

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, 9th May, 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. CHAIRMAN'S WELCOME
2. APOLOGIES FOR ABSENCE
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. ELECTION OF CHAIRMAN for the ensuing year, following which the Chairman elected will take the Chair and make the Declaration of Acceptance of Office.
5. ELECTION OF VICE CHAIRMAN for the ensuing year following which the Vice-Chairman appointed will make the Declaration of Acceptance of Office.
6. CHAIRMAN'S CHAPLAIN
 - (a) to move a vote of thanks to the previous Chairman's Chaplain for their services during the past year; and
 - (b) to receive the appointment of Chairman's Chaplain for the ensuing year.

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

Large Clear Print: Braille: Audio: Native Language

7. MINUTES OF THE PREVIOUS MEETING
To confirm as a correct record the Minutes of the meeting of the Council held on 11 April 2016.
(PAGES 1 - 8)
8. ELECTION OF LEADER
9. ELECTION OF DEPUTY LEADER
10. REVIEW OF THE ALLOCATION OF SEATS TO POLITICAL GROUPS ON COMMITTEES/SUB-COMMITTEES
To note the number of members to be appointed to serve on each committee etc in accordance with the provisions of Section 15 of the Local Government and Housing Act 1989. **(PAGES 9 - 16)**
11. APPOINTMENT OF COMMITTEES
In accordance with the provisions of Section 16 of the Local Government and Housing Act 1989, to appoint members to committees for the civic year, in accordance with the wishes expressed by political groups. **(PAGES 17 - 22)**
12. APPOINTMENT OF SUB-COMMITTEES AND OTHER GROUPS AND BODIES
(PAGES 23 - 32)
13. APPOINTMENT OF INDEPENDENT PERSON FOR STANDARDS
(PAGES 33 - 36)
14. APPOINTMENT OF REMUNERATION PANEL
(PAGES 37 - 44)
15. REVIEW OF THE CONSTITUTION
(PAGES 45 - 78)
16. CHALLENGE AND IMPROVEMENT ANNUAL REPORT
(PAGES 79 - 90)

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

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17. APPOINTMENTS TO OUTSIDE BODIES
(PAGES 91 - 98)

18. CENTRAL LINCOLNSHIRE LOCAL PLAN SUBMISSION DRAFT
(PAGES 99 - 106)

19. NOTE: MEETINGS OF COMMITTEES AND SUB-COMMITTEES
Immediately following Annual Council, a meeting of each of the Committees and Sub-Committees will be held for the purpose of appointing Chairmen and Vice-Chairmen and conducting any other relevant business.

Agendas in respect of the above are included.

M Gill
Chief Executive
The Guildhall
Gainsborough

Friday, 29 April 2016

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

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WEST LINDSEY DISTRICT COUNCIL

Minutes of the Meeting of Council held in the Council Chamber, The Guildhall, Gainsborough, on Monday 11 April 2016, at 7.30pm.

Present: Councillor Angela Lawrence (Chairman)
Councillor Roger Patterson (Vice Chairman)

Councillor Sheila Bibb	Councillor John McNeill
Councillor Owen Bierley	Councillor Pat Mewis
Councillor Matthew Boles	Councillor Jessie Milne
Councillor David Bond	Councillor Judy Rainsforth
Councillor Jackie Brockway	Councillor Di Rodgers
Councillor David Cotton	Councillor Lesley Rollings
Councillor Stuart Curtis	Councillor Reg Shore
Councillor Chris Darcel	Councillor Thomas Smith
Councillor Michael Devine	Councillor Lewis Strange
Councillor Adam Duguid	Councillor Jeff Summers
Councillor Ian Fleetwood	Councillor Anne Welburn
Councillor Paul Howitt - Cowan	Councillor Angela White
Councillor Stuart Kinch	Councillor Trevor Young
Councillor Hugo Marfleet	
Councillor Giles McNeill	

In Attendance:

Manjeet Gill	Chief Executive
Mark Sturgess	Chief Operating Officer
Ian Knowles	Director of Resources
Alan Robinson	Strategic Lead for Democratic and Business Support and Monitoring Officer
Dinah Lilley	Governance and Civic Officer
Nicola Calver	Governance and Civic Officer

Also in Attendance

Michelle Howard	Home Choices Team Manager
Sarah Shaw	Countywide Homelessness Strategy Co-ordinator

Also Present four members of the public

93 APOLOGIES FOR ABSENCE

Councillor Gillian Bardsley
Councillor Alexander Bridgwood
Councillor Steve England
Councillor Richard Oaks

Councillor Malcolm Parish
Councillor Tom Regis

94 COUNCIL MINUTES (PAPER A)

RESOLVED that the minutes of the meeting of Council held on 3 March 2016 be confirmed and signed as a correct record.

95 MEMBERS' DECLARATIONS OF INTEREST

No declarations of interest were made.

96 MATTERS ARISING (PAPER B)

The Strategic Lead for Democratic and Business Support noted that one item was shown as having been completed and the other was not due for immediate completion.

RESOLVED that the Matters Arising be noted.

97 ANNOUNCEMENTS

i) Chairman of the Council

The Chairman noted that it had been a particularly busy month and she had attended several civic services, as well as the openings of new businesses. It had been an honour to meet with Pritti Patel, the Minister of State for Employment when she visited Gainsborough, and also to host the flag raising at the Commonwealth Day service on 14 March. Of particular note were the farewell to Wing Commander Harrop, who was retiring from RAF Scampton, and also the handing over of the Ushakov medal to Ernie Buckley who had sailed on Arctic convoys delivering supplies to Russia during WWII.

ii) Leader of the Council

The Leader noted that the next stage of consultation on the Central Lincolnshire Local Plan was progressing.

iii) Head of Paid Service

The Chief Executive expressed her gratitude to staff who had been involved in the process of the adoption of Selective Licensing over the last year, during which feedback had been taken on board and the programme had been a significant achievement.

