inequitable that a village the size of Lissington do not have their own polling station
- iii) The Church at Lissington and/or the pool room in the White Hart public house could be made available for use as a polling station.

Returning Officer's observations in response the statements above are:

- i) the number of electors registered within the parish of Lissington 116 with 17 issued with postal votes.
- ii) Since 2015 electors from Lissington vote at Wickenby a distance of 1.8 miles and if this proves difficult for some electors then postal voting is available to any elector.
- iii) if a polling station is provided at Lissington this will cost approximately £580 (po plus pc plus travel plus training fees plus hire of premises plus portaloos).
- iv) at an average election say on 50% of the 99 electors would vote equating on average to only 4 electors per hour at a cost per elector of £12.89 per elector.
- v) there is only two polling stations out of the 102 listed in the report with lower electorate figures. These are situated in the more remote areas of the District.



***It light of the above and taking observations and comments into account I am not persuaded to change my original proposal. All eligible electors receive either a poll card or a postal poll card. The poll cards give the elector information as to how and when to apply for a postal vote. My proposal is that the polling place for electors registered in the parish of Lissington continues to be provided at the Wickenby polling station.***

Ward members are currently being consulted on the recommendation detailed above.

**GAINSBOROUGH EAST WARD**

No written responses or comments received.

**GAINSBOROUGH NORTH WARD**

No written responses or comments received.

**GAINSBOROUGH SOUTH-WEST WARD**

No written responses or comments received.

**HEMSWELL WARD**

No written responses or comments received.

**KELSEY WOLD WARD**

No written responses or comments received.

**LEA WARD**

No written responses or comments received.

**MARKET RASEN WARD**

No written responses or comments received.

Local Ward members have been informed that due to the disrepair of St Thomas Church, North Willingham the venue has now been changed to Willingham Fayre, Ashgrove Farm, Main Street, North Willingham.

**NETTLEHAM WARD**

Nettleham Parish Council submitted a request to move polling district LB from the Village Hall, to the Old School and polling district LC from the Old School to the Village Hall.

***Taking these observations into account I feel justified in changing the polling districts as requested.***

Ward members are currently being consulted on the recommendation detailed above.

**SAXILBY WARD**

No written responses or comments received.

**SCAMPTON WARD**

No written responses or comments received.

**SCOTTER & BLYTON WARD**

No written responses or comments received.

**STOW WARD**

No written responses or comments received.

**SUDBROOKE WARD**

No written responses or comments received.

**TORKSEY WARD**

No written responses or comments received.

**WADDINGHAM & SPITAL WARD**

No written responses or comments received.

**WOLD VIEW WARD**

Brookenby has moved from the Market Rasen Wolds Division to the North Wolds Division. Stainton-le-Vale and Kirmond-le-Mire remain in the Market Rasen Wolds Division.

As a result of this, there will now be two polling stations at the Village Hall, Brookenby – see appendix 2.

No written responses or comments received to date.

WEST LINDSEY DISTRICT COUNCIL  
INTERIM REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2016

**SUMMARY OF POLLING DISTRICTS AND POLLING PLACES  
AS RECOMMENDED FOR APPROVAL ON 14 NOVEMBER 2016**

**BARDNEY & CHERRY WILLINGHAM DIVISION**

Polling District	Polling Place	Electorate	Postal Voters
AA Apley	Stainfield & Apley Village Hall	67	(15)
AI Stainfield		93	(7)
		<b>160</b>	<b>(22)</b>
AB Bardney	Bardney Village Hall	<b>1533</b>	<b>(188)</b>
AC Bullington	Restaurant Annex, Thornes Beehives, Rand	27	(2)
AD Fulnetby		10	(2)
AE Goltho		62	(15)
AF Holton-cum-Beckering		101	(23)
AG Rand		36	(11)
		<b>236</b>	<b>(53)</b>
AH Southrey	Southrey Village Hall	<b>178</b>	<b>(24)</b>
CA Barlings	The Memorial Hall, Langworth	381	(60)
CG Newball		34	(4)
CI Stainton-by-Langworth		72	(20)
		<b>487</b>	<b>(84)</b>
CB Cherry Willingham No 1	The Church Hall, Cherry Willingham	1481	(249)
CC Cherry Willingham No. 2		868	(98)
CD Cherry Willingham No.3		939	(156)
		<b>3288</b>	<b>(503)</b>
CE Fiskerton	Fiskerton Village Hall	<b>1008</b>	<b>(176)</b>
CF Greetwell	Conservatory, 25 Westfield Avenue, North Greetwell	<b>679</b>	<b>(130)</b>
CH Reepham	The Methodist Schoolroom, Reepham	<b>778</b>	<b>(144)</b>

**GAINSBOROUGH HILL DIVISION**

Polling District	Polling Place	Electorate	Postal Voters
EA Gainsborough No. 1	St George's Church Hall, Gainsborough	1616	(228)
EB Gainsborough No. 2		895	(60)
		<b>2511</b>	<b>(288)</b>
EC Gainsborough No. 3	New Life Christian Fellowship Church, Gainsborough	<b>991</b>	<b>(140)</b>
ED Gainsborough No. 4	Uphill Community Centre, Gainsborough	1921	(193)
EE Gainsborough No. 5		9	(0)
		<b>1930</b>	<b>(193)</b>
FA Gainsborough No. 6	West Lindsey Leisure Centre, Gainsborough	<b>1667</b>	<b>(268)</b>

**GAINSBOROUGH RURAL SOUTH DIVISION**

<b>Polling District</b>	<b>Polling Place</b>	<b>Electorate</b>	<b>Postal Voters</b>
JA Kexby	The Village Hall, Kexby	<b>292</b>	<b>(32)</b>
JB Knaith	The Village Hall, Knaith Park	<b>284</b>	<b>(45)</b>
JC Lea	The Village Hall, Lea	<b>870</b>	<b>(187)</b>
JD Upton	Methodist Schoolroom, Upton	<b>396</b>	<b>(56)</b>
NA Aisthorpe	BSA Village Hall, Aisthorpe	87	(10)
NB Brattleby		99	(12)
NF Scampton No.1		169	(31)
NH Thorpe-in-the-Fallows		17	(6)
		<b>372</b>	<b>(59)</b>
NC Cammeringham	The Village Hall, Ingham	107	(15)
NE Ingham		740	(119)
		<b>847</b>	<b>(134)</b>
ND Fillingham	The Village Hall, Fillingham	<b>183</b>	<b>(25)</b>
NG Scampton No.2	Vulcan Families Club, RAF Scampton	<b>808</b>	<b>(114)</b>
PA Stow	St Mary's Church, Stow	<b>280</b>	<b>(42)</b>
PB Sturton-by-Stow	The Village Hall, Sturton-by-Stow	<b>1212</b>	<b>(150)</b>
PC Willingham	The Village Hall, Willingham-by-Stow	<b>513</b>	<b>(48)</b>
RA Brampton	Hume Arms, Torksey	59	(14)
RG Torksey		730	(249)
		<b>789</b>	<b>(263)</b>
RB Fenton	The Village Hall, Kettlethorpe	352	(88)
RD Kettlethorpe		363	(55)
		<b>715</b>	<b>(143)</b>
RC Gate Burton	The Village Hall, Marton	41	(4)
RE Marton		589	(97)
		<b>630</b>	<b>(101)</b>
RF Newton-on-Trent	St Peter's Church, Newton-on-Trent	<b>306</b>	<b>(38)</b>

**GAINSBOROUGH TRENT DIVISION**

<b>Polling District</b>	<b>Polling Place</b>	<b>Electorate</b>	<b>Postal Voters</b>
FB Gainsborough No. 7	Mercer's Wood Academy, Gainsborough	904	(90)
FC Gainsborough No. 8		532	(92)
FD Gainsborough No. 9		1020	(98)
		<b>2456</b>	<b>(280)</b>
FE Gainsborough No. 10	Sea Scout Headquarters, Gainsborough	<b>1155</b>	<b>(138)</b>
GA Gainsborough No.11	United Reform Church Hall, Gainsborough	<b>1116</b>	<b>(102)</b>
GB Gainsborough No. 12	Trinity Arts Centre, Gainsborough	<b>986</b>	<b>(111)</b>
GC Gainsborough No.13	Benjamin Adlard County Primary School, Gainsborough	1172	(195)
GD Gainsborough No. 14		669	(57)
		<b>1841</b>	<b>(252)</b>

**MARKET RASEN WOLDS DIVISION**

<b>Polling District</b>	<b>Polling Place</b>	<b>Electorate</b>	<b>Postal Voters</b>
KA Legsby	Legsby County Primary School	<b>189</b>	<b>(35)</b>
KB Linwood	The Festival Hall, Market Rasen	92	(24)
KC Market Rasen No.1		1437	(189)
KD Market Rasen No. 2		1865	(327)
KF Middle Rasen No. 2		769	(107)
		<b>4163</b>	<b>(647)</b>
KE Middle Rasen No. 1	The Church Hall, Middle Rasen	928	(128)
KM West Rasen		60	(7)
		<b>988</b>	<b>(135)</b>
KG North Willingham	Willingham Fayre, North Willingham	118	(13)
KJ Sixhills		39	(8)
		<b>157</b>	<b>(21)</b>
KH Osgodby	The Village Hall, Osgodby	<b>494</b>	<b>(77)</b>
KI Owersby	St. Martin's Church, North Owersby	<b>242</b>	<b>(34)</b>
KK Tealby	The Memorial Hall, Tealby	<b>481</b>	<b>(57)</b>
KL Walesby	The Village Hall, Walesby	<b>208</b>	<b>(39)</b>
SA Bishop Norton	The Village Hall, Bishop Norton	<b>252</b>	<b>(25)</b>
SB Caenby	The Village Hall, Glentham	58	(5)
SC Glentham		375	(45)
		<b>433</b>	<b>(50)</b>
SD Normanby-by-Spital	County Primary School, Normanby-by-Spital	308	(42)
SE Owmbly		274	(52)
SF Saxby		32	(0)
SI West Firsby		26	(0)
		<b>640</b>	<b>(94)</b>
SG Snitterby	The Village Hall, Snitterby	<b>218</b>	<b>(23)</b>
SH Waddingham	The Jubilee Hall, Waddingham	<b>519</b>	<b>(51)</b>
TB Claxby	The Village Hall, Claxby	152	(26)
TF Normanby-le-Wold		47	(8)
		<b>199</b>	<b>(34)</b>
TD Kirmond le Mire	The Village Hall, Brookenby	28	(7)
TH Stainton le Vale		50	(19)
		<b>78</b>	<b>(26)</b>

**NETTLEHAM & SAXILBY DIVISION**

<b>Polling District</b>	<b>Polling Place</b>	<b>Electorate</b>	<b>Postal Voters</b>
LA Grange-de-Lings	The Village Hall, Nettleham	33	(10)
LC Nettleham No. 2		996	(150)
		<b>1029</b>	<b>(160)</b>
LB Nettleham No. 1	The Old School, Nettleham	1127	(175)
LD Nettleham No. 3		1012	(172)
LE Riseholme		258	(75)
		<b>2397</b>	<b>(422)</b>
MA Broadholme	The Village Hall, Saxilby	88	(34)
MB Broxholme		70	(13)
ME Hardwick		38	(14)
MG Saxilby-with-Ingleby No. 1		1834	(251)
MH Saxilby-with-Ingleby No. 2		1568	(278)
		<b>3598</b>	<b>(590)</b>
MC Burton No. 1	The Estate Club, Burton	<b>148</b>	<b>(18)</b>
MD Burton No. 2	The Woodcocks, Burton	<b>607</b>	<b>(136)</b>
MF North Carlton	St Luke's Church, North Carlton	151	(30)
MI South Carlton		80	(10)
		<b>231</b>	<b>(40)</b>

**NORTH WOLDS DIVISION**

<b>Polling District</b>	<b>Polling Place</b>	<b>Electorate</b>	<b>Postal Voters</b>
BA Brocklesby	The Village Hall, Great Limber	92	(6)
BE Great Limber		236	(30)
		<b>328</b>	<b>36</b>
BB Cabourne	Caistor Town Hall	64	(5)
BC Caistor No. 1		1288	(184)
BD Caistor No. 2		1060	(150)
		<b>2412</b>	<b>(339)</b>
BF Keelby No. 1	The Village Hall, Keelby	882	(120)
BG Keelby No. 2		793	(100)
		<b>1675</b>	<b>(220)</b>
BH Riby	St. Edmund's Church, Riby	<b>99</b>	<b>(9)</b>
IA Bigby	The Village Hall, Bigby	262	(54)
IE Somerby		39	(15)
		<b>301</b>	<b>(69)</b>
IB Grasby	The Village Hall, Grasby	395	(52)
ID Searby-cum-Owmbly		169	(35)
		<b>564</b>	<b>(87)</b>
IC North Kelsey	The Village Hall, North Kelsey	<b>826</b>	<b>(126)</b>
IF South Kelsey	The Village Hall, South Kelsey	<b>514</b>	<b>(75)</b>
TA Brookenby	The Village Hall, Brookenby	534	(64)
TJ Swinhope		134	(54)
TL Thorganby		40	(17)
		<b>708</b>	<b>(135)</b>
TC Holton-le-Moor	Moot Hall, Holton-le-Moor	<b>153</b>	<b>(18)</b>
TE Nettleton	Nettleton Village Hall	<b>567</b>	<b>(74)</b>
TG Rothwell	The Village Hall, Rothwell	175	(21)
TK Thoresway		89	(15)
		<b>264</b>	<b>(36)</b>
TI Swallow	Swallow Village Hall	<b>189</b>	<b>(25)</b>

**SCOTTER RURAL DIVISION**

<b>Polling District</b>	<b>Polling Place</b>	<b>Electorate</b>	<b>Postal Voters</b>
HA Blyborough	Conservatory, Hillside, Blyborough	88	(9)
HD Grayingham		120	(33)
		<b>208</b>	<b>(42)</b>
HB Corringham	The Village Hall, Corringham	<b>410</b>	<b>(54)</b>
HC Glentworth	The Village Hall, Glentworth	<b>263</b>	<b>(36)</b>
HE Harpswell	The Village Hall, Hemswell	48	(12)
HG Hemswell		277	(35)
		<b>325</b>	<b>(47)</b>
HF Heapham	The Village Hall, Springthorpe	98	(28)
HI Springthorpe		127	(29)
		<b>225</b>	<b>(57)</b>
HH Hemswell Cliff	Hemswell Court, Hemswell Cliff	<b>548</b>	<b>(66)</b>
HJ Willoughton	The Village Hall, Willoughton	<b>280</b>	<b>(32)</b>
OA Blyton	The Memorial Hall, Blyton	983	(176)
OG Pilham		54	(13)
		<b>1037</b>	<b>(189)</b>
OB East Ferry	Ferry Farm, East Ferry	96	(17)
ON Wildsworth		71	(12)
		<b>167</b>	<b>(29)</b>
OC East Stockwith	Grosvenor House Care Home, East Stockwith	187	(25)
OM Walkerith		67	(17)
		<b>254</b>	<b>(42)</b>
OD Laughton	Methodist Schoolroom, Laughton	<b>328</b>	<b>(50)</b>
OE Morton	Morton Village Hall	1154	(195)
OL Thonock		26	(4)
		<b>1180</b>	<b>(199)</b>
OF Northorpe	The Village Hall, Scotton	106	(24)
OK Scotton		551	(66)
		<b>657</b>	<b>(90)</b>
OH Scotter No. 1	The Village Hall, Scotter	1389	(252)
OI Scotter No. 2		1097	(189)
		<b>2486</b>	<b>(441)</b>
OJ Scotter No. 3	Barlings House Farm, Susworth	<b>95</b>	<b>(11)</b>



**WELTON RURAL DIVISION**

<b>Polling District</b>	<b>Polling Place</b>	<b>Electorate</b>	<b>Postal Voters</b>
DA Buslingthorpe	The Memorial Hall, Faldingworth	55	(14)
DD Faldingworth		334	(47)
		<b>389</b>	<b>(61)</b>
DB Cold Hanworth	The Village Hall, Hackthorn	28	(2)
DF Hackthorn		138	(16)
		<b>166</b>	<b>(18)</b>
DC Dunholme	The Village Hall, Dunholme	1665	(237)
DH Snarford		45	(7)
		<b>1710</b>	<b>(244)</b>
DE Friesthorpe	Broadbent Theatre, Wickenby	42	(6)
DG Lissington		116	(17)
DI Snelland		61	(18)
DN Wickenby		195	(25)
		<b>414</b>	<b>(66)</b>
DJ Spridlington	The Village Hall, Spridlington	<b>175</b>	<b>(21)</b>
DK Toft Newton	Toft Newton Village Hall Association, New Toft	<b>384</b>	<b>(45)</b>
DL Welton No. 1	The Village Hall, Welton	1504	(272)
DM Welton No. 2		1904	(230)
		<b>3408</b>	<b>502</b>
QA Scothern	The Village Hall, Scothern	<b>713</b>	<b>(117)</b>
QB Sudbrooke	The Village Hall, Sudbrooke	<b>1419</b>	<b>(279)</b>

<b>TOTAL ELECTORATE</b>	<b>74,609</b>	<b>11,234</b>
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Full Council

14 November 2016

## Group Trading Company West Lindsey Officer Roles

Report by:

Monitoring Officer

Contact Officer:

Alan Robinson  
Monitoring Officer  
Landline: 01427 676509  
Mobile: 07775026237

Purpose / Summary:

The purpose of this report is to propose approve nominations of West Lindsey Officers to roles in WLDC Trading Company and its Sure Staff subsidiaries

### RECOMMENDATION(S):

- (1) That Council approve the nomination of the Chief Executive as Company Director of WLDC Trading Ltd and its Sure Staff subsidiaries (Sure Staff Lincs Ltd and WLDC Staffing Services Ltd).
- (2) That Council approve the nomination of the Financial Services Manager as Company secretary of WLDC Trading Ltd and its Sure Staff subsidiaries (Sure Staff Lincs Ltd and WLDC Staffing Services Ltd).
- (3) That these roles be added to the responsibilities of the officers involved, in the Council's Constitution

## IMPLICATIONS

### **Legal:**

The Council has the legal power to establish and operate trading companies. These can be wholly owned by West Lindsey District Council in order to enable the Council to take advantage of the powers to trade for profit introduced under the Local Government Act 2003, where opportunities to do so arise and it is appropriate to use the company as a vehicle for the trading activity proposed.

In addition, under the “general power of competence” introduced by Section 1 of the Localism Act 2011 local authorities now have a general power that enables them to do anything that a private individual is entitled to do, subject to certain statutory limitations.

It should be noted that things done for a commercial purpose even under the Localism Act 2011 must be done through a company.

### **Financial:** FIN/17/88

There are no financial implications directly relating to this report. The roles detailed are unpaid positions.

