

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Challenge and Improve Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 11 October 2016 commencing at 6.30 pm.

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

Councillor Stuart Curtis
Councillor Christopher Darcel
Councillor Mrs Pat Mewis
Councillor Lesley Rollings
Councillor Mrs Angela White

In Attendance:

Ian Knowles	Director of Resources and S151 Officer
Mark Sturgess	Chief Operating Officer
Alan Robinson	SL - Democratic and Business Support
James O'Shaughnessy	Team Manager BI and Corporate Governance
Oliver Fytche-Taylor	Planning Services Manager
Ady Selby	Operational Services Team manager
Katie Coughlan	Governance & 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 TO CONFIRM AS A CORRECT RECORD THE MINUTES OF THE PREVIOUS MEETING.

Meeting of the Challenge and Improvement Committee held on 1 September 2016

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

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.

41 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 35% of the students came from across the river, 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 6th 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.

42 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)

43 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.

44 CALL-IN

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 where 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.

45 PREPARATION FOR SCRUTINY OF PUBLIC BODY

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.

46 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.

47 DEVELOPMENT MANAGEMENT UPDATE - PERFORMANCE, INCOME, STAFFING AND RISKS

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.

48 QUESTION AND NOTICE OF MOTION FROM CLLRS YOUNG AND RAINSFORTH

- 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.

49 FORWARD PLAN

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

50 WORK PLAN

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