Also of note was the successful bid for Gainsborough Housing and Regeneration funding. The overall budget situation was becoming more and more difficult each year and various options to deliver outcomes were under consideration.

98 PUBLIC QUESTION TIME

There were no questions from the public.

99 QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 9

None received

100 MOTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 10

None received

101 PRESENTATION ON THE HOMELESSNESS STRATEGY

The Home Choices Team Manager and the Countywide Homelessness Strategy Co-ordinator spoke to Councillors and showed a brief video on the Lincolnshire Homelessness Strategy.

Delivery of the strategy was via a partnership of the seven housing authorities and over 25 voluntary and statutory sector organisations. The partnerships aimed to ensure there were effective strategies in place prevent homelessness through early intervention and prevention, increased access to good quality suitable accommodation and support where homelessness had already occurred.

Members approved the current strategy in 2012, this strategy was now nearing its conclusion and work was ongoing to develop a strategy for the period 2016 to 2020.

In West Lindsey, whilst there was no rough sleeping problem, there had been an increase in homelessness and in the complexity of the cases presenting. Across Lincolnshire vulnerable people had been unable to access critical and much needed housing and health support early enough to prevent their needs from escalating and their circumstances deteriorating.

Work had been ongoing with stakeholders to reflect on the successes and work completed during the life of the current strategy and to outline the challenges and thematic priorities that would shape the future strategy.

The Thematic Priorities were shown as:-

- Impact of commissioning changes
- What can we do as a partnership to protect our most vulnerable?
- Rough sleeping and non-priority homeless
- Implications of Government budget and policy changes affecting social housing and supported housing
- Access and affordability in the Private Rented Sector
- Strategic relationships, influence and devolution

Officers were keen to ensure meaningful engagement with Members, service users and all other relevant stakeholders – any suggestions for how best to do this would be very welcome. The homelessness strategy was on the Forward Plan and would be presented at Prosperous Communities Committee on 7 June 2016 for approval. This was a countywide homelessness strategy and would be for the period 2016 – 2020.

Councillors asked a number of questions and an interested debate ensued. Issues such as those of ex-offenders, migrants, domestic abuse victims etc, and work with other organisations such as Border Agencies and Registered Providers were discussed. The big part played by the Foyer in Gainsborough was acknowledged.

The two officers were thanked for their very informative and enlightening presentation.

102 RECONFIGURATION OF THE COUNCIL CHAMBER (PAPER C)

The Chairman of the Challenge and Improvement Committee presented the report to the Council meeting, noting that it had been considered by the Committee, on recommendation of the Democracy Working Group, on 5 April 2016.

Three options on the layout of the Council Chamber had been considered and trialled, (including the existing layout), and Members had been requested to provide feedback on each of the options and express their preferences. The analysis of the feedback was set out in the report.

The report noted that the Democracy Working Group at their meeting on 16 March 2016 had considered the comments made and the scores received and favoured recommendation of Option 1 for adoption. Consideration was also given by the Challenge and Improvement Committee to the cost implications of each of the options, which could be as much as £2,000 depending on the option chosen.

It was acknowledged that specific seating arrangements would be Group decisions and it was simply the layout which was for determination at this stage. Note was made that no option had received an overwhelming preference, and the investigation of other options had already been undertaken prior to the trials at previous Council meetings, and discounted as being not feasible.

The recommendation from the Challenge and Improvement Committee was therefore set out as:-

“RESOLVED to RECOMMEND to Council that Option 3 be the preferred option and as such there be no change in configuration.”

Further brief debate ensued and it was generally agreed that there was no need to make a change just for the sake of it and particularly given the potential costs involved. The Chairman of the Democracy Working Group acknowledged the work of, and thanked, all those who had been involved in the project.

It was moved and seconded that the recommendation of Option 3 from the Challenge and Improvement Committee be agreed, it was subsequently voted on and:

RESOLVED that there be no change to the current configuration of the Council Chamber.

103 GREATER LINCOLNSHIRE DEVOLUTION DEAL (PAPER D)

The Chief Executive introduced the report, the purpose of which was to update Members on the devolution deal and the next steps, including governance. Greater Lincolnshire's ten Councils had agreed with the Government a 'devolution deal'. This would now act as the basis for agreeing the formal governance.

An extra Council meeting was proposed for May 2016, at which Council would receive the Scheme, ratify the Deal and process for public consultation. This would outline the powers and responsibilities for a proposed Mayor and Combined Authority. Following public consultation a submission would need to be made to Government for approval by way of a Statutory Order by November 2016, and it was anticipated that Mayoral elections would be in May 2017.

The proposals were for devolution to a local level for responsibilities and the funding for:

- a) Transport and Highways
- b) Economic Development and Skills
- c) Planning, Housing and Infrastructure
- d) Public Protection
- e) Water Management and Flooding
- f) Health

The agreed Deal proposed an additional £15 million a year for 30 years, and funding devolved for areas such as skills, further education and public protection. Areas such as Housing, Water Management and Health that required further negotiations would be subject to the next stage of Devolution discussions.

In addition, arrangements were being made to implement the Devolution Deal agreement, which would require formal governance arrangements, including a Parliamentary Order to create a new Mayor and Combined Authority for Greater Lincolnshire.