### **Staffing:**

In most cases, the creation of the trading arm will represent the commercialisation of existing Council activities. Where this is the case, it is anticipated that existing staff will be used to deliver the service.

In the case of other commercial activity where the Council does not currently have an offer, the business plan includes provision for the creation of an appropriate staffing structure.

The acquisition of SureStaff Lincs Ltd has created the requirement to recruit a qualified professional to operate the company. Provision for this is again included in the specific business case.

### **Equality and Diversity including Human Rights:**

There are no equality and diversity issues arising directly from this report

**Risk Assessment:**

**There are no risks directly arising from this report, Council has already considered the following risks about trading when the establishment of a the Trading Company was agreed on 10<sup>th</sup> October 2016**

“The development of a trading arm represents a significant step forward for WLDC as it develops a range of commercial activities. Although this course of action presents opportunities, there are a number of potential risks.

**In summary, the key risks are:**

**Failure to comply with legislation or trade *ultra vires*** – the Council has engaged commercial support on an interim basis and is also commissioning legal advice (from specialists Bevan Brittan LLP) to guide it through the process of establishing a trading arm.

**Possibility of State Aid challenge** – Council support for any trading entities will be provided under a Resourcing Agreement and a set of Service Level Agreements that will ensure that market rates are used to set the relevant fees and payments.

**Failure to comply with prevailing taxation laws/regulations** – specialist advice has been commissioned from KPMG to provide guidance in relation to meeting the requirements in respect of both Corporation Tax and VAT.

**Failure to trade successfully** – each ‘business’ will be/has been developed using a market driven business plan which identifies and evaluates the market opportunity alongside the commercial and competitive landscape. In addition, the business plans identify relevant performance targets and the indicators for success/failure. Each reports monthly to Commercial Board in this respect, as well as holding their own monthly Board meetings to review activity and performance.

**Poor investment/acquisition** – the Council has developed a comprehensive due diligence checklist for a range of investment/acquisition scenarios; from property and land purchases to company acquisitions and market lending.

**Conflict of interest with Council priorities and resources** – each business case evaluates the resourcing requirements needed to trade in the context of the Council’s statutory duties. Where a conflict occurs, the business plan will need to support any additional resources that are needed.”

**Climate Related Risks and Opportunities:**

**There are no direct climate related risks arising from this report**

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

Report to Council 10<sup>th</sup> October 2016 **Establishing a Group Trading Company for West Lindsey District Council**

<https://www.west-lindsey.gov.uk/my-council/decision-making-and-council-meetings/meetings-agendas-minutes-and-reports/council/council-committee-reports/>

## 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

At Full Council on 10<sup>th</sup> October 2016 Members approved the establishment of a Trading Company, the Governance documentation to support it, and nominated a number of officers to roles with the trading company. The minutes are detailed below.

“The Commercial Director introduced the report which had been considered by the Corporate Policy and Resources Committee and also the Governance and Audit Committee, the minutes of which were set out in the body of the report. Support for the proposals was voiced by both Committee Chairmen.

A number of local authorities had identified that setting up a trading company – wholly owned by the Council, but operated as a separate legal entity – offered a way to develop services beyond their existing focus.

West Lindsey District Council was developing a portfolio of commercial propositions based on both existing and new activities. Currently these activities were generating a modest level of income, but there was an ambition to build a number into significant revenue generating operations.

Further taxation advice was being taken for each individual company.

The recommendations as set out in the report were moved en bloc and were seconded and voted upon. It was then:

#### **RESOLVED** that:

- a) the proposed group structure for trading companies (the trading arm) to facilitate the return of profits to the Council which can be used to ensure the sustainable delivery of front line services, be approved;
- b) authority be delegated to the Corporate Policy and Resources Committee for approval of annual business plans and accounts for the Group Holding Company and its individual subsidiaries;
- c) the Shareholder Agreement for the Group Holding Company and its associated subsidiaries be approved;
- d) the Articles of Association for the Group Holding Company and its associated subsidiaries be approved;

- e) the nomination of the Commercial Director as Company Director and Chief Executive as Non-Executive Director for the Group Holding Company (WLDC Trading Ltd) and its Sure Staff subsidiaries (Sure Staff Lincs Ltd and WLDC Staffing Services Ltd) be approved;
- f) the nomination of the S151 Officer, (the Director of Resources) as the Council's Shareholder representative be approved; and
- g) That Council authority be delegated to the Council's Section 151 Officer and the appointed Director of the SureStaff subsidiaries to agree the format and content of a Resourcing Agreement for the supply of services by the Council."

## **2 Changes to the Nominations**

- 2.1 Since the nominations to WLDC Trading Limited were agreed a further review of the required nominations and the West Lindsey staff available has taken place. The review takes account of the fact that the Commercial Director and will be leaving West Lindsey on 31<sup>st</sup> December 2016.
- 2.2 It is recommended that the Council nominate the Chief Executive to be the sole director of WLDC Trading Ltd and its Sure Staff subsidiaries (Sure Staff Lincs Ltd and WLDC Staffing Services Ltd).
- 2.3 In addition the company requires a Company Secretary who will be the chief administrative officer of the company, responsible along with the director for certain tasks under the Companies Act. It is recommended that the Financial Services Manager be nominated to this role WLDC Trading Ltd and its Sure Staff subsidiaries (Sure Staff Lincs Ltd and WLDC Staffing Services Ltd).

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**Council**

**Date 14<sup>th</sup> November 2016**

**Subject: DECISION TO OPT IN TO THE NATIONAL SCHEME FOR AUDITOR APPOINTMENTS WITH PSAA AS THE 'APPOINTING PERSON'**

Report by:

Director of Resources

Contact Officer:

Ian Knowles  
Director of Resources  
ian.knowles@west-lindsey.gov.uk

Purpose / Summary:

To agree the participation in a national scheme to appoint our External Auditors from the financial year 2018/19 onwards

**RECOMMENDATION(S):**

The Council accepts Public Sector Audit Appointments' (PSAA) invitation to 'opt in' to the sector led option for the appointment of external auditors for five financial years commencing 1 April 2018.

## IMPLICATIONS

### **Legal:**

Section 7 of the Local Audit and Accountability Act 2014 requires a relevant Council/Authority to appoint a local auditor to audit its accounts for a financial year not later than 31 December in the preceding year. Section 8 governs the procedure for appointment including that the Council must consult and take account of the advice of its auditor panel on the selection and appointment of a local auditor.

Section 12 makes provision for the failure to appoint a local auditor: the Council/Authority must immediately inform the Secretary of State, who may direct the Council/Authority to appoint the auditor named in the direction or appoint a local auditor on behalf of the Council.

Section 17 gives the Secretary of State the power to make regulations in relation to an 'appointing person' specified by the Secretary of State. This power has been exercised in the Local Audit (Appointing Person) Regulations 2015 (SI 192) and this gives the Secretary of State the ability to enable a Sector Led Body to become the appointing person. In July 2016 the Secretary of State specified PSAA as the appointing person.

### **Financial : FIN/91/17**

There is a risk that current external fees levels could increase when the current contracts end in 2018.

Opting-in to a national scheme provides maximum opportunity to ensure fees are as low as possible, whilst ensuring the quality of audit is maintained by entering in to a large scale collective procurement arrangement.

If the national scheme is not used some additional resource may be needed to establish an auditor panel and conduct a local procurement. Until a procurement exercise is completed it is not possible to state what, if any, additional resource may be required for audit fees for 2018/19

### **Staffing :N/A**

### **Equality and Diversity including Human Rights : N/A**

**Risk Assessment :**

The principal risks are that the Council fails to appoint an auditor in accordance with the new frameworks or does not achieve value for money in the appointment process. These risks are considered best mitigated by opting in to the sector led approach through PSAA.

**Climate Related Risks and Opportunities : N/A**

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

**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**

## **Executive Summary**

This report sets out the proposals for appointing the external auditor to the Council for the 2018/19 accounts and beyond, as the current arrangements only cover up to and including 2017/18 audits.

The auditors are currently working under a contract originally let by the Audit Commission and the contract was novated to Public Sector Audit Appointments (PSAA) following the closure of the Audit Commission.

A sector-wide procurement conducted by PSAA will produce better outcomes and will be less burdensome for the Council than any procurement undertaken locally.

More specifically:

- The audit costs are likely to be lower than if the Council sought to appoint locally, as national large-scale contracts are expected to drive keener prices from the audit firms;
- Without the national appointment, the Council would need to establish a separate independent auditor panel, which could be difficult, costly and time-consuming;
- PSAA can ensure the appointed auditor meets and maintains the required quality standards and can manage any potential conflicts of interest much more easily than the Council;
- Supporting the sector-led body will help to ensure there is a vibrant public audit market for the benefit of the whole sector and this Council going forward into the medium and long term.

If the Council is to take advantage of the national scheme for appointing auditors to be operated by PSAA for the subsequent years, it needs to take the decision at this meeting to enable it to accept the invitation by early March 2017.

## **1 Introduction**

1.1 This report sets out the proposals for appointing the external auditor to the Council for the 2018/19 accounts and beyond, as the current arrangements only cover up to and including 2017/18 audits. The auditors are currently working under a contract originally let by the Audit Commission and the contract was novated to Public Sector Audit Appointments (PSAA) following the closure of the Audit Commission.

## **2 Background**

The Local Audit and Accountability Act 2014 (the Act) brought to a close the Audit Commission and established transitional arrangements for the appointment of external auditors and the setting of audit fees for all local government and NHS bodies in England. On 5 October 2015 the Secretary of State Communities and Local Government (CLG) determined that the transitional arrangements for local government bodies would be extended by one year to also include the audit of the accounts for 2017/18.

The Act also set out the arrangements for the appointment of auditors for subsequent years, with the opportunity for authorities to make their own decisions about how and by whom their auditors are appointed. Regulations made under the Act allow authorities to 'opt in' for their auditor to be appointed by an 'appointing person'.

In July 2016 PSAA were specified by the Secretary of State as an appointing person under regulation 3 of the Local Audit (Appointing Person) Regulations 2015. The appointing person is sometimes referred to as the sector led body and PSAA has wide support across local government. PSAA was originally established to operate the transitional arrangements following the closure of the Audit Commission under powers delegated by the Secretary of State. PSAA is an independent, not-for-profit company limited by guarantee and established by the LGA.

PSAA is inviting the Council to opt in, along with all other authorities, so that PSAA can enter into a number of contracts with appropriately qualified audit firms and appoint a suitable firm to be the Council's auditor.

The principal benefits from such an approach are as follows:

- PSAA will ensure the appointment of a suitably qualified and registered auditor and expects to be able to manage the appointments to allow for appropriate groupings and clusters of audits where bodies work together;
- PSAA will monitor contract delivery and ensure compliance with contractual, audit quality and independence requirements;
- Any auditor conflicts at individual authorities would be managed by PSAA who would have a number of contracted firms to call upon;
- It is expected that the large-scale contracts procured through PSAA will bring economies of scale and attract keener prices from the market than a smaller scale competition;
- The overall procurement costs would be lower than an individual smaller scale local procurement;

- The overhead costs for managing the contracts will be minimised through a smaller number of large contracts across the sector;
- There will be no need for the Council/Authority to establish alternative appointment processes locally, including the need to set up and manage an 'auditor panel', see below;
- The new regime provides both the perception and reality of independent auditor appointment through a collective approach; and
- A sustainable market for audit provision in the sector will be easier to ensure for the future.

The Council's current external auditor is KPMG, this appointment having been made under a contract let by the Audit Commission. Following closure of the Audit Commission the contract was novated to PSAA, and since this date PSAA has demonstrated its capability in terms of auditor appointment, contract management, and monitoring audit quality. Over recent years authorities have benefited from a reduction in fees in the order of 55% compared with fees in 2012. This has been the result of a combination of factors including new contracts negotiated nationally with the audit firms and savings from closure of the Audit Commission. The Council's current external audit fees are £43,403 per annum.

The proposed fees for the subsequent years cannot be known until the procurement process has been completed, as the costs will depend on proposals from the audit firms.

The scope of the audit will still be specified nationally, the National Audit Office (NAO) is responsible for writing the Code of Audit Practice which all firms appointed to carry out the Council/Authority's audit must follow. Not all audit firms will be eligible to compete for the work, they will need to demonstrate that they have the required skills and experience and be registered with a Registered Supervising Body approved by the Financial Reporting Council.

Currently, there are only nine providers that are eligible to audit local authorities and other relevant bodies; all of these being firms with a national presence. This means that a local procurement exercise, as described immediately below, would seek tenders from these same firms, subject to the need to manage any local independence issues. Local firms could not be invited to bid.

### **Alternative Options**

If the Council did not opt in there would be a need to establish an independent auditor panel. In order to make a stand-alone appointment the auditor panel would need to be set up by the Council itself. The members of the panel must be wholly or a majority of independent members as defined by the Act. Independent members for this purpose are independent appointees, this excludes current and former elected members (or officers) and their close families and friends. This means that elected members will not have a majority input to assessing bids and choosing which audit firm to award a contract for the Council's external audit.

Alternatively, the Act enables the Council to join with other authorities to establish a joint auditor panel. Again this will need to be constituted of wholly or a majority of independent appointees (members). Further legal advice would be required on the exact constitution of such a panel having regard to the obligations of each Council under the Act and the Council would need to liaise with other local authorities to assess the appetite for such an arrangement.

Neither of these options are recommended. Both these options would be more resource-intensive processes to implement and without the bulk buying power of the sector led procurement, would be likely to result in a more costly service. It would also be more difficult to manage quality and independence requirements through a local appointment process.

## **The Proposal**

PSAA has now formally invited this Council to 'opt in'. Details relating to PSAA's invitation are provided in an Appendix to this Report.

In summary the national opt-in scheme provides the following:

- The appointment of a suitably qualified audit firm for each of the five financial years commencing 1 April 2018;
- Appointing the same auditor to other opted in bodies that are involved in formal collaboration or joint working initiatives to the extent this is possible with other constraints;
- Managing the procurement process to ensure both quality and price criteria are satisfied. PSAA will seek views from the sector to help inform its detailed procurement strategy;
- Ensuring suitable independence of the auditors from the bodies they audit and managing any potential conflicts as they arise;
- Minimising the scheme management costs and returning any surpluses to scheme members;
- Consulting with authorities on auditor appointments, giving the Council/Authority the opportunity to influence which auditor is appointed;
- Consulting with authorities on the scale of audit fees and ensuring these reflect scale, complexity and audit risk; and
- Ongoing contract and performance management of the contracts once these have been let.

## **The way forward**

Regulation 19 of the Local Audit (Appointing Person) Regulations 2015 requires that a decision to opt in must be made by a meeting of the Council (meeting as a whole). The Council then needs to formally respond to PSAA's invitation in the form specified by PSAA by early March.

PSAA will commence the formal procurement process after this date. It expects to award contracts in summer 2017 and consult with authorities on the appointment of auditors so that it can make an appointment by the statutory deadline of December 2017.

27 October 2016

[Chief Executive Name]  
[Authority name]  
[Address]

**Email:** [appointingperson@psaa.co.uk](mailto:appointingperson@psaa.co.uk)

Copied to: [Director of Finance name], [Job title], [Authority name]  
[Monitoring officer name], [Job title], [Authority name]

Dear [Salutation]

## Invitation to opt into the national scheme for auditor appointments

As you know the external auditor for the audit of the accounts for 2018/19 has to be appointed before the end of 2017. That may seem a long way away, but as there is now a choice about how to make that appointment, a decision on your authority's approach will be needed soon.

We are pleased that the Secretary of State has expressed his confidence in us by giving us the role of appointing local auditors under a national scheme. This is one choice open to your authority. We issued a prospectus about the scheme in July 2016, available to download on the [appointing person](#) page of our website, with other information you may find helpful.

The timetable we have outlined for appointing auditors under the scheme means we now need to issue a formal invitation to opt into these arrangements. The covering email provides the formal invitation, along with a form of acceptance of our invitation for you to use if your authority decides to join the national scheme. We believe the case for doing so is compelling. To help with your decision we have prepared the additional information attached to this letter.

I need to highlight two things:

- we need to receive your formal acceptance of this invitation by 9 March 2017; and
- the relevant regulations require that, except for a body that is a corporation sole (a police and crime commissioner), the decision to accept the invitation and to opt in needs to be made by the members of the authority meeting as a whole. We appreciate this will need to be built into your decision making timetable.

If you have any other questions not covered by our information, do not hesitate to contact us by email at [appointingperson@psaa.co.uk](mailto:appointingperson@psaa.co.uk).

Yours sincerely



Jon Hayes  
Chief Officer



## Appointing an external auditor

### Information on the national scheme

#### Public Sector Audit Appointments Limited (PSAA)

We are a not-for-profit company established by the Local Government Association (LGA). We administer the current audit contracts, let by the Audit Commission before it closed.

We have the support of the LGA, which has worked to secure the option for principal local government and police bodies to appoint auditors through a dedicated sector-led national procurement body. We have established an advisory panel, drawn from representative groups of local government and police bodies, to give access to your views on the design and operation of the scheme.

#### The national scheme for appointing local auditors

We have been specified by the Secretary of State for Communities and Local Government as the appointing person for principal local government bodies. This means that we will make auditor appointments to principal local government bodies that choose to opt into the national appointment arrangements we will operate for audits of the accounts from 2018/19. These arrangements are sometimes described as the 'sector-led body' option, and our thinking for this scheme was set out in a prospectus circulated to you in July. The prospectus is available on the [appointing person](#) page of our website.

We will appoint an auditor for all opted-in authorities for each of the five financial years beginning from 1 April 2018, unless the Secretary of State chooses to terminate our role as the appointing person beforehand. He or she may only do so after first consulting opted-in authorities and the LGA.

#### What the appointing person scheme will offer

We are committed to making sure the national scheme will be an excellent option for auditor appointments for you.

We intend to run the scheme in a way that will save time and resources for local government bodies. We think that a collective procurement, which we will carry out on behalf of all opted-in authorities, will enable us to secure the best prices, keeping the cost of audit as low as possible for the bodies who choose to opt in, without compromising on audit quality.

Our current role means we have a unique experience and understanding of auditor procurement and the local public audit market.

Using the scheme will avoid the need for you to:

- establish an audit panel with independent members;
- manage your own auditor procurement and cover its costs;
- monitor the independence of your appointed auditor for the duration of the appointment;
- deal with the replacement of any auditor if required; and
- manage the contract with your auditor.

Our scheme will endeavour to appoint the same auditors to other opted-in bodies that are involved in formal collaboration or joint working initiatives, if you consider that a common auditor will enhance efficiency and value for money.

We will also try to be flexible about changing your auditor during the five-year appointing period if there is good reason, for example where new joint working arrangements are put in place.