A report would be brought to a special Council meeting in May 2016 which outlined the governance proposals, timelines for government approval and public consultation. It was anticipated that the same report would be presented to all ten authorities at around the same date, and the Chief Executive agreed to circulate the dates of the individual meetings to Members.

A number of appendices were attached to the report, which set out:-

- a) A fuller briefing on the Devolution Deal (circulated to Group Leaders);
- b) A Frequently Asked Questions as prepared for press and public queries;
- c) Government letter outlining arrangements for implementation;

- d) Government timeline for implementation;
- e) The final signed Deal Document.

The Chief Executive offered to attend Group meetings, if required, to give clarification or answer any questions which Members may have.

Debate ensued during which differing opinions were voiced, along with some concerns, particularly around the need for an elected mayor. However it was acknowledged that the proposals would raise the status of West Lindsey from its usual low priority, to being 'in the driving seat', as each constituent member authority would be entitled to one vote. It was generally felt that the Mayoral appointment should be non-political and have the right skills.

It was questioned as to whether there were any other proposed cross-boundary devolved authorities. It was affirmed that as the proposals generally started from the basis of the Local Enterprise Partnerships rather than Council boundaries, there were others, including Nottinghamshire and Derbyshire. It was felt that it would be beneficial to resolve common issues between the authorities at a more local level rather than from central government, hence devolving Greater Lincolnshire's powers to a local level.

Some Members still expressed doubts and felt that the proposal merely created an additional tier of government, and that the funding was not additional but just reallocated. Some felt that the appointment of a Mayor was being imposed and feared that the proposals could eventually lead to a unitary authority.

The Chief Executive resolved to provide more information at the additional meeting in May, and requested that Members give consideration to the details they require and to the pros and cons of the various aspects, and to submit questions to either herself or the Leader.

The Chief Executive also noted that the Market Rasen Mail had featured an article on Questions and Answers around Devolution, and she would email the weblink to Members to be able to view this.

The recommendations in the report were then moved, seconded and voted upon. It was therefore **RESOLVED** that:

- a) the contents of the report be approved and noted;
- b) the additional proposed Council meeting in May at which the draft scheme would be presented for approval, be noted; and
- c) the offer of the provision of further information or discussion be noted.

104 TO RECEIVE THE MINUTES OF COMMITTEE MEETINGS PUBLISHED SINCE THE COUNCIL MEETING ON 3 MARCH 2016.

RESOLVED that the minutes of Committee meetings published since the Council meeting on 3 March 2016 be received.

The meeting concluded at 9.05pm.

Chairman

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Annual Council
9 May 2016

Subject: Review of the Allocation of Seats to Political Groups on Committees and Sub-Committees

Report by:	Chief Executive
Contact Officer:	Manjeet Gill – 01427 676500 Chief Executive E-Mail: manjeet.gill@west-lindsey.gov.uk Alan Robinson Strategic Lead for Democratic and Business Support Alan.robinson@west-lindsey.gov.uk 01427 676509
Purpose / Summary:	This report sets out the details of the political groups on the Council, the number of members to be appointed to serve on each committee and sub-committee and the allocation to different political groups of seats on the committees and sub-committees.

RECOMMENDATION(S):

- 1) that the details of political groups, as set out in Appendix A, be noted;
- 2) that the number of members to be appointed to serve on each committee and sub-committee be noted; and
- 3) that the allocation to different political groups of seats on committees/sub-committees, as set out in Appendix B, be noted.

IMPLICATIONS

Legal : None directly arising as a result of this report.

Financial : FIN/ 20/17 None directly arising as a result of this report.

Staffing : None directly arising as a result of this report.

Equality and Diversity including Human Rights :

Risk Assessment : N/A

Climate Related Risks and Opportunities : N/A

Background Papers : The following background papers were used in the preparation of this report. If none were used then please state.

Title :	Location of Background Papers:

Call in and Urgency:

Is the decision one which Rule 14 of the Scrutiny Procedure Rules apply?

Yes

No

Key Decision:

Yes

No

1. Introduction

- 1.1 In accordance with the provisions of Section 15 of the Local Government and Housing Act 1989, the Council is required to review the allocation to different political groups of seats on committees and sub-committees.
- 1.2 Existing political groups for the purposes of the Local Government (Committees & Political Groups) Regulations 1990 are as follows:

Group	No.	Leader/Spokesperson	Deputy Leaders
Conservative Group	24	Cllr J Summers	Cllr A Welburn
Liberal Democrat Group	7	Cllr R Shore	Cllr D Cotton
Labour	3	Cllr M Devine	

- 1.3 Councillor Mrs D M Rodgers, Independent, is not aligned to any Group, and Councillor C Darcel, Lincolnshire Independent, is not aligned to any Group.
- 1.4 The Council has delegated authority to the Chief Executive to agree, following consultation with the Group Leaders, the overall allocation of seats to groups resulting from the application of rounding.
- 1.5 Full details of membership are set out in Appendix A.

2. The Allocations

- 2.1 In accordance with the provisions of section 15 of the Local Government and Housing Act 1989 (Duty to allocate seats to political groups), the Council is required to give effect, so far as reasonably practicable, to the following specified principles:
- (a) that not all the seats on a committee/sub-committee are allocated to the same political group;
 - (b) that the majority of the seats on a committee/sub-committee are allocated to a particular political group where the number of persons belonging to that group is a majority of the authority's membership;
 - (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary

committees of that authority as is borne by the number of members of that group to the membership of the authority;

(d) subject to paragraphs (a) to (c) above, that the number of seats on the committee/sub-committee which are allocated to each political group bears the same proportion to the number of all the seats on that committee/sub-committee as is borne by the number of members of that group to the membership of the authority.

2.2 (b) above applies as there is a group with a majority of seats on the Council.

2.3 In order to give effect, so far as is **reasonably practicable**, to the principles specified above and in consultation with group leaders as required by the delegation, it has been determined that the best fit to meet the political balance rules is for the **Planning Committee, Prosperous Communities Committee, Corporate Policy and Resources, Licensing and Regulatory Committee, and Challenge and Improvement to comprise 12 Members, for Governance and Audit to comprise 6 Members, and Chief Officer Employment and the Taxi and General Licensing Sub-Committee to comprise 9 Members. The allocations have been calculated on this basis.**

(Note: Legally, committees cannot exceed 15 members and sub-committees 10 members.)

2.4 All of the group leaders agree with the number of members appointed to serve on the committees/sub-committees.

2.5 Applying group numbers to the seats available on the committees and sub-committees gives the allocation set out in Appendix B, which is supported by the group leaders as the most reasonably practical in the circumstances.

**Local Government & Housing Act 1989
The Local Government (Committees and Political Groups) Regulations
1990**

Political Groups on the District Council – May 2015

Conservative Group (24 Councillors)

Councillor Mrs G F Bardsley

Councillor S Bibb

Councillor O C Bierley

Councillor A Bridgwood

Councillor Mrs J Brockway

Councillor S Curtis

Councillor A Duguid

Councillor S England

Councillor I G Fleetwood

Councillor P Howitt-Cowan

Councillor S F Kinch

Councillor Mrs A T Lawrence

Councillor H Marfleet

Councillor G McNeill

Councillor J McNeill

Councillor Mrs P Mewis

Councillor Mrs J Milne

Councillor M J W Parish

Councillor R M Patterson

Councillor T Regis

Councillor T Smith

Councillor C L Strange

Councillor J J Summers

Councillor Mrs A Welburn

Labour Group (3 Councillors)

Councillor D Bond

Councillor M Devine

Councillor R Oaks

Liberal Democrat Group (7 Councillors)

Councillor M Boles

Councillor D J Cotton

Councillor Mrs J A Rainsforth

Councillor Mrs. L. A. Rollings

Councillor R A Shore

Councillor A White

Councillor T V Young

Independent Member (1 Councillor)

Councillor Mrs D M Rodgers

Lincolnshire Independent Member (1 Councillor)

Councillor C J Darcel

APPENDIX B

TABLE 1

	Cons	Lib Dem	Lab	Ind Mbr (1)	Ind Mbr (2)	Total
Prosperous Communities (12)	8	2	1	1	0	12
Corporate Policy and Resources (12)	8	3	1	0	0	12
Governance and Audit (6)	4	1	1	0	0	6
Planning (12)	8	3	1	0	0	12
Chief Officer Employment (9)	6	2	1	0	0	9
Total no. of seats (51)	34	10	5	1	1	51
As a %	66.67	19.61	9.80	1.96	1.96	100

NOTES: This would meet the criteria with the Conservatives having a majority on each Committee, followed by the Liberal Democrats having the next largest proportion and so on.

TABLE 2

	Cons	Lib Dem	Lab	Ind Mbr (1)	Ind Mbr (2)	Total
Challenge and Improvement (12)	7	3	1	0	1	12
Total no of seats as a %	58.33	25.00	8.33	0	8.33	100

TABLE 3

	Cons	Lib Dem	Lab	Ind Mbr (1)	Ind Mbr (2)	Total
Licensing and Regulatory (12)	8	2	1	1	0	12
Total no of seats as a %	66.67	16.67	8.33	8.33	0	100

TABLE 4 – SUB CTTEES

	Cons	Lib Dem	Lab	Ind Mbr (1)	Ind Mbr (2)	Total
Taxi and General Licensing (9)	6	2	1	0	0	9
Total no of seats as a %	66.67	22.22	11.11	0	0	9



Annual Meeting of Council
9 May 2016

Subject: Appointment of Committees

Report by:

Manjeet Gill
Chief Executive
01427 676501
manjeet.gill@west-lindsey.gov.uk

Contact Officer:

Alan Robinson
Strategic Lead for Democratic and Business
Support and Monitoring Officer
01427 676509
alan.robinson@west-lindsey.gov.uk

Purpose / Summary:

This report sets out the wishes expressed by political groups in respect of appointment of Members to serve on the Committees of the Council.

RECOMMENDATION(S):

- 1) In accordance with the provisions of section 16 of the Local Government and Housing Act 1989 and the wishes expressed by political groups, members be appointed to serve to the Council's committees for the 2016/17 civic year.**
- 2) That the Rules relating to political balance be suspended for the Challenge and Improvement Committee**

IMPLICATIONS

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

Financial: FIN/18/17 none directly arising as a result of this report.

Staffing: None directly arising as a result of this report.

Equality and Diversity including Human Rights : None

Risk Assessment : N/A

Climate Related Risks and Opportunities : N/A

Background Papers :

The following background papers were used in the preparation of this report.

Title :	Location of Background Papers:
Notices received from the Group Leaders on the allocation of Committee/ Sub-Committee places	

Call in and Urgency:

Is the decision one which Rule 14 of the Scrutiny Procedure Rules apply?