Securing a high level of acceptances to the opt-in invitation will provide the best opportunity for us to achieve the most competitive prices from audit firms. The LGA has previously sought expressions of interest in the appointing person arrangements, and received positive responses from over 270 relevant authorities. We ultimately hope to achieve participation from the vast majority of eligible authorities.

### **High quality audits**

The Local Audit and Accountability Act 2014 provides that firms must be registered as local public auditors with one of the chartered accountancy institutes acting in the capacity of a Recognised Supervisory Body (RSB). The quality of registered firms' work will be subject to scrutiny by both the RSB and the Financial Reporting Council (FRC), under arrangements set out in the Act.

We will:

- only contract with audit firms that have a proven track record in undertaking public audit work;
- include obligations in relation to maintaining and continuously improving quality in our contract terms and in the quality criteria in our tender evaluation;
- ensure that firms maintain the appropriate registration and will liaise closely with RSBs and the FRC to ensure that any quality concerns are detected at an early stage; and
- take a close interest in your feedback and in the rigour and effectiveness of firms' own quality assurance arrangements.

We will also liaise with the National Audit Office to help ensure that guidance to auditors is updated as necessary.

### **Procurement strategy**

In developing our procurement strategy for the contracts with audit firms, we will have input from the advisory panel we have established. The panel will assist PSAA in developing arrangements for the national scheme, provide feedback to us on proposals as they develop, and helping us maintain effective channels of communication. We think it is particularly important to understand your preferences and priorities, to ensure we develop a strategy that reflects your needs within the constraints set out in legislation and in professional requirements.

In order to secure the best prices we are minded to let audit contracts:

- for 5 years;
- in 2 large contract areas nationally, with 3 or 4 contract lots per area, depending on the number of bodies that opt in; and
- to a number of firms in each contract area to help us manage independence issues.

The value of each contract will depend on the prices bid, with the firms offering the best value being awarded larger amounts of work. By having contracts with a number of firms, we will be able to manage issues of independence and avoid dominance of the market by one or two firms. Limiting the national volume of work available to any one firm will encourage competition and ensure the plurality of provision.

## **Auditor appointments and independence**

Auditors must be independent of the bodies they audit, to enable them to carry out their work with objectivity and credibility, and in a way that commands public confidence.

We plan to take great care to ensure that every auditor appointment passes this test. We will also monitor significant proposals for auditors to carry out consultancy or other non-audit work, to protect the independence of auditor appointments.

We will consult you on the appointment of your auditor, most likely from September 2017. To make the most effective allocation of appointments, it will help us to know about:

- any potential constraints on the appointment of your auditor because of a lack of independence, for example as a result of consultancy work awarded to a particular firm;
- any joint working or collaboration arrangements that you think should influence the appointment; and
- other local factors you think are relevant to making the appointment.

We will ask you for this information after you have opted in.

Auditor appointments for the audit of the accounts of the 2018/19 financial year must be made by 31 December 2017.

## **Fee scales**

We will ensure that fee levels are carefully managed by securing competitive prices from firms and by minimising our own costs. Any surplus funds will be returned to scheme members under our articles of association and our memorandum of understanding with the Department for Communities and Local Government and the LGA.

Our costs for setting up and managing the scheme will need to be covered by audit fees. We expect our annual operating costs will be lower than our current costs because we expect to employ a smaller team to manage the scheme. We are intending to fund an element of the costs of establishing the scheme, including the costs of procuring audit contracts, from local government's share of our current deferred income. We think this is appropriate because the new scheme will be available to all relevant principal local government bodies.

PSAA will pool scheme costs and charge fees to audited bodies in accordance with a fair scale of fees which has regard to size, complexity and audit risk, most likely as evidenced by audit fees for 2016/17. Pooling means that everyone in the scheme will benefit from the most competitive prices. Fees will reflect the number of scheme participants – the greater the level of participation, the better the value represented by our scale fees.

Scale fees will be determined by the prices achieved in the auditor procurement that PSAA will need to undertake during the early part of 2017. Contracts are likely to be awarded at the end of June 2017, and at this point the overall cost and therefore the level of fees required will be clear. We expect to consult on the proposed scale of fees in autumn 2017 and to publish the fees applicable for 2018/19 in March 2018.

## Opting in

The closing date for opting in is 9 March 2017. We have allowed more than the minimum eight week notice period required, because the formal approval process for most eligible bodies, except police and crime commissioners, is a decision made by the members of an authority meeting as a whole.

We will confirm receipt of all opt-in notices. A full list of authorities who opt in will be published on our website. Once we have received an opt-in notice, we will write to you to request information on any joint working arrangements relevant to your auditor appointment, and any potential independence matters that would prevent us appointing a particular firm.

If you decide not to accept the invitation to opt in by the closing date, you may subsequently make a request to opt in, but only after 1 April 2018. The earliest an auditor appointment can be made for authorities that opt in after the closing date is therefore for the audit of the accounts for 2019/20. We are required to consider such requests, and agree to them unless there are reasonable grounds for their refusal.

## Timetable

In summary, we expect the timetable for the new arrangements to be:

- Invitation to opt in issued 27 October 2016
- Closing date for receipt of notices to opt in 9 March 2017
- Contract notice published 20 February 2017
- Award audit contracts By end of June 2017
- Consult on and make auditor appointments By end of December 2017
- Consult on and publish scale fees By end of March 2018

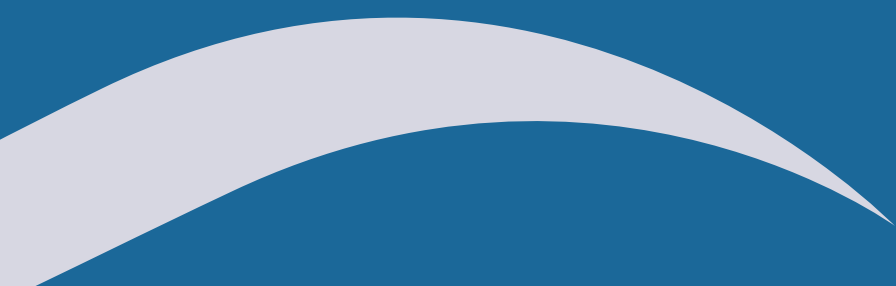
## Enquiries

We publish frequently asked questions on our [website](#). We are keen to receive feedback from local bodies on our plans. Please email your feedback or questions to: [appointingperson@psaa.co.uk](mailto:appointingperson@psaa.co.uk).

If you would like to discuss a particular issue with us, please send an email to the above address, and we will make arrangements either to telephone or meet you.



# Developing the option of a national scheme for local auditor appointments



“The LGA has worked hard to secure the option for local government to appoint auditors through a dedicated sector-led national procurement body. I am sure that this will deliver significant financial benefits to those who opt in.”

– Lord Porter CBE, Chairman,  
Local Government Association

Over the next few months all principal authorities will need to decide how their auditors will be appointed in the future. They may make the appointment themselves, or in conjunction with other bodies. Or they can take advantage of a national collective scheme which is designed to offer them a further choice. Choosing the national scheme should pay dividends in quality, in cost, in responsiveness and in convenience.

Public Sector Audit Appointments Ltd (PSAA) is leading the development of this national option. PSAA is a not-for-profit company which already administers the current audit contracts. It has been designated by the Department for Communities & Local Government (DCLG) to operate a collective scheme for auditor appointments for principal authorities (other than NHS bodies) in England. It is currently designing the scheme to reflect the sector's needs and views.

The Local Government Association (LGA) is strongly supportive of this ambition, and 200+ authorities have already signalled their positive interest. This is an opportunity for local government, fire, police and other bodies to act in their own and their communities' best interests.

We hope you will be interested in the national scheme and its development. We would be happy to engage with you to hear your views – please contact us at [\*\*generalenquiries@psaa.co.uk\*\*](mailto:generalenquiries@psaa.co.uk)

You will also find some questions at the end of this booklet which cover areas in which we would particularly welcome your feedback.

# Audit does matter

High quality independent audit is one of the cornerstones of public accountability. It gives assurance that taxpayers' money has been well managed and properly expended. It helps to inspire trust and confidence in the organisations and people responsible for managing public money.

Imminent changes to the arrangements for appointing the auditors of local public bodies are therefore very important. Following the abolition of the Audit Commission, local bodies will soon begin to make their own decisions about how and by whom their auditors are appointed. A list of the local government bodies affected can be found at the end of this booklet.

The Local Government Association (LGA) has played a leadership role in anticipating these changes and influencing the range of options available to local bodies. In particular, it has lobbied to ensure that, irrespective of size, scale, responsibilities or location, principal local government bodies can, if they wish, subscribe to a specially authorised national scheme which will take full responsibility for local auditor appointments which offer a high quality professional service and value for money.

The LGA supported PSAA's successful application to the Department for Communities & Local Government (DCLG) to be appointed to deliver and manage this scheme.




# PSAA is well placed to award and manage audit contracts, and appoint local auditors under a national scheme

PSAA is an independent, not-for-profit company limited by guarantee and established by the LGA. It already carries out a number of functions in relation to auditor appointments under powers delegated by the Secretary of State for Communities & Local Government. However, those powers are time-limited and will cease when current contracts with audit firms expire with the completion of the 2017/18 audits for local government bodies, and the completion of the 2016/17 audits for NHS bodies and smaller bodies.

The expiry of contracts will also mark the end of the current mandatory regime for auditor appointments. Thereafter, local bodies will exercise choice about whether they opt in to the authorised national scheme, or whether they make other arrangements to appoint their own auditors.

PSAA has been selected to be the trusted operator of the national scheme, formally specified to undertake this important role by the Secretary of State. The company is staffed by a team with significant experience in appointing auditors, managing contracts with audit firms and setting and determining audit fees. We intend to put in place an advisory group, drawn from the sector, to give us ready access to your views on the design and operation of the scheme. We are confident that we can create a scheme which delivers quality-assured audit services to every participating local body at a price which represents outstanding value for money.



“Many district councils will be very aware of the resource implications of making their own appointment. Joining a well-designed national scheme has significant attractions.”

– Norma Atlay, President,  
Society of District Council Treasurers

“Police bodies have expressed very strong interest in a national scheme led by PSAA. Appointing the same auditor to both the PCC and the Chief Constable in any area must be the best way to maximise efficiency.”

– Sean Nolan, President,  
Police and Crime Commissioners  
Treasurers’ Society (PACCTS)

# The national scheme can work for you

We believe that the national scheme can be an excellent option for all local bodies. Early indications are that many bodies agree - in a recent LGA survey more than 200 have expressed an interest in joining the scheme.

We plan to run the scheme in a way that will save time and resources for local bodies - time and resources which can be deployed to address other pressing priorities. Bodies can avoid the necessity to establish an auditor panel (required by the Local Audit & Accountability Act, 2014) and the need to manage their own auditor procurement. The scheme will take away those headaches and, assuming a high level of participation, be able to attract the best audit suppliers and command highly competitive prices.

The scope of public audit is wider than for private sector organisations. For example, it involves forming a conclusion on the body's arrangements for securing value for money, dealing with electors' enquiries and objections, and in some circumstances issuing public interest reports. PSAA will ensure that the auditors which it appoints are the most competent to carry out these functions.

Auditors must be independent of the bodies they audit, to enable them to them to carry out their work with objectivity and credibility, and in a way that commands public confidence. PSAA plans to take great care to ensure that every auditor appointment passes this test. It will also monitor any significant proposals, above an agreed threshold, for auditors to carry out consultancy or other non-audit work to ensure that these do not undermine independence and public confidence.

The scheme will also endeavour to appoint the same auditors to bodies which are involved in formal collaboration/joint working initiatives or within combined authority areas, if the parties consider that a common auditor will enhance efficiency and value for money.

# PSAA will ensure high quality audits

We will only contract with firms which have a proven track record in undertaking public audit work. In accordance with the 2014 Act, firms must be registered with one of the chartered accountancy institutes acting in the capacity of a Recognised Supervisory Body (RSB). The quality of their work will be subject to scrutiny by both the RSB and the Financial Reporting Council (FRC). Current indications are that fewer than ten large firms will register meaning that small local firms will not be eligible to be appointed to local public audit roles.

PSAA will ensure that firms maintain the appropriate registration and will liaise closely with RSBs and the FRC to ensure that any concerns are detected at an early stage and addressed effectively in the new regime. The company will take a close interest in feedback from audited bodies and in the rigour and effectiveness of firms' own quality assurance arrangements, recognising that these represent some of the earliest and most important safety nets for identifying and remedying any problems arising. We will liaise with the National Audit Office (NAO) to help ensure that guidance to auditors is updated when necessary.

We will include obligations in relation to maintaining and continuously improving quality in our contract terms and quality criteria in our tender evaluation method.

# PSAA will secure highly competitive prices

A top priority must be to seek to obtain the best possible prices for local audit services. PSAA's objective will be to make independent auditor appointments at the most competitive aggregate rate achievable.

Our current thinking is that the best prices will be obtained by letting three year contracts, with an option to extend to five years, to a relatively small number of appropriately registered firms in two or three large contract areas nationally. The value of each contract will depend on the prices bid, with the firms offering the best prices being awarded larger amounts of work. By having contracts with a number of firms we will be able to ensure independence and avoid dominance of the market by one or two firms.

Correspondingly, at this stage our thinking is to invite bodies to opt into the scheme for an initial term of three to five years.

The procurement strategy will need to prioritise the importance of demonstrably independent appointments, in terms of both the audit firm appointed to each audited body and the procurement and appointment processes used. This will require specific safeguards in the design of the procurement and appointment arrangements.

“Early audit planning is a vital element of a timely audit. We need the auditors to be available and ready to go right away at the critical points in the final accounts process.”

– Steven Mair, City Treasurer,  
Westminster City Council

“In forming a view on VFM arrangements it is essential that auditors have an awareness of the significant challenges and changes which the service is grappling with.”

– Charles Kerr, Chair,  
Fire Finance Network

# PSAA will establish a fair scale of fees

Audit fees must ultimately be met by individual audited bodies. PSAA will ensure that fee levels are carefully managed by securing competitive prices from firms and by minimising PSAA's own costs. The changes to our role and functions will enable us to run the new scheme with a smaller team of staff. PSAA is a not-for-profit company and any surplus funds will be returned to scheme members.

PSAA will pool scheme costs and charge fees to audited bodies in accordance with a fair scale of fees which has regard to size, complexity and audit risk. Pooling means that everyone within the scheme will benefit from the most competitive prices. Current scale fees are set on this basis. Responses from audited bodies to recent fee consultations have been positive.

PSAA will continue to consult bodies in connection with any proposals to establish or vary the scale of fees. However, we will not be able to consult on our proposed scale of fees until the initial major procurement has been completed and contracts with audit firms have been let. Fees will also reflect the number of scheme participants - the greater the level of participation, the better the value represented by our scale of fees. We will be looking for principal bodies to give firm commitments to join the scheme during Autumn 2016.

# The scheme offers multiple benefits for participating bodies

We believe that PSAA can deliver a national scheme which offers multiple benefits to the bodies which take up the opportunity to collaborate across the sector by opting into scheme membership.

Benefits include:

- assured appointment of a qualified, registered, independent auditor
- appointment, if possible, of the same auditors to bodies involved in significant collaboration/joint working initiatives or combined authorities, if the parties believe that it will enhance efficiency and value for money
- on-going management of independence issues
- securing highly competitive prices from audit firms
- minimising scheme overhead costs
- savings from one major procurement as opposed to a multiplicity of small procurements
- distribution of surpluses to participating bodies
- a scale of fees which reflects size, complexity and audit risk
- a strong focus on audit quality to help develop and maintain the market for the sector
- avoiding the necessity for individual bodies to establish an auditor panel and to undertake an auditor procurement
- enabling time and resources to be deployed on other pressing priorities
- setting the benchmark standard for audit arrangements for the whole of the sector

We understand the balance required between ensuring independence and being responsive, and will continue to engage with stakeholders to ensure we achieve it.



# How can you help?

We are keen to receive feedback from local bodies concerning our plans for the future. Please let us have your views and let us know if a national scheme operated by PSAA would be right for your organisation.

In particular we would welcome your views on the following questions:

1. Is PSAA right to place emphasis on both quality and price as the essential pre-requisites for successful auditor appointments?
2. Is three to five years an appropriate term for initial contracts and for bodies to sign up to scheme membership?
3. Are PSAA's plans for a scale of fees which pools scheme costs and reflects size, complexity and audit risk appropriate? Are there any alternative approaches which would be likely to command the support of the sector?
4. Are the benefits of joining the national scheme, as outlined here, sufficiently attractive? Which specific benefits are most valuable to local bodies? Are there others you would like included?
5. What are the key issues which will influence your decisions about scheme membership?
6. What is the best way of us continuing our engagement with you on these issues?

**Please reply to: [generalenquiries@psaa.co.uk](mailto:generalenquiries@psaa.co.uk)**

The following bodies will be eligible to join the proposed national scheme for appointment of auditors to local bodies:

- county councils in England
- district councils
- London borough councils
- combined authorities
- passenger transport executives
- police and crime commissioners for a police area in England
- chief constables for an area in England
- national park authorities for a national park in England
- conservation boards
- fire and rescue authorities in England
- waste authorities
- the Greater London Authority and its functional bodies.

### **BOARD MEMBERS**

Steve Freer (Chairman), former Chief Executive CIPFA

Caroline Gardner, Auditor General Scotland

Clive Grace, former Deputy Auditor General Wales

Stephen Sellers, Solicitor, Gowling WLG (UK) LLP

### **CHIEF OFFICER**

Jon Hayes, former Audit Commission Associate Controller

“Maintaining audit quality is critically important. We need experienced audit teams who really understand our issues.”

– Andrew Burns, Director of  
Finance and Resources,  
Staffordshire County Council

PSAA Ltd  
3rd Floor, Local Government House  
Smith Square  
London SW1P 3HZ

[www.psa.co.uk](http://www.psa.co.uk)

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Public Sector  
Audit Appointments

**West Lindsey District Council**

**Guildhall, Marshall's Yard, Gainsborough**

# **Minutes of Committee Meetings**

Published since the  
Meeting of Council  
10 October 2016



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## WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Governance and Audit Committee held in the Council Chamber at the Guildhall, Gainsborough on Thursday 15 September 2016, commencing at 6.30 pm.

**Present:** Councillor Giles McNeill (Chairman)  
Councillor Jackie Brockway (Vice-Chairman)

Councillor Sheila Bibb  
Councillor David Bond  
Councillor John McNeill  
Councillor Angela White

Andrew Morriss (Independent Co-opted Member)  
Alison Adams (Independent Co-opted Member)

**In Attendance:**

Ian Knowles	Director of Resources and S151 Officer
Alan Robinson	Strategic Lead – Business and Democratic Support and Monitoring Officer
Tracey Bircumshaw	Team Manager – Financial Services
Nicola Calver	Governance and Civic Officer
Katie Coughlan	Governance and Civic Officer

**Also In Attendance :**

John Cornett	KPMG – External Auditors
Adrian Benselin	KPMG – External Auditors

**Apologies:** Peter Walton (Independent Co-opted Member)

**Membership:** No substitutes were appointed for the meeting

### 30 PUBLIC PARTICIPATION

There was no public participation.