Yes No

Key Decision:

Yes No

1. Introduction

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

2. Appointment of Committees

2.1 Challenge and Improvement Committee (12 members)

Councillor David Bond
Councillor Stuart Curtis
Councillor Chris Darcel
Councillor Adam Duguid
Councillor Stuart Kinch
Councillor Paul Howitt-Cowan
Councillor Hugo Marfleet
Councillor Pat Mewis
Councillor Lesley Rollings
Councillor Lewis Strange
Councillor Trevor Young
Councillor Angela White

2.2 Chief Officer Employment Committee (9 Members)

Councillor Jackie Brockway
Councillor David Cotton
Councillor Michael Devine
Councillor Stuart Kinch
Councillor Angela Lawrence
Councillor Giles McNeill
Councillor Judy Rainsforth
Councillor Jeff Summers
Councillor Anne Welburn

2.3 Corporate Policy and Resources Committee (12 Members)

Councillor Owen Bierley
Councillor Matthew Boles
Councillor David Cotton
Councillor Michael Devine
Councillor Adam Duguid
Councillor Steve England
Councillor Ian Fleetwood
Councillor John McNeill
Councillor Tom Regis
Councillor Reg Shore
Councillor Jeff Summers

Councillor Anne Welburn

2.4 Governance and Audit Committee (6 Members)

Councillor Sheila Bibb
Councillor David Bond
Councillor Jackie Brockway
Councillor Giles McNeill
Councillor John McNeill
Councillor Angela White

2.5 Licensing and Regulatory Committee (12 Members)

Councillor Gill Bardsley
Councillor Owen Bierley
Councillor Sheila Bibb
Councillor David Cotton
Councillor Paul Howitt-Cowan
Councillor Angela Lawrence
Councillor Pat Mewis
Councillor Jessie Milne
Councillor Richard Oaks
Councillor Judy Rainsforth
Councillor Mrs Di Rodgers
Councillor Lewis Strange

2.6 Planning Committee (12 members)

Councillor Owen Bierley
Councillor Matthew Boles
Councillor David Cotton
Councillor Stuart Curtis
Councillor Michael Devine
Councillor Ian Fleetwood
Councillor Hugo Marfleet
Councillor Giles McNeill
Councillor Jessie Milne
Councillor Roger Patterson
Councillor Judy Rainsforth
Councillor Thomas Smith

2.7 Prosperous Communities Committee (12 Members)

Councillor Gillian Bardsley
Councillor Sheila Bibb
Councillor Owen Bierley
Councillor Michael Devine

Councillor Steve England
Councillor Paul Howitt-Cowan
Councillor Jessie Milne
Councillor Malcolm Parish
Councillor Mrs Di Rodgers
Councillor Lesley Rollings
Councillor Thomas Smith
Councillor Trevor Young

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Annual Council

9 May 2016

Subject: Appointment of Sub-Committees, Boards and other Bodies

Report by:

Chief Executive

Contact Officer:

Alan Robinson
Strategic Lead for Democratic and Business
Support and Monitoring Officer
Telephone 676509
Email alan.robinson@west-lindsey.gov.uk

Purpose / Summary:

To appoint Members to Sub-Committees,
Working Groups and Outside Bodies.

RECOMMENDATION(S):

- a) That Members be appointed to the Sub-Committees, Boards and other Bodies as set out below**
- b) That the Rules relating to proportionality be suspended for Items 2* and 3***

- Joint Staff Consultative Committee
- Appeals Board*
- Standards Sub Committee*
- Lincolnshire Show Task and Finish Group
- Editorial Advisory Board
- Trinity Arts Centre
- West Lindsey Community Awards Panel.
- Central Lincolnshire Joint Strategic Planning Committee
- Democracy Working Group
- Tourism Working Group
- Community Grants Panel
- Commercial Plan Steering Group
- Gainsborough Growth Fund – Funding Consultative Panel

IMPLICATIONS

Legal: Appointments to the bodies listed in the report have to be legally and Constitutionally confirmed.

Financial: FIN/19/17
None

Staffing: None

Equality and Diversity including Human Rights : N/A

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:
None

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. APPOINTMENT OF JOINT STAFF CONSULTATIVE COMMITTEE. To appoint four Members plus four reserves to serve on the Joint Staff Consultative Committee in accordance with the terms of reference of the Committee.

Councillor Jackie Brockway
Councillor Jessie Milne
Councillor David Cotton
Councillor Matthew Boles
Councillor Malcolm Parish (reserve)
Councillor Pat Mewis (reserve)
Councillor Paul Howitt-Cowan (reserve)
Councillor Reg Shore (reserve)

2. APPOINTMENT OF APPEALS BOARD (previously Housing Appeals Board). To confirm not to apply the provisions of the Local Government (Committees and Political Groups) Regulations 1990 to the Appeals Board and to appoint six members to serve on the Appeals Board. (Previously, this Board has not reflected the political group membership of the Council. The Rules relating to proportionality can only be suspended if the Council wishes to do so and no member votes against.)

Councillor Stuart Kinch
Councillor Ian Fleetwood
Councillor Malcolm Parish
Councillor Paul Howitt-Cowan
Councillor Reg Shore
Councillor Angela White

3. APPOINTMENT OF STANDARDS SUB-COMMITTEE - To confirm not to apply the provisions of the Local Government (Committees and Political Groups) Regulations 1990 to the Standards Sub-Committee and to appoint six Members to serve on the Sub-Committee. The Rules relating to proportionality can only be suspended if the Council wishes to do so and no member votes against.

Councillor Gillian Bardsley
Councillor Roger Patterson
Councillor Pat Mewis
Councillor Anne Welburn
Councillor David Cotton
Councillor Reg Shore

4. APPOINTMENT OF LINCOLNSHIRE SHOW TASK AND FINISH GROUP. To appoint seven members to serve on the Lincolnshire Show Task and Finish Group to oversee the arrangements for a West Lindsey District Council presence at the Lincolnshire Show.