### 31 MINUTES

(a) Meeting of the Governance and Audit Committee held on 26 July 2016 (GA.19 16/17)

**RESOLVED** that the Minutes of the meeting of the Governance and Audit Committee held on 26 July 2016 be approved and signed as a correct record.

### **32 MEMBERS' DECLARATIONS OF INTEREST**

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

### **33 MATTERS ARISING SCHEDULE SETTING OUT CURRENT POSITION OF PREVIOUSLY AGREED ACTIONS AS AT 7 SEPTEMBER 2016 (GA.20 16/17)**

Members gave consideration to the Matters Arising Schedule which set out the current position of all previously agreed actions as at 7 September 2016.

With regard to the green action entitled "report format" the Chairman advised that this matter had been further discussed at his most recent briefing meeting. The Authority was in the process of introducing a new committee management system and it may be feasible for some of the suggested areas for improvements to be addressed through this. Officers undertook to engage with members where appropriate through the system's development. Councillor Brockway and Mr Morris indicated that they were happy to be engaged in the process.

**RESOLVED** that progress on the Matters Arising Schedule as set out in report GA.20 16/17 be received and noted.

### **34 ISA 260 REPORT (GA.21 16/17)**

Consideration was given to a report from the Authority's Auditor KPMG, which presented their report to those charged with Governance (ISA 260 Report) in relation to the Statement of Accounts and Annual Governance Statement 2015/16, the headlines of which included: -

- A proposed unqualified audit opinion on the 2015/16 Statement of Accounts;
- no material audit differences had been identified;
- All presentational audit differences identified have been adjusted for;
- There had been no significant risks identified within the Financial Statements; and
- The Annual Governance Statement complied with recommended practice (Delivering Good Governance in Local Government; A Framework) and was consistent with the Auditor's understanding of the Authority.



In presenting the report, the Auditor outlined the headline findings to the Committee as detailed on page 3 of the report. Committee's attention was drawn to the Audit Adjustments required, referenced on page 3 of the report with further detail contained on page 10, and it was stressed that this was a misclassification of receipts in the Cash Flow Statement, amounting to £1.135m. This had been adjusted and the overall balance of the Cash Flow Statement was unaffected. Confirmation was given that the work referred to as outstanding on page 8 of the report was now completed.

The External Auditor placed on record his thanks to the finance team for their professional and helpful approach in responding to queries throughout the audit process and highlighted to the Committee the fees associated with undertaking this work.

In responding to Members comments, the "risk" associated with the impact on the pending changes to NNDR retention, was further clarified, but it was stressed that this was a similar position to other authorities.

**RESOLVED** that the information contained within the report be received and noted.

### **35 AUDITED STATEMENT OF ACCOUNTS (GA.22 16/17)**

Members gave consideration to a report which presented the 2015/16 Statement of Accounts for scrutiny and adoption.

The Section 151 Officer, first thanked the Financial Services Manager and her team, for the work they had undertaken in completing the Statement of Accounts, in accordance with the statutory requirements. The overall financial position was summarised during which Members noted the following: -

- the revenue out-turn reflected a gross surplus of £1.255m after deductions for approved carry forwards and unapplied grants an amount of £0.798m had been transferred to the General Fund Balance;
- the Capital Investment totalled £0.965m;
- In respect of Useable Reserves, the Authority remained in a healthy position with balances as follows: -
  - The General Fund working balance totalled £3.715m (£4.160m in 14/15)
  - The General Fund Earmarked reserves totalled £13.817m (£10,658m in 2014/15)
  - Capital receipts totalled £2.984 (£2,407m in 2014/15)
  - Capital grants unapplied for totalled £0.476m (£4.486m in 2014/15)

The amendments to the Statement of Accounts which had been made and which were summarised at Section 2 of the report were highlighted to the Committee.

The contents of the explanatory foreward were summarised to Members.

Members asked a number of technical and pertinent questions particularly concerning the pension liability and sought further details and clarity as to whether this trend would continue. Officers gave assurance that the figure referred to was not the amount the authority had to pay and this was an accounting presentation issue and used as a comparator. Assurance was given that arrangements were in place to manage any deficit in the fund over the next 20 years. It was stressed that the pension liability was developed on a national basis. It had been agreed that the position would be reviewed every 3 years against a set of indicators, and level was set dependent on the outcome of this review. It was stressed that West Lindsey District Council was broadly in the same position as other local authorities in respect of this matter. However West Lindsey did make a lump sum contribution against its deficit, this had now become recommended practice for local authorities, and the treatment applied to the pensions deficit was the same across the country.

The Committee welcomed the inclusion of the Commercial Performance Section and commented that it could now be seen that a number of previously agreed projects were now coming to fruition.

Members asked a number of further technical and pertinent questions in respect of pending changes to NNDR retention, and the impact this could have. It was noted that a workshop was being held the following week, to which all Members had been invited, to inform them further of the impact. A consultation response had been prepared by the Authority, and it was considered of vital importance that a re-evaluation be undertaken, if the North and Midlands were not to suffer in the future.

Referring to page 19, Members requested details of the number of fixed term contracts currently in existence across the Council. The Director of Resources undertook to provide this figure outside of the meeting.

Officers undertook to check the absenteeism figure reported on page 10 of the report. However Officers advised of the work being undertaken by the Joint Staff Consultative Committee. Absence levels were at the lowest level since data collection had commenced (2006) and this should be applauded. Members questioned how the employee satisfaction figure had been obtained, and whilst surveys had been undertaken in previous years, there was currently a staff engagement group in operation, which aimed to address issues identified through the survey.

Members indicated that the Council Tax Collection rate should be applauded.

It was confirmed that the comparators on Page 75 of the report were not full years and the operational debtors increase on page 65, was simply a moment in time position and not cause for concern.

On that basis it was : -

**RESOLVED** that:

- (a) having reviewed the Statement of Accounts, attached to report GA.22 16/17 it be confirmed that there are no concerns arising from the Financial Statements that need to be brought to the attention of the Council;
- (b) the Statement of Accounts for 2015/16 be approved;
- (c) the Section 151 Officer and the Chair of the Governance and Audit Committee be permitted to certify the letter of representation to the Council's Auditor, KPMG, for completion of the audit.

### **36 REVIEWING WEST LINDSEY'S GOVERNANCE ARRANGEMENTS (GA.23 16/17)**

The Committee received a briefing on the process for changing governance arrangements and consideration to appointing a Member/Officer Working Group to consider feedback from Members and the public, discuss options in detail and make recommendations for change to the Governance and Audit Committee. The briefing included a staged outline timetable, and the steps required.

Members questioned whether the timeline was realistic, noting that a number of actions were already nearing their completion date. It was noted that any slippage would be reported, through to the Governance and Audit Committee, and the final implementation date of any change would be dependent on the extent of the changes agreed, as outlined in the paper.

All were agreement that it was appropriate to undertake a review, even if the answer remained unchanged. Nothing was being ruled in or out at this stage of the process and whilst devolution and its impact should be a consideration, it was not a reason to not undertake a review.

#### **RESOLVED that:-**

- (a) the process and timeline as presented be noted;
- (b) that Councillors White, Bond and G McNeill be appointed to serve on the Task and Finish Group;
- (c) the Terms of Reference for the Governance Arrangements Task and Finish Group, as appended to the report, be agreed.

### **37 REPORT ON THE GOVERNANCE ARRANGEMENTS FOR MANAGING THE RISKS OF A WHOLLY OWNED LIMITED COMPANY (GA.24 16/17)**

Members gave consideration to a report, the purpose of which was to provide assurance to members of the Governance and Audit Committee that appropriate arrangements were being put in place to manage the risks of a wholly owned limited company.

By way of background Committee Members were advised that in June of this year WLDC had acquired a local business operating as a staffing agency in the district and surrounding area.

This company would continue to operate as an independent limited company that was wholly owned by the Authority. In addition, a second subsidiary would be created to act as a TECKAL company for the supply of the same services to public bodies. The TECKAL status currently allowed Authorities to give work to such companies without an open tender process.

At its meeting in July, Corporate Policy and Resources Committee had agreed a governance structure for recommendation to Full Council.

That same report was being presented to members of Governance and Audit Committee in order that they could review the arrangements, seek assurance that appropriate governance was in place and make any comments that may be raised by the Chair of the committee at the meeting of Full Council.

Discussion ensued and in response to Members' questions the role of the Executive Director and Non-Executive Director were clarified. Initially there were concerns that a Board was not being established for the company, however an independent member with experience of managing a large private sector business confirmed that he would not expect a company of this size to have a Board. It was questioned whether Members would see management accounts. The Director of Resources stated that as a non-executive Director he would see the accounts and would present a summary to the Corporate Policy and Resources Committee as part of the Annual Business Plan by which the company would be operated.

Officers also confirmed that there was a resourcing agreement between the agency and the Council, in order that State Aid Rules were adhered to. It was confirmed that the Council, as a Corporate Body, was the Shareholder, not individual Councillors, and the Director of Resources would be the named shareholder. Payroll Services were provided by the Council. Terms and Conditions for persons employed through SureStaff were not the same as those of people directly employed by the Authority, as this was a separate entity.

It was confirmed that the extra recommendation requested by the Corporate Policy and Resources Committee, namely that, which related to the appointment of an independent Member as a Non-Executive Director, would be included within the report prior to it being submitted to Full Council.

**RESOLVED** that having reviewed the governance arrangements in the attached report, the committee have assurance that appropriate governance is in place and that there are no comments that they wish the Chair of the Committee to raise at Full Council.

**38 WORK PLAN (GA.25 16/17)**

Members considered their work plan for the remaining meetings during the ensuing civic year.

The External Auditor, indicated that in light of the revised “sign off of accounts timetable” a number of his reports due for submission, would maybe need to have their timelines revised. He undertook to liaise with the Governance and Civic Officer regarding any revisions required.

The Director of Resources indicated that he would also prepare a report, for discussion at the next Chairman’s Briefing meeting, and for possible subsequent submission to the Committee, setting out the timeline for the early closure of accounts.

**RESOLVED** that the work plan as at 7 September 2016 be noted.

The meeting concluded at 8.22 pm.

Chairman

# Public Document Pack

Corporate Policy and Resources Committee- 22 September 2016  
Subject to Call-in. Call-in will expire at 5pm on Tuesday 11 October 2016

## 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 22 September 2016 commencing at 6.30 pm.

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

Councillor Owen Bierley  
Councillor Matthew Boles  
Councillor Adam Duguid  
Councillor Steve England  
Councillor Ian Fleetwood  
Councillor John McNeill  
Councillor Tom Regis  
Councillor Reg Shore

**In Attendance:**  
Ian Knowles Director of Resources and S151 Officer  
Alan Robinson SL - Democratic and Business Support  
Tracey Bircumshaw Financial Services Manager  
Emma Redwood Team Manager People and Organisational Development  
Kim Leith

**Apologies:** Councillor David Cotton  
Councillor Michael Devine

**Membership:** No Substitutes were appointed

**Also Present** Councillor Giles McNeill

### 43 PUBLIC PARTICIPATION PERIOD

There was no public participation.

### 44 MINUTES OF PREVIOUS MEETING

**RESOLVED** that the Minutes of the Meeting of the Corporate Policy and Resources Committee held on 28 July 2016 be confirmed and signed as a correct record.

### 45 DECLARATIONS OF INTEREST

Councillor Shore questioned how many Members of the Committee were also members of Parish Councils as they would have a personal interest in Agenda Item 6c (Withdrawal of LCTS Grant to Town and Parish Councils). Councillors Summers, Welburn, McNeill and Boles all affirmed that they

were members of their respective Parish Councils, so declared personal interests.

#### **46 MATTERS ARISING SCHEDULE**

**RESOLVED** that progress on the Matters Arising Schedule as set out in the report be noted.

#### **47 CORPORATE HEALTH AND SAFETY UPDATE**

The Health and Safety Co-ordinator introduced the report describing the activity of the Safety Champions who were active in investigating solutions to any incidents which occurred. Records were kept on Minerva and no incidents were reportable to the HSE in the previous year.

There had been a reduction in incidents within operational services. All staff were encouraged to report all incidents.

Training sessions had recently been held on how to deal with difficult or dangerous customers, and also how to handle spillages. A review of archives storage access and manual handling (this is still ongoing), as was discussions with partners within the building.

**RESOLVED:** That the Corporate health and safety report be noted and supported.

#### **48 REVIEW OF THE ADOPTION, PARENTAL, PATERNITY AND MATERNITY POLICIES**

The People and Organisational Development Manager informed the Committee that the council has Adoption, Parental, Paternity and Maternity Policies in place, however due to updates in legislation a review was required to provide employees and the council with the most up to date information.

These policies applied to all employees within the council.

The list of changes made to the policies were appended to the report.

Relevant publications have been considered such as ACAS and Government guidance, and engagement had taken place with a number of staff that had used the various policies, to help ensure that the reviewed policies provided the necessary information and clarity.

The policies had been considered and supported by the Joint Staff Consultative Committee, attended by Members, Unison and Staff Representatives.

The policies would be made available to view on the Minerva site and hard copies available at the depots once formally agreed. A clear communication would be sent to Managers to make them aware that the policies had been reviewed and to update them on their responsibilities. Training and support would also be offered in the implementation and application of the policies.

Members welcomed the format of the report and congratulated the People and Organisational Development Manager on its presentation.

**RESOLVED:** that

- a) the Adoption, Parental, Paternity and Maternity Policies be approved and the policies be adopted for all employees of the council;
- b) delegated authority be granted to the Director of Resources to make minor housekeeping

amendments to the policies in future, in consultation with the chairman of the Corporate Policy and Resources committee and chairman of JSCC.

#### **49 WITHDRAWAL OF LCTS GRANT TO TOWN AND PARISH COUNCILS**

The Financial Services Manager presented the report for consideration of the withdrawal of grant funding to Town and Parish Councils for the Localisation of Council Tax Support Scheme (LCTS) from 2017/18 onwards.

The report had been prepared taking into account the significant financial challenges faced by the Council over its Medium Term Financial Strategy and the removal of Revenue Support Grant by 2019/20. The Council's savings target was in excess of £2m.

The Welfare Reform Act 2012 abolished the nationally funded Council Tax Benefit Scheme and replaced it with the (LCTS) from April 2013. This new scheme was funded by the DCLG through a cash limited grant, but at 90% of the previous council tax benefit scheme.

The LCTS scheme took the form of a discount on the council tax bill rather than the previous council tax benefit payment onto claimants' council tax accounts. The impact of these discounts on the tax base was to reduce it.

West Lindsey District Council received a total grant of £519,000 of which £169,811.82 was provided as grant to the Town and Parish Councils to reduce the impact of the reduction in their tax base.

Since that time the Revenue Support Grant which included an element for this support, had reduced by 81%, however WLDC have continued to issue grants at the original level. It was now considered that this position was unsustainable.

West Lindsey District Council, unlike many other local authorities had maintained the original LCTS grant level as at 2013/14, and therefore the Town and Parish Councils had benefitted from additional support over the past three years.

As the Council's revenue budget continued to come under pressure from continuous reductions in Central Government funding, the level of support that was provided to the Town and Parish Councils also needed to be reviewed.

Given these reductions it was proposed that the funding to Town and Parish Councils be withdrawn from 2017/18 onwards.

Members debated the report at some length and asked further questions such as the actual cost per Parish Council. This was confirmed as varying amounts depending upon the size of the Parish and the number of properties, with Gainsborough being the largest, at a cost of £69,000.

The Financial Services Manager informed the Committee that some authorities had withdrawn the funding three years previously, however some Members felt that whilst the total cost was relatively small to West Lindsey District Council, the withdrawal would have a major impact on Town and Parish Councils. Parish Councils managed their funds wisely and their Councillors were volunteers. Suggestions were made that the withdrawal be



phased or that it continue to be funded by WLDC. It was pointed out that some Members had conflicting interests and that in the context of the meeting, Members were representing the interest of the District Council, and that all public bodies were having to make cuts.

Councillor Shore proposed that the withdrawal of the funding be phased over a period of three years, this was seconded by Councillor Boles.

On being voted upon the **MOTION WAS LOST**.

It was agreed that if the proposal had been resolved, other cuts would have to be made elsewhere. WLDC already had to find a £2m saving, and this funding withdrawal would help to share the burden.

The recommendations as set out in the report were then moved, seconded and voted upon.

**RESOLVED:** that

- a) the Localisation of Council Tax Support Grant for Town and Parish Councils be withdrawn from 2017/18 onwards; and
- b) the WLDC contribution to the first £100 of Budget Requirement be continued at this time but reviewed for the 2019/20 budget.

## **50 FOUR YEAR AGREEMENT / EFFICIENCY PLAN**

The Director of Resources explained to the Committee that as part of the local government final settlement in February 2016, the DCLG had offered Local Authorities the opportunity to sign up to a four year deal regarding the three elements of grant within the announcement. Those grant areas were, Revenue Support Grant (RSG), Rural Services Delivery Grant (RSDG) and Transition Grant (TG).

The report set out the four year profile provided for these grants, the summary of the MTFP for 2016/17 and the current proposals to balance the future years.

The level of reductions to the bottom line exceeded the net funding gap for the years 2018/19 and 2019/20 as there was a requirement in 2020/21 of £1,065k.

The available options were set out as being:

- 1 – To submit an efficiency plan (expected to be a summary of the MTFP providing detail behind the proposals above) to DCLG and fix the levels of grant for the next four years.
- 2 – To choose not to submit an efficiency plan and run the risk of the grant levels being changed by Government.
- 3 – To write expressing our commitment to delivering a balanced position over the four year period but not submitting an efficiency plan.

In making a decision on submitting a four year efficiency plan and agreeing the level of government funding set out in the settlement for 2016/17 the following matters should be taken into account:

Revenue Support Grant (RSG)

The RSG would no longer exist by 2019/20 and WLDC ceased to receive RSG within three years. By agreeing to a four year deal it is proposed that this arrangement would not change

#### Rural Service Delivery Grant (RSDG)

This grant was substantially increased in the revised settlement in February. WLDC's settlement provided the following levels of grant over the next four years:

2016/17 £ 471k, 2017/18 £381k, 2018/19 £293k, 2019/20 £381k.

The four year deal would secure this income stream for the four years.

#### WLDC Strategy

West Lindsey District Council was committed to being independent of RSG in the next four years.

The Government's commitment would provide some certainty over that period whilst provision was put in place to deliver that strategy.

A commitment to DCLG would require confidence in plans to secure a balanced budget over the medium term.

The new government had made no announcements regarding this proposition and it was therefore assumed it was still committed to the four year deal arrangements. However, it was known that the new Chancellor would deliver his first autumn statement on 23 November which would set the new government's financial strategy for the remainder of the current political term.

Councillor Bierley, as the Council's representative on the Rural Services Network questioned whether WLDC would be disadvantaged in the future if more Rural Services Grant became available. The Director of Resources indicated that whilst the report contained as much information as was available, those Councils that had signed up to the four year agreement could get preferential treatment. It was not known what would happen to those Councils who were unable to sign up to the agreement.

Although some Members did not feel that the proposals equated to a good deal, the recommendations in the report were moved and seconded, and on being voted upon it was:

#### **RESOLVED** that:

- a) the Council pursue a four Year Settlement and provide a supporting Efficiency Plan;
- b) the submission of the efficiency plan attached to the report, along with the MTFP agreed in March 2016, be recommended to Council; and
- c) the Chief Executive and Director of Resources, in consultation with the Leader, be delegated with any presentational changes deemed appropriate before submission.

## **51 LGA LOAN**

The Director of Resources presented the report to Members informing that in June 2016 the Chief Executive had received an email from the Deputy Director of the Local Government Association (LGA), asking Local Authorities if they would be interested in lending to the LGA for the purposes of building refurbishment and at the same time supporting the Municipal Bonds Agency (MBA) in its first market bond in order to fund the loan.

During subsequent discussions a key question had been what an appropriate markup would be for the lending authorities. West Lindsey and Westminster had indicated early on a 1% markup would be sought against the rate obtained from the Public Works Loans Board or the market if supported by the MBA whilst the LGA were of the opinion .5% was more acceptable.

Following initial discussion the following proposal had been received from the LGA:

- a) Borrow between £5m and £10m (total to be borrowed from across LAs was

- £20m).
- b) At a rate equivalent to PWLB or better (if through the MBA) plus a margin.
  - c) The margin expected from the LGA was .5%
  - d) Security would be through a charge on Hayden House currently valued at £25.6m
  - e) The LGA was looking to make arrangements with three or four Authorities.
  - f) Appropriate set up fees should be charged. The bank comparator here was 1% arrangement fee and 1% commitment fee.

The Potential revenue return were set out in the report. In addition there would be the opportunity for a set-up fee depending on the amount loaned.

A further condition of the proposal was that the Authority loaning the money should commit to supporting the first Bond to be issued by the MBA as a way of supporting the MBA in taking its first Bond to market and establish the principle of Local Authorities collectively going to the market for borrowing.

In conclusion the proposal met with WLDC's commitment of being entrepreneurial and commercial although the proposal had not been through our financial modelling at this stage.

The two aspects of the risks involved were set out in the report. If there was support for the proposal then the figures would be run through the financial modelling applied to all projects and Member support sought at the next Commercial Members Steering Group and Corporate Policy and Resources Committee.

Members debated the report briefly, however felt that the return rate of .5% was too low.

It was moved and seconded that the request be refused, and on being voted upon it was:

**RESOLVED** that the loan request from the LGA be declined.

## **52 COMMITTEE WORK PLAN**

It was questioned why there was a report on the LCTS scheduled for the December meeting, if funding was to cease, but verified that the support scheme would still be in existence.

**RESOLVED** that the Work Plan be noted.

## **53 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.

## **54 SUN INN / MARKET STREET REGENERATION**

The Strategic Lead for Economic Development and Neighbourhoods presented Members with a report containing proposals for the refurbishment of the Sun Inn and the regeneration of Market Street.

It was recognised that securing a hotel in Gainsborough should have a positive impact on the town in terms of its regeneration, improving market attractiveness, addressing a known demand for bed spaces and making an economic contribution in terms of new jobs and additional business rates. The Sun Inn had been vacant for over five years despite active marketing and a planning consent for a hotel. The building had been the subject of vandalism and the adjoining Chapel Alley was in a very poor state of repair. The building is located on the corner of Market and North Street and was considered a key gateway into the town centre. Upgrading Market Street would entice footfall from Marshall's Yard into the town centre. Market Street had a number of empty properties and dereliction adjoining the Sun Inn.

In progressing the Gainsborough Regeneration Delivery Plan (GRDP) and in discussions with Historic England to bid for a Townscape Heritage Initiative, officers had lobbied the owners of the Sun Inn to implement the hotel planning consent or refurbish the building. These discussions had resulted in the current proposals to assist in the delivery of the hotel with a ground floor restaurant and the wider regeneration of Market Street to accelerate the delivery of regeneration in the town centre.

The Council's commercial advisors had confirmed that the cost of developing the Sun Inn as a new hotel was higher than the end value, as such there was a viability gap. The Council had acknowledged the need to support commercial development in Gainsborough through the Gainsborough Growth Fund (a grant funding regime) and through the creation of enabling funds for the GRDP. An options appraisal to assess the best way of delivering a new hotel had been undertaken. The conclusion was, given the existing planning consent that the owner was best placed to deliver this project based on their existing land interests, their expertise and vested interest, and to safeguard the Council from development risk.

The options considered included:

- investing in a hotel in an alternative location (eg Old Guildhall site; Thorndyke Way).
- investing in the proposed community hotel.
- the Council acquiring the Sun Inn site and developing a hotel itself.
- the Council acquiring and developing the Sun Inn site with its development partner once they are procured.
- do nothing and leave hotel development in Gainsborough to the market.

In February 2016 both Prosperous Communities and Corporate Policy and Resources committee agreed to the creation of the Gainsborough Regeneration Delivery Plan (GRDP) and a funding strategy including an enabling fund regime to support and deliver regeneration projects. Relevant to the consideration of this report were the proposals around developing the town centre, recognition that commercial development in Gainsborough was not viable without public sector intervention and the establishment of "gap funding" principles.

In July 2016, a special Prosperous Communities and Corporate Policy and Resources committee agreed to seek to procure a Development Partner for WLDC to develop the Council owned sites in the town centre, possibly in addition to the Housing Zone and parts of the Commercial Land and Property Agenda. In recognition of the lack of viability of the town centre sites and Gainsborough, these committees agreed to £5 million of enabling funds to bridge the viability gaps in developing these projects and effectively nil land value.

These decisions acknowledged the need for the Council to work in partnership with the private sector and provide financial support to developers to achieve a minimum return on investment to secure commercial development in the town.

The report therefore contained proposals for how to progress with the development of this area of

Gainsborough.

Lengthy debate ensued with Members agreeing that regeneration of the derelict building was imperative for the regeneration of the surrounding area, however some felt that the financial proposals were not conducive to the Council's budget management. Assurance was given that without the proposed agreement it was unlikely that the work would be undertaken, and the site left to deteriorate further.

Some doubts were expressed about the Value for Money aspect, however the multiplier effect and subsequent increased confidence in the town, whilst difficult to quantify, were likely to be substantial.

Although the majority of Members were, in principle, in agreement with the proposals, reservations were voiced regarding the proposed design, as the hotel was not felt to be architecturally aesthetic or attractive. It was verified that there could be scope for negotiation on design.

Some Members felt that the financial arrangements could be made more favourable to WLDC, however the proposals were felt to be the best option available at the present time. The Heads of Terms contained an overage clause, and there would also be income received from Business Rates, further details of which would be contained in a subsequent report, along with additional Value for Money consideration.

The recommendations within the report were then moved and seconded, and on being voted upon it was:

**RESOLVED** that:

- a) the principle of a grant to the developer pursuant to a Grant Funding Agreement be approved, to deliver the redevelopment of the Sun Inn, which involves the creation of a new 54 bedroom hotel with an independent ground floor restaurant, subject to the approval of the policy principles by Prosperous Communities Committee;
- b) the principle of entering into a 50/50 joint venture company with the developer to facilitate the regeneration of Market Street (including the acquisition of vacant shop units, refurbishment of shop units and environmental improvements to the area) as part of the Gainsborough Regeneration Delivery Plan, be approved subject to the approval of the policy principles by Prosperous Communities Committee; and
- c) authority be delegated to the Chief Executive in consultation with the Chairmen of Corporate Policy and Resources and Prosperous Communities Committees to finalise both the requisite Grant Funding and Joint Venture Agreements (in accordance with the contents of the report and the legal and financial parameters), and to return to both Prosperous Communities and Corporate Policy and Resources Committees for approval prior to the execution of the Grant Funding Agreement and Joint Venture Agreement.

The meeting concluded at 8.23 pm.

Chairman

## WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Challenge and Improvement Committee held in the Council Chamber at the Guildhall, Gainsborough on Tuesday 11 October 2016 commencing at 6.30 pm.

**Present:** Councillor Paul Howitt-Cowan (Chairman)  
Councillor Lewis Strange (Vice-Chairman)  
Councillor Trevor Young

Councillor Stuart Curtis  
Councillor Chris Darcel  
Councillor Pat Mewis  
Councillor Lesley Rollings  
Councillor Angela White

**In Attendance:**

Ian Knowles	Director of Resources
Mark Sturgess	Chief Operating Officer
Alan Robinson	Monitoring Officer
James O'Shaughnessy	Interim Strategic Lead – Transformation
Ady Selby	Team Manager Operational Services
Oliver Fytche-Taylor	Planning Services Team Manager
Katie Coughlan	Governance and Civic Officer

**Also Present:** Councillor Mick Devine  
Councillor Sheila Bibb  
Councillor Matt Boles

**Also In Attendance** Mr John Kingdom, Assistant Head Teacher, QEHS  
Mr David Miller, Principal, TGA

**Apologies:** None received

**Membership:** No substitutes were appointed for the meeting

### 37 CHAIRMAN'S WELCOME AND ANNOUNCEMENT

The Chairman welcomed all those present to the meeting, with a particularly warm welcome extended to guest speakers, Mr John Kingdom, Assistant Head Teacher at QEHS, and Mr David Miller, Principal at TGA.

The Chairman advised that in light of the interest in agenda item 10 (a) – Call-in regarding Gainsborough Market proposals, with the leave of the Committee, it was his intention to vary the order of the agenda. The intention was to hear papers H and G after the presentations from guest speakers, and subsequently return to the remaining agenda items in their order of publication.

### **38 MINUTES**

- (a) Meeting of the Challenge and Improvement Committee held on 1 September 2016 (CAI.25 16/17)

**RESOLVED** that the Minutes of the meeting of the Challenge and Improvement Committee held on 1 September 2016 be confirmed and signed as a correct record.

### **39 MEMBERS' DECLARATIONS OF INTEREST**

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

### **40 MATTERS ARISING SCHEDULE (CAI.19 16/17)**

The Committee gave consideration to the Matters Arising Schedule, setting out the current position of previously agreed actions, as at 3 October 2016.

With regard to the amber action entitled “Sandsfield Lane Playing Field”, the Chief Operating Officer indicated that he was not in a position to update the Committee, but that this action would be updated prior to the next meeting.

It was also noted that the Police and Crime Commissioner had declined the invitation to attend at the next meeting of the Committee. However, Inspector Simon Outen of Lincolnshire and Chris Davidson of Lincolnshire County Council, would be in attendance. Officers were currently organising a separate informal meeting for lead members to meet with the Commissioner, the outcome of which would be fed back to the Committee

**RESOLVED** that the Matters Arising Schedule as at 3 October 2016 be received and noted.

### **40 SCRUTINY OF PUBLIC BODY – SECONDARY SCHOOLS**

In connection with the Committee’s ongoing theme of Youth Unemployment, the Committee had the opportunity to scrutinise the work of a selection of Secondary Schools across the District regarding the support they offered their students in terms of Careers advice. Mr John Kingdom, Assistant Head

Teacher at QEHS, and Mr David Miller, Principal at TGA, were in attendance to answer the Committee's previously prepared questions, by way of presentations and a period of supplementary questioning.

The questions which had been posed were as follows: -

- What steps do you take to ensure relevant career's advice is offered to your pupils and how do you measure its effectiveness?
- What links do you have in place to provide effective work experience for your pupils and what relationships do you have with businesses to provide suitable exposure to employment opportunities for your young people?
- What positive actions do you take to raise the aspirations of all pupils with regard to both academic and vocational qualifications and how do you measure their effectiveness?
- What efforts do you make to track the progress of pupils once they have left school and what use is made of any information you collate?
- What do you think are the key issues facing young people in securing relevant and sustainable education, employment or training opportunities and what more could the education system do to address these?

The Chairman welcomed Mr Kingdom to the meeting and invited him to make his presentation to Members.

Mr Kingdom outlined to the Committee the various activities that were undertaken with students commencing as early as year 8 to demonstrate the multi-faceted approach which was taken. The Committee were advised that the high school had been through the process of applying for the Career Mark, whilst the application was not submitted due to cost, this had proven to be a good audit exercise and confirmation had been received, that the application if submitted would have been successful. This was a useful tool in assessing the effectiveness of the activities offered. Surveys were also undertaken with students as a way of measuring effectiveness and the results used to change the programme going forward. Examples of this were offered.

In response to Members' questions Mr Kingdom outlined the principles of Young Enterprise to the Committee, advising on the opportunities it gave students and the real life experience it offered. The scheme was considered invaluable and offered a good replication of working life.

Mr Kingdom demonstrated to the Committee the positive actions taken to raise the aspirations of all pupils with regard to both academic and vocational qualifications and stressed that boundaries, guidance, rules on behaviours and clear expectations at the outset undoubtedly contributed.



The arrangements in place to provide effective work experience for the pupils were shared with the Committee together with the existing relationships with businesses that were in place to provide suitable exposure to employment opportunities for young people.

In conclusion, Mr Kingdom indicated that the three main things he considered affected pupils' success in securing employment currently were: -

- Lack of suitable employment in the local area.
- Lack of funding for IAG in schools.
- Lack of family support/role models.

Members asked a number of questions of Mr Kingdom and in response were advised that around 75% of the students were from outside of Lincolnshire, the ratio was determined by the County Council, however, as a local Grammar school, any child living in a 9 mile radius and passing their 11+ would secure a place. Struggling children received extra support and the school would not give up on them. The decision to remove a child who was struggling would be parental choice rather than a school suggestion. It was noted that the Grammar school were working more in partnership with TGA and a number of ongoing initiatives aimed at raising aspirations and easing the transition into 6<sup>th</sup> form were outlined. Whilst most students at the high school were given access to mock interviews, not all students were, due to capacity and resources, however the preparation for working life module did cover such matters and all students undertook this.

It was acknowledged that raising aspirations in the absence of key role models was vital if a child was to succeed, both schools outlined to the Committee how this was achieved, with this seeming to be a problem particularly relevant to the young people of the Town. Morning assemblies aimed to motivate and it was acknowledge that exposing young people to as much real life experience as possible was critical in these circumstance.

Mr Miller then made his presentation to the Committee, answering the same questions which had been posed to Mr Kingdom. It was noted that a new behaviour system had recently been implemented, aimed at creating the right setting for working life, this was proving a positive step and noticeable differences were being seen.

He shared with the Committee a raft of initiatives which were in place to raise aspirations and provide students with experience in preparation for working life.

Members suggested that both schools make contact with such groups as Rotary and Probus as they often had people who were willing to volunteer to undertake such activities as mock interviews.

Members were provided with details of the Lumen Project, that was being developed.

It was acknowledged that travel costs and the subsidy levels offered across Lincolnshire did impact on people's choices, and schools continued to lobby on this matter.

All were in agreement that greater data sharing need to be in existence.

In conclusion both schools advised on ways in which the District Council could offer help these included:-

- Taking on Work Experience placements
- Getting involved in Young Enterprise
- Mentoring and Counselling students (currently being undertaken at TGA)
- Identifying businesses that would take students for work experience
- Creation of a careers library within the public sector hub.

Mr Miller placed on record his thanks to the District Council for the support they currently offered and acknowledged that shared working and partnership working brought about benefits for all.

The Chairman thanked Mr Kingdom and Mr Miller for their informative presentations and wished them and their students well for the future.

#### **41 TO VARY THE ORDER OF THE AGENDA**

**RESOLVED** that the order of the agenda be amended as advised by the Chairman in his opening announcements (minute 37 relates)

#### **42 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.

#### **43 CALL-IN REGARDING GAINSBOROUGH MARKET PROPOSALS (CAI.32 16/17)**

The Committee gave consideration to a call-in request received from four Members of the Challenge and Improvement Committee and were requested to determine a way forward in accordance with the agreed process.

Prior to opening the debate, the Director of Resources outlined the call-in process to the Committee as set out in the report.

It was noted that the call-in had been received on 25 September and stated that the four members were of the belief that the decision had not been taken in accordance with the following principles of Article 12

- (e) a presumption in favour of openness
- (f) contribute to the well-being of the area; and
- (g) clarity of aims and desired outcome.

The Committee's role was now to hear evidence from the four signatories supporting the call-in, in order to determine whether they agreed that the decision, taken by the Prosperous Communities Committees in relation to the Gainsborough Market Proposals, was not taken in accordance with the principles stated, and if so set out their recommendations back to Prosperous Communities Committee on how these could be achieved. Alternatively the Committee could decide to not support the call-in and as such the original decision would become effective.

The Monitoring Officer, then read out an extract from the Council's Constitution regarding Members involvement in the call-in during which it was noted that any member who had taken part in the original decision, now under scrutiny, were only permitted to attend this part of the meeting for the purpose of giving evidence and answering questions. They were not permitted to take part in the debate or the vote, best practice would also be for them to remove themselves from the meeting during the debate and vote. Two Members identified themselves as affected. It was stressed that it was important that the Committee firstly heard the evidence from the four Members and any responses offered, prior to entering debate and decision making, in order that the conflicted Councillors did not take part in the decision.

Those signatories to the call-in were then asked to address the Committee during which the following points were noted. There was a belief that the Gainsborough Market was one of the highest priorities for the people of Gainsborough, feedback given to local Councillors from local residents was that they wanted a decent market, thriving town centre and a variety of outlets to make the town an attractive offer. The Councillors were of the view that this matter and a call for action and change had been on the agenda for around 5-6 years and yet the decision made by the Prosperous Communities Committee would not result in change. There was a view that the report on the whole was disappointing, low in terms of aspiration and the option selected, Option 3, offered no real opportunity for future growth, development and change. There was also a view that it did not offer best value nor that it would lead to the best outcomes. It was suggested that some of the other options contained within the report should have been more prevalent as they offered different thinking and that the Trader Co-operative and Market Federation representatives should have been afforded the opportunity to present their business case in full to the Committee.