Councillor Pat Mewis
Councillor Owen Bierley
Councillor Jessie Milne

Councillor Roger Patterson
Councillor Lewis Strange
Councillor David Cotton
Councillor Angela White

4. REPRESENTATIVES TO SERVE ON OTHER BODIES

- (a) To note that appointments are to be made on the following basis :
- i) In the first instance any Member with a specialist interest or expertise in the particular field of the Outside Body should be appointed (the appointment should not be party political), Failing this, where possible, appointments should be made geographically involving a local Ward Member. Where neither of these criteria can be met, any other Member should be appointed;
 - ii) appointments are to be made for a four year period to be in line with District elections. However, a number of bodies have their own arrangements for a four yearly cycle of appointments, these are indicated in the table below.
 - iii) where a body shows that the Leader, Chairman and/or Vice-Chairman of a particular committee is the representative, this is because either the constitution of the body concerned requires it or there has been a previous Council decision that the office-holder will serve. Where a body indicates that this has traditionally been the case, there is no actual requirement; and
 - iv) those Members appointed to serve on an outside body would be expected to provide a short report on the achievements, finance and forward plans for inclusion in a booklet prior to Annual Council. (circulated separately to members)
- (b) to agree that places which have traditionally been filled by the Leader, Chairman and/or Vice-Chairman of a particular committee or their nominee continue to be so filled.
- (c) to agree that appointed representatives should arrange for a reserve (where required) with the exception of those bodies marked with an asterisk * (as these are directorships and personal appointments).
- (d) to appoint four members to serve on the **Editorial Advisory Board** (one from each political group)

Councillor Giles McNeill
Councillor Lesley Rollings
Councillor Mick Devine
Councillor Di Rodgers

- (e) to appoint two members to work alongside officers and Arts for Trinity in order to secure the future of the **Trinity Arts Centre**.

Councillor Gillian Bardsley
Councillor Jessie Milne

- (f) to appoint the Council Chairman plus four other cross party Members to serve on the **West Lindsey Community Awards Panel**.

Councillor Roger Patterson
Councillor Sheila Bibb
Councillor David Cotton
Councillor Giles McNeill
Councillor Judy Rainsforth

- (g) to appoint four Members to serve on the **Central Lincolnshire Joint Strategic Planning Committee**.

Councillor Jeff Summers
Councillor Stuart Curtis
Councillor David Cotton
Councillor Ian Fleetwood

- (h) to appoint the Council Chairman, the Governance and Audit Chairman and two other Members to serve on the **Democracy Working Group**

Councillor Roger Patterson
Councillor Anne Welburn
Councillor Giles McNeill
Councillor Angela Lawrence

- (i) to appoint six Members to serve on the **Tourism Working Group**

Councillor Gillian Bardsley
Councillor Sheila Bibb
Councillor Paul Howitt-Cowan
Councillor Pat Mewis
Councillor Richard Oaks
Councillor Lesley Rollings

- (j) to appoint four cross party Members plus one reserve to serve on the **Community Grants Panel**

Councillor Owen Bierley
Councillor Stuart Curtis
Councillor Jessie Milne
Councillor Judy Rainsforth
Councillor John McNeill (reserve)

- (k) to appoint five Members to serve on the **Commercial Plan Steering Group** (membership to comprise Prosperous Communities Committee and Corporate Policy and Resources Committee Members)

Councillor Owen Bierley
Councillor Adam Duguid
Councillor Stuart Kinch
Councillor Tom Regis
Councillor Jeff Summers

- (l) to appoint three Members and three reserves to serve on the **Gainsborough Growth Fund – Funding Consultative Panel** as agreed by the Prosperous Communities Committee on 15 July 2014.

Councillor Lesley Rollings
Councillor Tom Regis
Councillor Stuart Kinch
Councillor Gillian Bardsley (reserve)
Councillor (reserve)
Councillor (reserve)

(g) to appoint representatives to the following Statutory, Strategic, Charitable and Community organisations.

No appointments are due to expire in 2016 so representatives remain as set out below with the exception of some proposed minor amendments.

Name of body	Type of organisation	no. of places	member 1	member 2	member 3	member 4
Acis Housing Group Local Management Board	Community	2 + 2 reserves	Cllr Sheila Bibb (Gainsborough)	Cllr Jessie Milne (Rural)	Cllr Gill Bardsley (Gainsborough reserve)	Cllr Stuart Kinch (Rural reserve)
Age UK Lindsey - East and West Lindsey Divisional Committee	Charity	1	Cllr Owen Bierley			
Ancholme Internal Drainage Board	Statutory	1	Cllr Jeff Summers			
District Councils' Network	Strategic	1	Cllr Jeff Summers			
District Health and Wellbeing Network	Community	1	Cllr Lesley Rollings			
East Midlands Council	Strategic	1 + sub	Cllr Jeff Summers	Cllr Anne Welburn		
Gainsborough Adventure Playground Association	Charity	1	Cllr Matthew Boles			
Gainsborough Community Hotel	Community	1	Cllr Sheila Bibb			
Gainsborough Old Hall Partnership	Community	1	Cllr Gillian Bardsley			
Gainsborough Town Centre Partnership	Community	1	Cllr Gillian Bardsley			
Groundwork Creswell, Ashfield and Mansfield	Charity	1 (+ reserve)	Cllr Matthew Boles	Cllr Ian Fleetwood (reserve)		
Health Scrutiny Committee for Lincolnshire	Strategic	1 + sub (C&I)	Cllr David Bond	Cllr Angela White		
Healthwatch Provider Network Meeting (West Lincs)	Strategic	1	Cllr David Bond			
Heritage Trust of Lincolnshire	Charity	1	Cllr Howitt-Cowan			