The blanket statement "Markets are declining" was also disputed by the call-in signatories, again it was suggested that if the Trader Co-operative and Market

Federation representatives had been afforded the opportunity to pitch to the Policy Committee, this would have allowed the Committee to hear about the differing alternative offers which were in operation across the country and seeing successes. A number of local successful markets were cited. It was considered that co-operatives brought with them the buy-in from trader and thus in turn attracted more traders. It was suggested that Council's just did not have the right skills and abilities to operate markets and therefore should be making greater use of such organisations who had the knowledge, networks and resources, to make the market thrive. They were better at managing markets and enforcing the rules, something, that to date some Councillors considered was still not happening. For this reason there was concern that the Business Plan put forward by the co-operative had been shared with the Committee in its entirety, its content had not been discussed.

The call-in signatories expressed concern that the proposed option, Option 3 was a high risk proposal in terms of delivering results, and that the time line to see a cost neutral position was too long. The growth projections were not far reaching enough and the desired end result, seemed to be to achieve a cost neutral market. It was further questioned who had set the objectives, and that the driver appeared to have been money, when in their view it should have been about growth, development, making a contribution to the well-being of the area and encompassed in the wider holistic approach to the regeneration of Gainsborough as a whole.

The signatories urged for greater collaborative work with external organisations, fair open and transparent consultation in order to achieve outcomes for this priority area for local people. It was suggested that TUPE rules were been used as an excuse to rule out a number of options, when creative HR could easily resolve such matters.

The Monitoring Officer advised that TUPE requirements, were part of national employment law, could not be ignored or waived and would be incumbent upon whoever ran the market in the event that it was not the local authority.

A number of questions pursued and Members were reminded that if now having heard from the signatories, they wished to debate the matter and come to a resolution, those conflicted Councillors would not be permitted to take part further.

Note: Councillors Trevor Young and Lesley Rollings, left the Chamber at this point in the meeting, in light of their conflict having taken part in the decision made by the Prosperous Communities Committee and did not return to the meeting

Councillor Strange also left the meeting at this point as he was feeling unwell.

Debate ensued and remaining Members considered the information they had heard. A number of Councillors repeatedly offered alternative solutions that they thought should be investigated. Again the Committee were reminded of

their role. It was not in their gift to decide how the market should be operated. They needed to determine whether having heard the evidence from the signatories, whether they supported the call-in, and if so make recommendations back to the Prosperous Communities Committee on how those principles, identified through the call-in process could be better achieved, those being as set out in Section 1.7 of the report.

Further discussion ensued, with a Member of the Committee being of the view that Option 3 seemed a longer term, common sense approach which was more appropriate. It would also in time address double taxation issues. Furthermore, the comparative Markets which had been offered seemed unfair ones and as such he would not be supporting the call-in.

However others indicated that collaborative and partnership working was important, as well as supporting the principles of Localism, on the face of it growth and development seemed to have been overlooked and the driver appeared to be cost cutting. Whilst Option 3 implied there would be an element of collaborative working going forward, there was view that greater detail of the form this would take was required in order to give assurance that it would result in change.

The Committee sought indication from the Team Manager for Operational Services, as to the detail of Option 3, what if offered and why it had been selected over other options posed.

In response Members were advised that meetings had been held and consultation undertaken with Local Traders, Officers had also met with representatives from the Markets Federation and the proposed Trader Co-operative. A health check of the Market had been undertaken and legal advice sought. This had resulted in 10 options being identified, all of which were detailed in the report and had been appraised against set criteria. This options appraisal had identified Option 3 as the best option to deliver the brief.

The brief being

1. To reduce the subsidy and deliver a cost-neutral market
2. To operate an efficient and effective market; where the rules are enforced, fees are collected, trader enquiries are dealt with promptly and trader satisfaction is high
3. To grow the number of traders and to diversify the 'offer'
4. To improve the appearance of the market by ensuring an attractive stall layout (which is conducive to trade for local businesses as well as traders)
5. To improve the visibility of the market through effective signage and the regeneration of key routes and sites within the town centre
6. To make imaginative use of the Market Place for events and activities alongside and in addition to the street market

The reasons for Option 9 having been dismissed were set out to the Committee and included

- A full competitive tendering exercise would need to be undertaken
- Full consultation would need to be undertaken
- There were capital costs involved
- The Business Plan submitted had not addressed the TUPE issues
- The Business Plan offered no resilience and did not include budgets for replacement equipment

Furthermore the Team Manager advised that Option 3 did aim to address collaborative working and management and enforcement of the market, something it had been acknowledged was lacking in recent years. There was a proposed new post and the remit of which was outlined to the Committee. This was a much wider role with an emphasis on collaboration, one of the key tasks for this new post would be to establish a stakeholder committee, to gather views and engage partners and to investigate alternative options, including some of those which had been suggested throughout the course of the debate, such as flea markets and antique markets.

Officers accepted that the growth aspiration was low but sustainable. This was a longer term, common sense approach which aimed to ensure the safeguarding of the market, with a view to growing the market in collaborative way in coming years. In response to questions Officers were confident that the Market could reach a break-even point in 5 years and that the projections were realistic, yet still challenging given the times, but sustainable.

Members offered further scenarios which they considered should be investigated but were again reminded of their role and the call-in process.

Having heard all of the information on being put to the vote it was

**RESOLVED** that:

- (a) it be agreed that the decision taken by the Prosperous Communities Committee was not taken in accordance with the principles set out in 1.7 of the report, namely: -
- presumption in favour of openness
  - contribute to the well-being of the area; and
  - clarity of aims and desired outcome.

In Light of this it was further **RESOLVED** that: -

- (b) it be **RECOMMENDED** to the Prosperous Communities Committee that: -
- (i) Options 6, 8 and 9 be further reviewed, with a greater emphasis on the growth and development of the market, as the Challenge and Improvement Committee are of the view that they potentially offer

a better contribution to the well-being of the area;  
and

- (ii) they request further detailed information from Officers regarding the nature of the proposed joint committee contained within Option 3, expanding on the nature of this, its makeup and how collaboration growth and development would be achieved, by way of assurance.

#### **44 SCRUTINY OF PUBLIC BODY (COLLEGES AND APPRENTICESHIPS PROVIDERS) IN REGARD TO THE ONGOING INVESTIGATION INTO THE THEME OF YOUTH UNEMPLOYMENT (CAI.31 16/17)**

Members were presented with a briefing paper for consideration, which set out a list of proposed colleges and apprenticeship providers to be invited to attend the December meeting, together with a proposed set of questions, derived from comments previously expressed by Committee, to be put to the providers.

The report suggested that a total of five providers who served the District be invited to respond to the same series of pre-determined questions. It was intended to invite five initially with the prospect that there may be a degree of unavailability. It was Members discretion, as to how many they wished to invite, however the meeting would need to be manageable.

The organisations proposed were considered to represent a good geographical spread across the District and carried a range of offers for young people: vocational, academic and technical.

**RESOLVED** that: -

- (a) All of the organisations listed at Section 2.2 of the report, namely: -

- Lincoln College, Acland Street, Gainsborough
- Gainsborough Foundry, Bridge Street, Gainsborough
- Young and Safe in Gainsborough (YASIG), incorporating Hill, Holt Wood
- John Leggott VI Form College, Scunthorpe
- North Lindsey College of Technology, Scunthorpe
- Retford Post 16 Centre
- Riseholme College, North Carlton
- Lincoln & Gainsborough Adult Training, Lincoln

be invited to attend at the December meeting; and

- (b) the series of questions, as presented, and as detailed in paragraph 3.1 of report CAI.31 16/17, form the basis of the presentations the invited organisations are asked to prepare.

#### **45 TO RESUME IN OPEN SESSION**

**RESOLVED** that the press and public be re-admitted to the meeting and the remaining proceedings be held in open session.

#### **46 DEVELOPMENT MANAGEMENT UPDATE – PERFORMANCE STAFFING, INCOME AND RISKS (CAI.27 16/17)**

Consideration was given to a report which provided members with an update on performance, staffing and fee income in the Development Management Team.

In presenting the report, Officers outlined the service's current performance compared to previous performance, the staffing changes which had been implemented, the level of income being received, one of the highest recorded, and the challenges which faced the service over the coming months.

Members congratulated the Planning Services Team Manager and all Team Members for the work they had undertaken. All recommendations from the Peer review report had been implemented. Agency staff had been replaced with permanent staff and this was welcomed. Subject to further work being required in terms of S106 agreements, Members were very encouraged by performance to date and welcomed the report.

**RESOLVED** that:

- (a) the contents of the report be noted and the continued changes with the Development Management section to sustain an improved service delivery continue to be supported; and
- (b) a final update report be received in 6 months' time, after which time, performance for the service be reported through the usual progress and delivery reporting mechanism.

#### **47 QUESTION AND NOTICE OF MOTION FROM CLLRS YOUNG AND RAINSFORTH CONCERNING:**

1. **TACKLING ANTI-SOCIAL BEHAVIOUR IN ASHCROFT ROAD (QUESTION)**



## **2. OUT OF HOURS RESPONSE TO ANTI-SOCIAL BEHAVIOUR BY WLDC (MOTION) (CAI. 28 16/17)**

In response to a question and motion to Council, a working group of Members had been established by the Challenge and Improvement Committee to investigate the issues raised. It was decided at the group that the issues raised by the question and the motion could be dealt with together as they referred to similar matters.

Consideration was given to a report which set out the result of the investigations into both the question and the motion and which made recommendations around them. The report also outlined the outcome of the review of the “localism service” (community action and community safety) as that had made changes to how these services were delivered and would address some of the issues raised.

The Committee welcomed the report and it was

**RESOLVED** that the recommendations of the south west ward working group be approved, namely :

- (a) That a 24/7 response which is based on the principle of the public reporting incidents of anti-social behaviour 24/7 and getting a response on the next working day be approved;
- (b) ensuring that there is clear guidance on the West Lindsey website which informs residents about the out of hours service the council offers, what people can expect when making use of it and how they will be informed of the outcome of their complaint;
- (c) ensuring that staff are aware of their role when responding to an out of hour’s complaint – including the timescales within which they are required to respond;
- (d) that the statistical analysis of the issues present in the south west ward presented by the chairman of the strategic group be presented to members; and
- (e) that the situation regarding the tackling of anti-social behaviour in South Ward of Gainsborough be kept under review and a further report be submitted to the Challenge and Improvement Committee on improvements made in six months’ time.

## **48 FORWARD PLAN (CAI.29 16/17)**

The Governance and Civic Officer presented a report setting out the items of business due to be considered through the committee system and asked

Members to identify any reports that they wished to be brought before the Challenge and Improvement Committee for pre-scrutiny.

No items were identified.

**RESOLVED** that the Forward Plan be noted

**49 WORK PLAN (CAI.30 16/17)**

The Work Plan for the business of the Challenge and Improvement Committee was presented.

**RESOLVED** that the Work Plan, subject to the inclusion of the two updates requested throughout the course of the meeting (minute 46 and 47) be noted.

The meeting concluded at 9.13 pm

Chairman

**WEST LINDSEY DISTRICT COUNCIL**

MINUTES of a Meeting of the Chief Officer Employment Committee held in the Ancholme Meeting Room at the Guildhall, Gainsborough on Tuesday 18 October 2016 commencing at 4.00pm.

**Present:** Councillor Angela Lawrence (Chairman)  
Councillor Stuart Kinch (Vice-Chairman)

Councillor David Cotton  
Councillor Mick Devine  
Councillor Giles McNeill  
Councillor Judy Rainsforth  
Councillor Jeff Summers  
Councillor Anne Welburn

**In Attendance:**  
Manjeet Gill Chief Executive  
Katie Coughlan Governance and Civic Officer

**Apologies:** Councillor Jackie Brockway

**2 MINUTES (COE.01 16/17)**

**RESOLVED** that the Minutes of the meeting of the Chief Officer Employment Committee held on 9 May 2016 be confirmed and signed as a correct record.

**3 MEMBERS' DECLARATIONS OF INTEREST**

All Members present declared a personal interest, in that they knew the current Commercial Director post holder.

**4 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 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 COMMERCIAL DIRECTOR ROLE (COE.02 16/17)**

Consideration was given to a report which shared with the Committee the career development opportunity that the current Commercial Director had taken and tendered her resignation as a result. The report further summarised the achievements since the Director's appointment in order to help inform future arrangements. Committee were asked to consider the future arrangements for this role, in the context of the future priorities for the Council.

In presenting the report, the Chief Executive outlined to the Committee the history and background to having first created and appointed to the role of Commercial Director.

Current structure charts were circulated and it was noted that the post of Commercial Strategic Lead had never been recruited to. However, recently the Operational Services Team Manager post had been amended to include Trading Services and this post was now working in a much more commercial manner.

The remit of the Commercial Director as defined in 2014 was shared with the Committee, this being to:-

- Develop and implement the Commercial Strategy, developing the capability of the workforce and members to deliver its objectives.
- Deliver the aims and strategic objectives of the land and property programme and ensuring an increased return on capital employed both in financial and physical land and property assets.
- Sponsor and deliver the commercial projects that may generate a financial return or a social return in a more commercial manner.

The Chief Executive briefly summarised what had been achieved in each of these areas, the learning which had been made around land and property, particularly in Gainsborough, and where the organisation as a whole now stood. In this context, the Chief Executive outlined to the Committee, what in her view were the key areas the current post holder was focussing on, these being: -

- Further trading services, in line with the agreed business plan
- Delivering Project X
- £20m investment in commercial property
- Gainsborough's Regeneration, including Development of the Housing Zone, creation of a development partner, Gainsborough Gateway and a number of other large associated regeneration projects.

The current post holder's views had been sought and she was of the view that the post, in its current guise, did not need to be re-appointed to, this view was shared by the Chief Executive and she outlined in detail the suggested alternative proposals she would like to consult the wider organisation on, subject to the Committee's views.

- The Operational Services Manager, in his wider role, would over-see all “trading services”, the Chief Executive outlined some of the additional services which were being explored in this area.
- The Land and Property Agenda would be re-allocated to the Director of Resources and the Strategic Lead for Housing and Regeneration.
- An external project manager would be appointed to oversee Project X , on a design and build basis , with the Council being the intelligent client
- The Strategic Lead for Economic Development and Neighbourhoods was currently leading on a number of aspects of Gainsborough’s Regeneration, including Development of the Housing Zone, creation of a development partner, Gainsborough Gateway and a number of other large associated regeneration projects, in light of this, the Chief Executive proposed, subject to the appropriate consultation, that the Commercial Director role should be merged with the Strategic Lead for Economic Development and Neighbourhoods role, and re-titled the Director of Growth and Regeneration.

The Chief Executive indicated that she did envisage the salary for the new post being an increase on the current salary paid to the Strategic Lead for Economic Development and Neighbourhoods, however the proposal as a whole would save the authority in the region of £30k - £40k. All of the proposals, detailed above, would be subject to a two week consultation period with the organisation, in accordance with adopted policies.

Discussion ensued, and the Vice-Chairman indicated he was supportive of the proposals, the current Strategic Lead for Economic Development and Neighbourhoods had a good mix of private and public sector experience, and was up to speed and involved in all current regeneration and commercial projects. Members commented on the great work she had already undertaken to date and the experience she had shown, particularly in commercial deals.

The Committee acknowledged that the organisation was in a very different position, to that of three years ago. It did not previously have a commercial agenda and associated projects. The role to date had been about building capacity. This had been achieved and there was a view that the organisation was now more fit for purpose, having a number of key commercial activities agreed and financed and thus the focus should now be on delivery. They considered the Chief Executive’s proposals were reflective of this.

In response to some Members’ comments regarding future commercial expansion and the need to maintain momentum, the Chief Executive outlined the coaching and mentoring that was being undertaken with all of her senior managers, to improve and develop trading skills at lower levels of the organisation, and of further plans going forward. A number of the projects that had been approved, to date, were now longer term and would bring in commercial returns year on year.

There was some debate over the proposed title, with alternative suggestions of Director of Growth and Investment or Director of Commercial and Economic

Development being cited. Some Members thought it was still important to retain commercial within the title as this was now part of the Authority's identity.

The Chief Executive summarised the HR process which would need to be undertaken, it was being suggested that any appointment should be subject to a rigorous interview and testing process. This would help identify any development needs and ensure the appropriate investment was made.

The Deputy Leader did have reservations that the proposal did not address the numerous layers within the organisation, which was something that had previously been raised. Concern was also expressed that the role could find themselves overloaded. Finally it was questioned whether the role needed to be at a director level.

In responding the Chief Executive re-iterated which of the current duties were now deemed complete, including the creation of a commercial plan, which duties it was being proposed would be re-aligned, and what remained, by way of assuring Members that there would be capacity.

It was acknowledged that the Committee may need to reconvene in the future, once the budget settlement had been agreed.

Again Members stated that the focus and drive needed to be on delivery and were of the view that the Chief Executive's proposals reflected this. Continuity would be important and in response to concerns regarding retention, it was proposed that the salary offered should be on progressive range with the inclusion of suitable retention measures / clause

On that basis it was

**RESOLVED** that: -

- (a) the Commercial Director be formally thanked for the work she has undertaken on behalf of the Authority since joining in 2014;
- (b) appropriate consultation be undertaken with the organisation on the proposal detailed below, namely that:
  - (i) the Commercial Director role be merged with the Strategic Lead for Economic Development and Neighbourhoods role, in line with the discussions had by the Committee and re-titled "Director of Commercial and Economic Development";
- (c) following the consultation period, the Committee be reconvened in November, to receive the outcome of the said consultation, following which a final decision regarding the post and the next steps will be determined.

## **6 TO AGREE THE NEXT MEETING DATES**

**RESOLVED** that the Committee next meet on the following dates: -

- 14 November 2016 at 3.30 pm
- 9 December 2016 at 9.30 am

The meeting closed at 5.12 pm.

Chairman

# Public Document Pack

Planning Committee- 19 October 2016

## WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 19 October 2016 commencing at 6.30 pm.

**Present:** Councillor Stuart Curtis (Chairman)  
Councillor Ian Fleetwood (Vice-Chairman)

Councillor Owen Bierley  
Councillor Matthew Boles  
Councillor David Cotton  
Councillor Michael Devine  
Councillor Giles McNeill  
Councillor Mrs Jessie Milne  
Councillor Judy Rainsforth  
Councillor Thomas Smith

**In Attendance:**  
Russell Clarkson Principal Development Management Officer  
Ian Elliott Development Management Officer  
Stuart Tym Lincs Legal  
Dinah Lilley Governance & Civic Officer

**Also present** 18 Members of the public

**Apologies:** Councillor Hugo Marfleet  
Councillor Roger Patterson

**Membership:** There were no substitutions

### 44 PUBLIC PARTICIPATION PERIOD

There was no public participation.

### 45 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

Meeting of the Planning Committee held on 21 September 2016.

**RESOLVED** that the Minutes of the meeting of the Planning Committee held on 21 September 2016, be confirmed and signed as a correct record, subject to the amendment that page 39 be corrected to read "8.12 dwellings per acre".