Humberside International Airport Consultative Committee	Statutory	1	Cllr Owen Bierley			
LGA General Assembly	Strategic	1	Cllr Jeff Summers			
Lincoln and District Citizens Bureau Finance Sub-Committee	Charity	1	Cllr Angela White			
Lincoln Area Dial-a-Ride Management Committee	Community	1	Cllr Giles McNeill			
Lincolnshire Branch of the Campaign for the Protection of Rural England	Charity	1	Cllr Owen Bierley			
Lincolnshire Forum for Agriculture and Horticulture	Community	1	Cllr Hugo Marfleet			
Lincolnshire Police and Crime Panel	Statutory	1	Cllr Anne Welburn			
Lincolnshire Sports Partnership	Charity	1	Cllr Lesley Rollings			
Lincolnshire Waste Partnership	Strategic	1	Cllr David Cotton			
Lincolnshire Wolds Countryside Management Project	Community	2	Cllr Angela Lawrence	Cllr Tom Regis		
Local Crime Prevention Panel	Community	1	Cllr Judy Rainsforth			
PATROL (CPE)	Statutory	1 + sub	Cllr Jeff Summers	vacancy		
Pensions Committee	Statutory	1	Cllr Jeff Summers			
Robin Hood Doncaster Sheffield Airport Consultative Committee	Community	1	Cllr Lewis Strange			
Scunthorpe & Gainsborough Water Level Management Board	Statutory	2	Cllr Pat Mewis	Cllr Jeff Summers		
SPARSE	Community	1	Cllr Owen Bierley			
Sure Start Gainsborough Partnership Board	Strategic	1	Cllr Gill Bardsley			
Trustees of Charles Cooper Trust	Charity	4	Mick Tinker (to 2018)	Cllr Judy Rainsforth (to 2019)	Cllr Sheila Bibb (to 2019)	Cllr Paul Howitt-Cowan (to 2018)

Trustees of Dixons Almshouses	Charity	1	Cllr Angela Lawrence (to 2019)			
Trustees of Francis Barker Trust	Charity	2	Cllr Jessie Milne (to 2018)	Cllr Judy Rainsforth (to 2017)		
Trustees of Gainsborough Education Charity	Charity	2	Cllr Jessie Milne (to 2018)	Cllr Judy Rainsforth (to 2017)		
Trustees of W G Rose Memorial	Charity	2	Cllr Jessie Milne (to 2018)	Cllr Judy Rainsforth (to 2017)		
Upper Witham Internal Drainage Board	Statutory	1	Cllr Steve England			
West Lincolnshire Community Safety Partnership Strategic Group	Strategic	1	Cllr Sheila Bibb			
West Lincolnshire Domestic Abuse Service	Charity	1	Cllr Pat Mewis			
West Lindsey British Trust for Conservation Volunteers	Charity	2	Cllr Gillian Bardsley	Cllr Sheila Bibb		
West Lindsey Citizens' Advice Bureau Executive Committee	Charity	1	Cllr Angela White			
Witham Third Internal Drainage Board	Statutory	4	Cllr Steve England	Terry Williams	Cllr Alex Bridgwood	Cllr I Fleetwood
Wolds Community Transport Association Limited	Charity	1	Cllr Lewis Strange			

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Annual Council
9 May 2016

Subject: Appointment of Independent Persons for Code of Conduct

Report by:

Monitoring Officer

Contact Officer:

Alan Robinson

Strategic Lead for Democratic and Business Support and Monitoring Officer

Alan.robinson@west-lindsey.gov.uk

01427 676509

Purpose / Summary:

To appoint Two Independent Persons to consider and advise on Code of Conduct matters

RECOMMENDATION(S):

That the persons named in paragraph 2 be appointed to serve as Independent Persons from 10th May 2016

IMPLICATIONS

Legal: None associated with this report.

Financial : FIN/17/16 The level of remuneration is as set out in the Council's Constitution, i.e. £50 per meeting and travel expenses

Staffing: None associated with this report.

Equality and Diversity including Human Rights : None

Risk Assessment : N/A

Climate Related Risks and Opportunities : None

Title and Location of any Background Papers used in the preparation of this report:
None

Call in and Urgency:

Is the decision one to which Rule 14 of the Scrutiny Procedure Rules apply?

Yes No

Key Decision:

Yes No

1. Background

- 1.1 West Lindsey is required under the Localism Act 2011 to have at least one Independent Person to provide support and advice on Code of Conduct related matters.
- 1.2 West Lindsey News was used to advertise the vacancies and six received. Copies of the advertisement, letter and person specification are attached at Appendix A.
- 1.3 Shortlisting took place and Interviews were held on 27 April 2016. The Panel consisted of Councillor Anne Welburn, the Strategic Lead for Democratic and Business Support, and the Human Resources Team Manager.

2. Recommended for Appointment

- 2.1 It is **RECOMMENDED** that the following be appointed to serve as Independent Persons from 10 May 2016
 - Mr S Beard
 - Ms M Marshall-Brown



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

APPOINTEES – PERSON SPECIFICATION

General

To be eligible for appointment, a person must not be disqualified from holding office as a member of the local authority. Accordingly, any person who is recommended for appointment will be required to confirm that he/she is not disqualified. Details of the disqualifications are stated in the advertisement along with the key functions an Independent Person will be required to undertake.