### 46 DECLARATIONS OF INTEREST

Councillor Tom Smith declared a personal interest in item 6a (134578 Middle Rasen) as he was the Ward Member and had assisted on the previous appeal.



## **47 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY**

The Principal Development Management Officer gave reminder that the public examination of the Central Lincolnshire Local Plan had been scheduled to commence on Tuesday 1 November, to be held in Lincoln. The Examination Hearing Programme had previously been circulated and is available on the Central Lincs website (<https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan-examination/>).

## **48 PLANNING APPLICATIONS FOR DETERMINATION**

### **48a 134578 MIDDLE RASEN**

Outline planning application for the erection of up to 47 dwellings together with open space - access to be considered and not reserved for subsequent applications on land North of Old Gallamore Lane, Middle Rasen.

The Principal Development Management Officer informed the Committee that additional comments had been received in support of the application from people who welcomed the possibility of increased availability of housing in the area and benefits of an increased population. A further objection had also been received which stated that the objections to the original application were still applicable.

Mr Tom Smith, agent for the applicant spoke in support of the proposals stating that the previously refused application had been dismissed at appeal only on the grounds of the impact on the nearest neighbours. The concerns were understood and the plans duly revised to increase the separation from existing properties and reduce the number of dwellings, which addressed the concerns raised by the Planning Inspector. With these amendments the proposals were acceptable in principle, the Inspector had previously found there would be little no adverse impact on the character and function of the green wedge. The location was sustainable, drainage/flooding had been addressed and there would be a number of benefits such as contributing to the Five Year Housing Land Supply, attractive open space, affordable housing contribution and economic benefits. No adverse impacts would arise that would significantly and demonstrably outweigh the benefits.

Lesley Bailey spoke in objection on behalf of local residents stating that the site was a green wedge outside of the development boundary as set out in the current West Lindsey Local Plan and also the proposed Central Lincolnshire Local Plan (CLLP). Middle Rasen was designated as a large village in which such levels of growth should be in exceptional circumstances. Other sites locally had proposals for development and there were concerns regarding flooding which impacted on residents' home insurance. Parking was inadequate and impeded access to services, there would be an additional impact on health and policing provision and the traffic increase would be unacceptable, particularly at school times and on race days. There were no exceptional circumstances on which the grant the application.

The Principal Development Management Officer responded that the Police had raised no objections, NHS England recommended a s106 contribution to secure a capital contribution towards increasing local capacity. The CLLP was at examination stage, and still to be tested, so was a material consideration, albeit not yet to attach full weight. Clarification was given on the status of the Five Year Housing Land Supply, which could be demonstrated at

the present time (September 2016 Statement) with 5.26 years.

Members of the Committee discussed the previous refusal at appeal and it was noted that housing numbers had been reduced and a greater setback from existing properties could now be demonstrated. The reasons given for the refusal had been addressed in the application before the committee. The legal adviser advised caution in going against the views expressed by the Planning Inspector.

Members sought further clarification on the private strip of land proposed and questioned its value. The Principal Development Management Officer questioned its necessity and advised that it could be considered at the reserved matters stage. If the Committee felt it was necessary, consideration to its ongoing maintenance/management should be given. The Committee Report proposed a condition to secure single storey only properties neighbouring the western boundary.

Councillor Smith questioned whether local health facilities had the capacity to accommodate the development. The Principal Development Management Officer advised that NHS England had appraised the application, there would be an impact and they proposed a mitigation solution. The applicant was agreeable to making a contribution (S106) to enable this.

Councillor Smith proposed that the application be refused on the grounds of West Lindsey Local Plan policies STRAT1(vi), STRAT1(viii), STRAT5(i), STRAT5(v), STRAT9, STRAT12, STRAT13, RES1, NBE10, NBE20, and Central Lincolnshire Local Plan proposed policies LP2 and LP22.

Further discussion ensued on the settlement break, the Principal Development Management Officer agreed that development would be contrary to saved policies STRAT12 and STRAT13 but advised the Committee to consider the findings of the Government's Planning Inspector in this regard.

It was questioned whether a sequential test for developing within the green wedge could be met, whether the separation strip would be effective, the need for affordable housing within the Parish, whether the site was exceptional to allow such levels of growth, connectivity and accessibility to Middle Rasen services, the flood risk and the overall sustainability of the proposals.

It was considered that the reduced quantum of housing would reduce the social and economic benefits previously considered by the Inspector. Substantial changes to ground levels to mitigate flood risk would reduce environmental strand. The sustainability of the site was therefore diminished.

Officers sought further demonstration as to the reasoning behind a refusal on the quoted policies, and advised as to which would not be appropriate. It was clarified the concerns were with residential amenity, encroachment into the open countryside and green wedge, and the scale of development being proposed in this location.

A motion was upheld to remove policies NBE10 and NBE20 from the reasons for refusal.

It was therefore moved and seconded, and on being voted upon it was **AGREED** that the

application be **REFUSED** for the reasons as set out below:

1. The development would have an unduly adverse effect upon the amenities enjoyed at neighbouring properties, contrary to the provisions of the West Lindsey Local Plan (First Review), in particular saved policies STRAT1 (vi) (viii) and RES1.
2. Development would result in a significant encroachment into open countryside on a green field site. It would detract from the open rural character of this undeveloped land forming a break between settlements. Development would be contrary to the provisions of the West Lindsey Local Plan First Review) in particular saved policies STRAT1(vi), STRAT5(v), STRAT9, STRAT12 and STRAT13, and would be contrary to policy LP22 of the submitted Central Lincolnshire Local Plan.
3. The development would result in an unsustainable amount of development for the village, in exceedance of the levels of development envisaged by saved policy STRAT5 of the West Lindsey Local Plan (First Review) and policy LP2 of the submitted Central Lincolnshire Local Plan.

#### **48b 133568 SAXILBY**

Retrospective planning application for change of use of field to woodyard for log cutting and amendment to 3 sided cutting shed to incorporate amendments made on site, including bio mass unit at Orange Farm, Sykes Lane, Saxilby.

The Development Management Officer informed the Committee of a number of additional representations received. The Ward Member Councillor Brockway had submitted further representation and also Parish Councillor Patrick Nicholson, however it was noted that Mr Nicholson's comments were his own opinion as opposed to the views of the Parish Council. It was also noted that the pending enforcement action was on hold whilst the retrospective application was determined.

Mrs Colley, speaking on behalf of the applicant, addressed the Committee, stating that the application for Change of Use following complaints about noise, had been granted, however this did not include the biomass unit, as information had been given by the manufacturer stating that permission would not be required. The unit provided employment for a number of people and whilst there had been some amounts of odour and smoke it did not constitute a statutory nuisance. As many as 26 visits had been made by Environmental Health officers. There had been no improper use and all records were available. The applicant's family lived closest to the boiler, and the nearest neighbour, closer than the complainant, had raised no issues.

Mr Andrew Argyle spoke in objection to the application and raised issues such as: the principle of development, which was not felt essential to the needs of forestry; the employment of six people for which he had seen no evidence; that the boiler added to a carbon footprint, not reduced it; the impact on residential amenity; and air pollution which was documented in complaints from neighbours, and will have an impact on the local riding school which may have to close. Mr Argyle stated that the nuisance from the smoke and odour restricted the use of outdoor space, and even penetrated open bedroom windows. Sore throats and stinging eyes were also experienced.

Councillor Brockway addressed the meeting as Ward Member, stating that there were serious concerns and had seen for herself the smoke which covered all the local area and impacted on residents, and was concerned that Environmental Health officers had not witnessed the evidence. Biomass was detrimental to health due to chemical pollutants, which could be invisible, and such

installations were often refused near to housing. It was claimed that the applicant was not using the equipment according to manufacturers' instructions as the outdoor storage of wood altered the burn of the fuel and caused more pollutants than a gas system. There had been complaints from the equestrian centre which was used by clients with special needs, and was detrimental to the horses. Fuel was brought in in by road and there were highways issues where there was no room for passing places as requested. The planning conditions were being breached and causing distress to residents. Cllr Brockway asked the Committee to consider a site visit prior to determining the application.

The Development Management Officer clarified that Highways Officers had requested the passing places, however it had not been considered a reasonable request.

Members briefly debated the views that had been heard from both sides and felt that it would be useful to undertake a site visit to assess the situation for themselves, in terms of residential amenity, location, noise and impact on the countryside. It was therefore moved and seconded and on being voted upon it was **AGREED** that a **SITE VISIT** be undertaken at a time and date to be agreed.

#### **49 DETERMINATION OF APPEALS**

**RESOLVED:** that the determination of appeals be noted.

The meeting concluded at 8.17 pm.

Chairman

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## WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Prosperous Communities Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 25 October 2016 commencing at 6.30 pm.

**Present:** Councillor Sheila Bibb (Chairman)  
Councillor Gillian Bardsley (Vice-Chairman) and Councillor Steve England (Vice-Chairman)

Councillor Owen Bierley  
Councillor Michael Devine  
Councillor Paul Howitt-Cowan  
Councillor Mrs Jessie Milne  
Councillor Malcolm Parish  
Councillor Thomas Smith  
Councillor Trevor Young  
Councillor Matthew Boles  
Councillor Christopher Darcel

**In Attendance:**  
Ian Knowles Director of Resources and S151 Officer  
Eve Fawcett-Moralee SL - Economic Development and Neighbourhoods  
Ian Knowles Director of Resources and S151 Officer  
Ady Selby Operational Services Team manager

**Also Present** Councillor Jeff Summers  
Councillor Lewis Strange  
Councillor Angela White

**Apologies:** Councillor Mrs Diana Rodgers  
Councillor Lesley Rollings

**Membership:** Councillor Darcel substituted for Councillor Rodgers  
Councillor Boles substituted for Councillor Rollings

### 44 PUBLIC PARTICIPATION

Cllr Lewis Strange had attended the meeting to pose a question under Public Participation.

“Further to my request at Council that Prosperous Communities Committee to look again at the implementation of parking charges in Market Rasen, you will realise that I think this is wrong at a time when Market Rasen traders who pay business rates are having such a very tough time. The argument that we have to be cost neutral across the district hardly stands up when you think about the amount the Council spends propping up Gainsborough market. However, much against my feelings as vice chair

of your committee last year, the officer led decision, I believe, was imposed. I have no idea if any members of that committee or officers shopped in Market Rasen, but I do some of my shopping there and I know how difficult it is to survive as a business. I had a restaurant in Brigg that lost its lunchtime trade when North Lincs brought in car parking charges some 10 years ago. The result was the closure of a restaurant that had won the Taste of Lincolnshire award two years previously. I am therefore asking the committee to look again positively, and also before the review in six months' time at adopting North Lincolnshire's parking policy where anyone may park for two hours at any time of the day free of charge. This current idea of one hour charge of 30p is of course tiny, but it is not, if the chemist has caused you to be 10 minutes late back to your car and the warden has slapped a ticket for a £50 fine on your car. The idea of free parking in the afternoon after 3pm is not welcome either if you have just collected tired and irritable children from pre or primary school. Finally I ask committee why have East Lindsey removed car park charges in the towns around the authority apart from the coastal strip. Ask the traders in Louth today if the increase in trade they are experiencing compared with two years ago. And why is Brigg booming since the free two hour parking scheme was brought in.  
Thank you Madam Chairman"

The Chairman replied that Councillor Strange would be responded to in writing.

#### **45 MINUTES OF PREVIOUS MEETING**

**RESOLVED** that the minutes of the Meeting of the Prosperous Communities Committee held on 13 September 2016 be confirmed and signed as a correct record.

#### **46 MATTERS ARISING SCHEDULE**

Members gave consideration to the Matters Arising Schedule which set out the current position of all previously agreed actions as at 17 October 2016.

The Governance and Civic Officer noted that one item was showing as black as being completed. One of the green items was not yet due for completion and the other green item's status was not known, so would carry forward to the following meeting.

Councillor Smith, referring to the item on Market Rasen car parking, requested that consultation also be undertaken with stakeholders as well as Ward Members.

**RESOLVED** that progress on the Matters Arising Schedule, as set out in the report be received and noted.

#### **47 MEMBERS' DECLARATIONS OF INTEREST**

Councillor Bierley declared a personal interest in item 6a as he was the Council's representative on Age UK Lindsey and also Trustee for the charity.

Councillor Bierley also noted that some of the later items on the agenda could potentially lead to planning applications, and questioned the position of members of the Planning Committee in terms of declarations of interest. It was verified that these would be dealt with

as and when the items arose at the Planning Committee.

Debate ensued as to the position of members of the Challenge and Improvement Committee in terms of voting on the Call-in item. The Director of Resources stated that as the Constitution stipulated that Members of the decision making Committee could not take part in the decision at the Scrutiny Committee, therefore, although the Constitution did not clarify the matter it was assumed that the matter would be reciprocated in reverse and that Members who took part in the decision to call the item in should not vote on the matter at this Committee. Councillor Young stated that as the Constitution was silent, then he should be allowed to take part and vote, however the Director of Resources clarified that as Councillor Young had stepped aside from the Scrutiny Committee for consideration of the item this would not apply to him and he would be able to vote. Councillor Young stated that the rules around Call-in needed to be clarified in the Constitution, and Councillor Howitt-Cowan said that he had spoken to the Chairman of the Governance and Audit Committee requesting that the Constitution be made more clear in this matter. The Director of Resources said that the interpretation was that the rule should be reciprocated across the Committees, however if Members did not feel that this was appropriate they be allowed to vote and the Constitution be clarified.

#### **48 GP / HOSPITAL / AMBULANCE PROVISION - SCOPE PAPER**

The Director of Resources introduced the paper and set out the background in which Members were minded to set up a commission to examine the state of health services in the District. In order to achieve this it was proposed to request Challenge and Improvement Committee to set up this commission and carry out the investigation in accordance with the draft brief attached as appendix.

Councillor Bierley stated that the starting point was the long term health and wellbeing of the whole district, and noted that 'soft issues' such as health walks etc were the primary target for funding cuts but which had a big impact on health. The Council could assist in such issues, with initiatives like the recent defibrillator and stairlift programmes. The work would repay itself, particularly with positive engagement with the 3<sup>rd</sup> sector.

Councillor Young requested that the recent reduction in funding to pharmacies be included within the scope of the commission. Councillor Howitt-Cowan, Chairman of the Challenge and Improvement Committee assured Members that the study would look at the whole district and not just urban areas.

**RESOLVED** that the brief (attached as an appendix to the report) for the proposed Health Commission be agreed and the Challenge and Improvement Committee be requested to carry out the investigation and report back to the Prosperous Communities Committee with recommendations.

#### **49 SCOTHERN NEIGHBOURHOOD PLAN**

Councillor Steve England informed the Committee that the Scothern Neighbourhood Plan examiner had stated that the report would now not be published for another two weeks as more information was needed. Therefore, it was proposed that the item be deferred.



**RESOLVED** that consideration of the Scothern Neighbourhood Plan be deferred to a future meeting.

## **50 WORK PLAN**

The Governance and Civic Officer noted that the Scothern Neighbourhood Plan would now be a further item to be included in the Work Plan.

Discussion took place on the Broadband provision for the area and it was felt that residents had been misled and given the wrong advice, and that West Lindsey's Current arrangement was jeopardising the provision by BDUK, however the report due for the December meeting was to be an update on the current situation. The Director of Resources stated that discussions were ongoing with BDUK and providers. Overbuild was tied in with European funding and State Aid rules. It was generally felt that there were still significant problems in rural areas.

**RESOLVED** that the Work Plan be noted.

## **51 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

## **52 DEVELOPMENT PARTNERSHIP - POSITION UPDATE**

The Strategic Lead for Economic Development and Neighbourhoods introduced the report which sought approval for the procurement of a development partner to assist the Council in the implementation of Gainsborough's Regeneration Delivery Plan.

Initially, this would include the development of the Council assets in Gainsborough town centre and potentially deliver the Council's wider housing plans for Gainsborough, namely the Housing Zone agenda with the Homes and Communities Agency and assist in the delivery of the Urban Extensions.

The procurement process was being conducted in accordance with the competitive dialogue procedure for complex projects (pursuant to Regulation 30 of the Public Contracts Regulations 2015) which allowed development and financial solutions to be fully considered and refined with a shortlist of pre-qualified developers. A key benefit of this procedure was the ability to commence the dialogue with a long list of sites/projects and test the cohesiveness and viability of "the preferred solution".

The procurement of a development partner was integral to the delivery of the Council's corporate regeneration and commercial agendas (approved by the Council in March 2016). Specifically, it would ensure that the Council's objectives to achieve economic and housing growth were realised, maximising the use of the Council's asset base and enabling funds to create an appropriate financial return to the Council.

Stage one, the formal market testing of the procurement scope of the project had been

completed and a Memorandum of Information had been prepared to respond to the feedback to further improve the attractiveness of the opportunity to the market.

The next stage of the project is to publish an Official Journal of the European Union (OJEU) notice and invite developers to submit a Pre-Qualification Questionnaire (PQQ). The PQQ would be evaluated in accordance with the pre-disclosed evaluation criteria and this would predominantly focus on financial standing and proven relevant experience of delivering similar complex development projects.

Twelve companies had attended developer meetings and there was interest from some leading organisations, who understood the marginality of Gainsborough, and feedback had been positive. The Memorandum of Information (MOI) was attached as Appendix 2 of the report and outlined in further detail the procurement scope and objectives of the project.

It was questioned why the Devolution agenda had caused the stalling of the Starter Homes funding bid, however it was clarified that this was more about Brexit than Devolution and that the Strategic Lead for Economic Development and Neighbourhoods was lobbying hard for the area and was in discussion with the Housing and Communities Agency.

Members asked why the focus was so heavily directed towards housing and service provision such as leisure and retail when work and employment were the wealth creators. Dormitory settlements were not wanted, jobs and industry were needed. The Strategic Lead for Economic Development and Neighbourhoods stated that the housing target was from the Central Lincolnshire Local Plan and that the only currently available government funding was for housing. The target was a current reflection of the economic growth for Lincolnshire.

The Committee thanked the Strategic Lead for Economic Development and Neighbourhoods for her work on the project and her efforts to get brownfield land developed in Gainsborough, and the recommendations were moved and seconded en bloc.

On being voted upon it was **RESOLVED** that:

- a) the OJEU notice and Memorandum of Information (MOI) that set out the scope of the procurement for the Development Partner in Appendix 1 and 2 of the report be approved; and it be noted how the OJEU Notice and MOI have been augmented to respond to the market feedback received from the market following the publication of a Prior Information Notice;
- b) the Pre-Qualification Questionnaire and related evaluation criteria in Appendix 3 of the report be approved, to enable a minimum shortlist of three bidders to be selected to work up outline solutions;
- c) agreement for the project in line with the process and timeframe agreed on 14 July, be approved to progress to the next key committee milestones;
  - prior approval of the Invitation to Submit Outline Proposals ("ISOP") and Invitation to Submit Detailed Solutions ("ISDS") documents to be released to the shortlisted bidders; and - prior to selection of the preferred bidder; as detailed in section 4 of the report.

### **53 SUN INN RE-DEVELOPMENT AND MARKET STREET REGENERATION**

The Strategic Lead for Economic Development and Neighbourhoods introduced the report which had been agreed in principle by the Corporate Policy and Resources Committee.

It was recognised that securing a hotel in Gainsborough should have a positive impact on the town in terms of its regeneration improving market attractiveness, addressing a known demand for bed spaces and making an economic contribution in terms of new jobs and additional business rates. The Sun Inn had been vacant for over five years despite active marketing and a planning consent for a hotel. The building had been the subject of vandalism and the adjoining Chapel Alley was in a very poor state of repair. The building was located on the corner of Market and North Street and was considered a key gateway into the town centre. Upgrading Market Street would entice footfall from Marshall's Yard into the town centre. Market Street had a number of empty properties and dereliction adjoining the Sun Inn.

In progressing the Gainsborough Regeneration Delivery Plan (GRDP) and in discussions with Historic England to bid for a Townscape Heritage Initiative, officers had lobbied the owners of the Sun Inn to implement the hotel planning consent or refurbish the building. These discussions had resulted in the current proposals to assist in the delivery of the hotel with a ground floor restaurant and the wider regeneration of Market Street to accelerate the delivery of regeneration in the town centre.

The Council's commercial advisors had confirmed that the cost of developing the Sun Inn as a new hotel was higher than the end value, as such there was a viability gap. The Council had acknowledged the need to support commercial development in Gainsborough through the Gainsborough Growth Fund (a grant funding regime) and through the creation of enabling funds for the GRDP. An options appraisal to assess the best way of delivering a new hotel here had been undertaken. The conclusion had been given the existing planning consent that the owner was best placed to deliver this project based on their existing land interests, their expertise and vested interest, and to safeguard the Council from development risk.

Lengthy debate ensued with Members expressing differing views as to the desirability of the project and whether this was the best use of the Council's resources. Further clarification on any potential investment return was sought, and it was acknowledged that the most significant return would be from the multiplier effect and subsequent regeneration of a rundown area of the town. There were clauses built into the agreement which could realise a financial return in due course, and there would also be the receipt of business rates.

The Strategic Lead for Economic Development and Neighbourhoods stated that the Council was fortunate to have secured a hotel chain which had agreed to site in Gainsborough at such a strategic location which was a gateway to the town. Some Members, whilst supportive of the hotel in principle, still had reservations regarding the use of tax payers' money and the public perception of this.

The Strategic Lead for Economic Development and Neighbourhoods assured Members that the form of grant proposed was normal practice and completely legal and that without the proposed offer Gainsborough was not a viable opportunity to attract other investors. The Council had to think boldly if it wanted quality, and the proposals reflected a wider view of

regeneration, which it was suggested could be extended further into town to encompass the Market Place. A number of other investment examples were cited as demonstrations of both good and poor outcomes.

It was moved and seconded that the recommendations in the report be agreed en bloc, and on being voted upon it was:

**RESOLVED** that:

- a) the principle of the redevelopment of the Sun Inn, which involves the creation of a new 54 bedroom hotel with an independent ground floor restaurant, in accordance with the wider regeneration strategy for Gainsborough, (to be funded in accordance with resolution passed at Corporate Policy and Resources Committee on 22 September 2016) be supported;
- b) the entering into a 50/50 joint venture company with the developer to facilitate the regeneration of Market Street (including the acquisition of vacant shop units, refurbishment of shop units and environmental improvements to the area) as part of the Gainsborough Regeneration Delivery Plan, be approved; and
- c) authority be delegated to the Chief Executive in consultation with the Leader and Chairman of Prosperous Communities Committee to finalise both the requisite Grant Funding and Joint Venture Agreements (in accordance with the contents of this report and the legal and financial parameters), and to return to both Prosperous Communities and Corporate Policy and Resources Committees for approval prior to the execution of the Grant Funding Agreement and Joint Venture Agreement.

**Note:** Councillors Milne and Smith requested that it be noted that they had voted against the recommendations.

## **54 POTENTIAL PROPERTY ACQUISITION**

The Strategic Lead for Economic Development and Neighbourhoods set out the rationale for the proposed acquisition of a property in the town.

The acquisition of the site was envisaged in the Gainsborough Regeneration Delivery Plan (GRDP) on the basis of its strategic location (relationship with the historic fabric of the town and Housing Zone designation in addition to the forthcoming master planning work to secure the town's second Housing LDO), considered by members of the Prosperous Communities and Corporate Policy Resources committee in February. In addition the potential to incorporate the site into the Development Partnership project to provide contingency retail and car parking spaces was outlined to the special committee meeting of both committees in July.

Council control of the site would enable the redevelopment of the town centre sites in its ownership, specifically the former Guildhall and in the longer term high quality redevelopment to housing and mixed-use to support the Council's regeneration objectives.

The financial details were set out in the report along with the appended Heads of Terms.

A number of questions were raised about associated car parking provision, which were clarified for the Committee, and it was again questioned as to why the focus was on housing and leisure, when there were already allocated housing sites in the town which were not currently being progressed.

The recommendations in the report were proposed and seconded en bloc and on being voted upon it was:

**RESOLVED** that:

- a) it be recommended to the Corporate Policy and Resources Committee that Capital Funds be released for the acquisition of the site as set out in the report as part of the Gainsborough Regeneration Delivery Plan;
- b) it be recommended to the Corporate Policy and Resources Committee that the resource implications detailed in the report be approved; and
- c) the Heads of Terms attached to the report for the above transactions be approved and officers be instructed to complete the purchase and sale in line with these terms by a long stop date of March 2017.

## **55 MANAGED WORKSHOP PROVISION**

The Strategic Lead for Economic Development and Neighbourhoods presented a report seeking consideration of a proposal for the Council to take a head lease for a complex of industrial units, with a development team to build the units and sell these to businesses on a freehold basis.

The development team had identified a need and demand for leasehold units in the area, to cater for smaller, start-up businesses who were not yet in a position to purchase their own premises. This was a need that had also been identified by the Council.

The typical tenant for this sort of accommodation was a new start-up business with limited financial backing and the need for flexibility. In these circumstances, most tenants required short term 'easy in - easy out' leasehold arrangements which, from an investment perspective, undermined the reliability of the income stream and made it difficult to secure affordable finance to cover the cost of constructing the units.

The predicted cash flow summary and development appraisal summary were appended to the report.

Members welcomed the initiative, both to provide industrial units, to assist employment prospects, and also the fact that the proposals were for a settlement outside of Gainsborough, for which the local Neighbourhood Plan was supportive.

The recommendations were then moved, seconded and voted upon.

It was therefore **RESOLVED** that:

- a) it be recommended that the Corporate Policy and Resources Committee,

- approve, in principle, the taking of a head lease for a complex of industrial units on the site as set out in the report; and
- b) authority be delegated to the Director of Resources, in consultation with the Chair of Corporate Policy and Resources Committee for the negotiation and the final decision to approve the detailed commercial legal terms and the signing of the head lease.

**Note:** Councillor Darcel declared a personal non-pecuniary interest in that he used to be employed by one part of the development team.

## **56 GAINSBOROUGH MARKET CALL-IN**

The Chairman stated that the report on the proposals for Gainsborough Market had been brought back to the Committee for reconsideration on the recommendation of the Challenge and Improvement Committee, and proposed that the Committee vote on the item without discussion.

The Chairman then proposed that option 1 be agreed, this was seconded and on being voted on it was:

**RESOLVED** to accept the recommendations from Challenge and Improvement Committee and commission officers to further develop the options specified and provide more detail on the nature of the proposed joint committee outlined in Option 3 and present their findings back to a future meeting of the Prosperous Communities Committee.

The meeting concluded at 8.41 pm.

Chairman

## **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 27 October 2016 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 Giles McNeill  
Councillor John McNeill

**In Attendance:**

Ian Knowles Director of Resources and S151 Officer  
Steve Anderson Information Governance Manager  
Jo Walker Team Manager Projects and Growth  
Dinah Lilley Governance and Civic Officer

**Apologies:** Councillor David Cotton  
Councillor Tom Regis  
Councillor Reg Shore

**Membership:** Councillor Giles McNeill substituted for Councillor Regis

### **55 PUBLIC PARTICIPATION PERIOD**

There was no Public Participation

### **56 MINUTES OF PREVIOUS MEETINGS**

#### **56a CORPORATE POLICY AND RESOURCES COMMITTEE**

**RESOLVED** that the minutes of the Corporate Policy and Resources Committee held on 22 September 2016 be confirmed and signed as a correct record.

#### **56b JOINT STAFF CONSULTATIVE COMMITTEE**

**RESOLVED** that the minutes of the Joint Staff Consultative Committee held on 8 September 2016 be noted.

## 57 DECLARATIONS OF INTEREST

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

## 58 MATTERS ARISING SCHEDULE

The Governance and Civic Officer presented the Matters Arising Schedule which showed two items, one of which was black as being complete – the Acquisition of a Commercial Property was an agenda item for this meeting, and the green item was for inclusion in the Progress and Delivery Report for submission at the following meeting.

**RESOLVED** that the Matters Arising Schedule as at 19 October 2016 be noted.

## 59 INTRODUCTION OF INFORMATION GOVERNANCE POLICIES

The Information Governance Manager introduced the report which sought approval for new policy documents to support the Council's compliance with information-related legislation.

The Council has, over many years, developed and maintained a framework of policies relating to Information Compliance, Information Rights, and Information Security. The report introduced three new policy documents.

- **Information Governance Policy** which demonstrated the Council's commitment to protecting and managing information securely and effectively and to reducing the risks to the Confidentiality, Integrity, and Availability of its information assets.

The Policy set out how the Council would organise its activities around six strands to achieve the objectives of information governance:

1. Risk Management;
2. Key Policies;
3. Information Governance Roles and Responsibilities;
4. Key Bodies;
5. Staff Information Security Awareness; and
6. Information Security Incident Management.

The Policy described, at a high level, the key elements within these six governance strands and ensured continuous improvement of the whole function by mandating an Information Governance Improvement Plan. This plan would be monitored and progressed by the Corporate Information Governance Group (CIGG) and reported to GCLT six-monthly.

- **Legal Responsibilities Policy** - There was a plethora of legislation and regulations governing how information must be collected, protected, and managed. The Legal Responsibilities Policy listed the relevant legislation and outlined the risks to the Council (and in some cases, individuals) for failing to comply.



The Policy set out in general terms what the Council and its employees needed to do to comply with each piece of legislation. It was not intended to be a comprehensive reference of information law but it did demonstrate that the Council understood the legal framework in which it operated and was working to manage the risks to itself, its employees and partners, and its customers.

**Information Sharing Policy** - As a Data Controller under the Data Protection Act 1998 (DPA), the Council was responsible to its staff and citizens for processing and protecting vast amounts of their personal information. Often, there were sound business reasons or the need to comply with legislation to share this information with other agencies or partners.

The Chairman of the Governance and Audit Committee informed Members that the Council had received a low assurance on cyber security and it was important that the proper policies were in place to ensure good protection. He therefore welcomed the policies and moved the recommendations.

The proposed recommendations were then seconded and voted upon and it was:

**RESOLVED** that:

- a) the Information Governance Policy, Legal Responsibilities Policy and Information Sharing Policy for formal adoption be approved; 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 chairman of the Corporate Policy and Resources committee and chairman of Joint Staff Consultative Committee.

## **60 COMMITTEE WORK PLAN**

The Director of Resources informed Members of the Committee of a number of updates to the Work Plan. The Debt Collection item was not a matter for decision so would be circulated for Members' information. A further item of a Development Loan was to be included on the next agenda, some information of which would be confidential and circulated on pink paper.

**RESOLVED** that the Work Plan be noted.

## **61 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.

## **62 PROCUREMENT OF A DEVELOPMENT PARTNER FOR WLDC**

The Director of Resources and Team Manager Projects and Growth introduced the report which sought approval for the procurement of a development partner to assist the Council in

the implementation of Gainsborough's Regeneration Delivery Plan.

Initially, this would include the development of the Council assets in Gainsborough town centre and potentially deliver the Council's wider housing plans for Gainsborough, namely the Housing Zone agenda with the Homes and Communities Agency and assist in the delivery of the Urban Extensions.

The procurement process was being conducted in accordance with the competitive dialogue procedure for complex projects (pursuant to Regulation 30 of the Public Contracts Regulations 2015) which allowed development and financial solutions to be fully considered and refined with a shortlist of pre-qualified developers. A key benefit of this procedure was the ability to commence the dialogue with a long list of sites/projects and test the cohesiveness and viability of "the preferred solution".

The procurement of a development partner was integral to the delivery of the Council's corporate regeneration and commercial agendas (approved by the Council in March 2016). Specifically, it would ensure that the Council's objectives to achieve economic and housing growth were realised, maximising the use of the Council's asset base and enabling funds to create an appropriate financial return to the Council.

Stage one, the formal market testing of the procurement scope of the project had been completed and a Memorandum of Information had been prepared to respond to the feedback to further improve the attractiveness of the opportunity to the market.

The next stage of the project is to publish an Official Journal of the European Union (OJEU) notice and invite developers to submit a Pre-Qualification Questionnaire (PQQ). The PQQ would be evaluated in accordance with the pre-disclosed evaluation criteria and this would predominantly focus on financial standing and proven relevant experience of delivering similar complex development projects.

Twelve companies had attended developer meetings and there was interest from some leading organisations, who understood the marginality of Gainsborough, and feedback had been positive. The Memorandum of Information (MOI) was attached as Appendix 2 of the report and outlined in further detail the procurement scope and objectives of the project.

**Note:** Councillor Giles McNeill sought clarification that the Gainsborough LDO was included in the scheme and on this being affirmed declared a personal interest in that he knew one of the architects involved.

It was pointed out that the report stated that the project would be led by the Commercial Director. Given her imminent departure assurance was sought that appropriate management would remain in place, this was affirmed as being in process.

The report had been considered and welcomed by the Prosperous Communities Committee, and Members urged that the project be expedited as soon as possible.

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

**RESOLVED** that:

- a) the OJEU notice and Memorandum of Information (MOI) in Appendix 1 and 2 of

the report, that set out the scope of the procurement for the Development Partner be approved; and it be noted how the OJEU Notice and MOI have been augmented to respond to the market feedback received from the market following the publication of a Prior Information Notice;

- b) the Pre-Qualification Questionnaire and related evaluation criteria in Appendix 3 be approved, to enable a minimum shortlist of 3 bidders to be selected to work up outline solutions.
- c) the project be progressed in line with the process and timeframe agreed on the 14<sup>th</sup> of July, to the next key committee milestones;
  - prior approval of the Invitation to Submit Outline Proposals ("ISOP") and Invitation to Submit Detailed Solutions ("ISDS") documents to be released to the shortlisted bidders; and
  - prior to selection of the preferred bidder; as detailed in section 4 of the report.

### **63 MANAGED WORKSHOP PROVISION**

The Team Manager Projects and Growth presented a report seeking consideration of a proposal for the Council to take a head lease for a complex of industrial units, with a development team to build the units and sell these to businesses on a freehold basis.

The development team had identified a need and demand for leasehold units in the area, to cater for smaller, start-up businesses who were not yet in a position to purchase their own premises. This was a need that had also been identified by the Council.

The typical tenant for this sort of accommodation was a new start-up business with limited financial backing and the need for flexibility. In these circumstances, most tenants required short term 'easy in - easy out' leasehold arrangements which, from an investment perspective, undermined the reliability of the income stream and made it difficult to secure affordable finance to cover the cost of constructing the units.

The predicted cash flow summary and development appraisal summary were appended to the report.

Members welcomed the proposals and noted that a similar scheme had been established in North Kesteven, for which there had been a high demand. Success with the scheme could be replicated elsewhere. It was again noted that the proposals have been considered and approved by the Prosperous Communities Committee.

The length of the lease term and the potential returns were discussed and it was questioned whether there would be a break clause should the scheme not prove viable. Assurance was given that legal advice was being sought to procure the best deal for West Lindsey District Council.

The project would be managed by an agent on a day to day basis, and overseen by the Property or Growth team within the Council.

The recommendations were then moved, seconded and voted upon.

**RESOLVED** that:

- a) the principle of the taking of a head lease for a complex of industrial units be approved;
- b) delegation be given to the Director of Resources, in consultation with the Chair of Corporate Policy and Resources Committee for the negotiation and the final decision to approve the detailed commercial legal terms and the signing of the head lease.

## **64 POTENTIAL PROPERTY ACQUISITION**

The Team Manager Projects and Growth set out the rationale for the proposed acquisition of a property in the town.

The acquisition of the site was envisaged in the Gainsborough Regeneration Delivery Plan (GRDP) on the basis of its strategic location (relationship with the historic fabric of the town and Housing Zone designation in addition to the forthcoming master planning work to secure the town's second Housing LDO), considered by members of the Prosperous Communities and Corporate Policy Resources committee in February. In addition the potential to incorporate the site into the Development Partnership project to provide contingency retail and car parking spaces was outlined to the special committee meeting of both committees in July.

Council control of the site would enable the redevelopment of the town centre sites in its ownership, specifically the former Guildhall and in the longer term high quality redevelopment to housing and mixed-use to support the Council's regeneration objectives. The financial details were set out in the report along with the appended Heads of Terms.

The Director of Resources suggested that Recommendation 3 be amended to specify the officers responsible for completion of the purchase and sale.

Members of the Committee moved and seconded that delegation be given for negotiations to be undertaken by the Director of Resources following consultation with the Chairman of the Policy and Resources Committee.

**RESOLVED** that Recommendation 3 be amended to read:

"3. That Members approve the attached Heads of Terms for the above transactions and delegated authority be given to the Director of Resources following consultation with the Chairman of the Policy and Resources Committee to complete the purchase and sale in line with these terms by a long stop date of March 2017."

The amended recommendations in the report were proposed and seconded en bloc and on being voted upon it was:

**RESOLVED** that:

- a) the release of Capital Funds to acquire the property as described in the report, as part of the Gainsborough Regeneration Delivery Plan, be approved;

- b) the appropriate revenue budgets as detailed within the report be approved;  
and
- c) the Heads of Terms for the above transactions attached to the report be approved, and authority be delegated to the Director of Resources following consultation with the Chairman of the Policy and Resources Committee, to complete the purchase and sale in line with these terms by a long stop date of March 2017.

The meeting concluded at 7.14 pm.

Chairman

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