Selection Criteria

Prospective Independent should –

1. Have an interest in standards in public life.
2. Wish to serve the local community and uphold local democracy by playing a key part in promoting and maintaining high standards of conduct by Members of the District Council and the Parishes within West Lindsey.
3. Demonstrate high standards and personal integrity.
4. Be objective, independent and impartial.



Annual Council
9 May 2016

Subject: Appointments to the Remuneration Panel

Report by:	Monitoring Officer
Contact Officer:	Alan Robinson Strategic Lead for Democratic and Business Support and Monitoring Officer Alan.robinson@west-lindsey.gov.uk 01427 676509
Purpose / Summary:	To appoint three Independent Members to serve on the Council's Remuneration Panel.

RECOMMENDATION(S):
That the persons named in paragraph 2 be appointed to serve on the Remuneration Panel from 10 May 2016.

IMPLICATIONS

Legal: None associated with this report.

Financial : FIN/17/16 The level of remuneration is as set out in the Council's Constitution, i.e. £200 per Civic year

Staffing: None associated with this report.

Equality and Diversity including Human Rights : None

Risk Assessment : N/A

Climate Related Risks and Opportunities : None

Title and Location of any Background Papers used in the preparation of this report:
None

Call in and Urgency:

Is the decision one to which Rule 14 of the Scrutiny Procedure Rules apply?

Yes No

Key Decision:

Yes No

1. Background

- 1.1 West Lindsey's Remuneration Panel was first appointed in 2001 and can comprise of between five and seven members.
- 1.2 The period of office of two Members of the Remuneration Panel expires in May 2016.
- 1.3 West Lindsey News was used to advertise the vacancies and seven applications were received. Copies of the advertisement, letter and person specification are attached at Appendix A.
- 1.4 Shortlisting took place and Interviews were held on 14 April 2016. The Panel consisted of Councillor Anne Welburn, the Strategic Lead for Democratic and Business Support, and the Human Resources Team Manager.

2. Recommended for Appointment

- 2.1 It is **RECOMMENDED** that the following be appointed to serve on the Remuneration Panel until May 2019
 - Mr David Lomas
 - Mr Richard Quirke
 - Dr Chris Riley

REMUNERATION PANEL

PERSON SPECIFICATION

General

To be eligible for appointment, a person must not be disqualified from holding office as a member of the local authority. Accordingly, any person who is recommended for appointment will be required to confirm that he/she is not disqualified. Details of the disqualifications are set out overleaf.

Selection Criteria

Prospective members should –

1. Live or work in the West Lindsey District.
2. Have an understanding of Local Government and broader community issues.
3. Have the ability to act impartially.
4. Be aged over 18.
5. Not be a Councillor of any local authority (including Town/Parish Councils).
6. Not be directly related to a West Lindsey District Councillor.
7. Not be employed by West Lindsey District Council.
8. Not be a member of any political party.
9. Be able to analyse information, ask pertinent questions and maintain confidentiality.

DISQUALIFICATIONS FOR APPOINTMENT

Summary of Sections 80 and 81 of the Local Government Act 1972

1. A person shall be disqualified from being appointed if he/she:
 - (a) holds any paid office or employment with the Authority;
 - (b) is a person who has been adjudged bankrupt or made a composition or arrangement with his/her creditors;
 - (c) has, within five years before the day of his/her appointment, been convicted of any offence and had passed upon him/her a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine;
 - (d) has been convicted of a corrupt or illegal practice under Part III of the Representation of the People Act 1983;
 - (e) is disqualified for membership for a specified period by Order of the Court because of his/her involvement in expenditure contrary to law; and
 - (f) is disqualified from membership for five years following an Auditor's certificate that a loss or deficiency has been caused by his/her wilful misconduct while a member of a local authority.
2. The disqualification attaching to a person by reason of having been adjudged bankrupt ceases:–
 - (a) on his/her discharge from bankruptcy unless the bankruptcy order made against the person is previously annulled; and
 - (b) if the bankruptcy order is so annulled, on the date of the annulment.
3. The disqualification attaching to a person by reason of his/her having made a composition or arrangement with his/her creditors ceases:–
 - (a) on the date on which payment is completed if he/she pays the debts in full; or
 - (b) in any other case, on the expiration of five years from the date on which the terms of the deed of composition or arrangement are fulfilled.

If you have any queries as to whether or not you may be disqualified from appointment, please ring, Anne Rossington, Team Manager Member & Support Services on 01427 676686.



THE ORGANISATION

Formed on 1st April 1974 by the amalgamation of five constituent Authorities (*Gainsborough Urban, Market Rasen Urban, Caistor Rural, Gainsborough Rural and Welton Rural District Councils*), West Lindsey District Council covers the north-western area of Lincolnshire, an area of some 445 square miles, and serves a population of approximately 89,250. The District contains part of the Lincolnshire Wolds area of natural beauty, 25 conservation areas and 1,000 listed buildings.

The new administrative headquarters of the District Council are located at the Guildhall, Marshall's Yard, Gainsborough. Gainsborough stands on the western boundary and is a river port which serves the Humber. The town also boasts a particularly fine example of a 15th Century Manor House -The Old Hall.

Area Offices are situated in Market Rasen and Caistor. Operational Works Depots are located at Gainsborough and Market Rasen.

The Council has 37 Members (20 Conservatives, 10 Liberal Democrats and five Independents and two Labour) who are elected to serve for four years. The 37 Councillors represent the 26 Wards within West Lindsey. The concentration of population in some Wards necessitates their representation by two, or even three, councillors.

The Council currently employs around 280 people. The Council operates through a number of Committees and Directorates/Divisions which are responsible for advising in terms of service delivery, policy formation, expenditure, etc. There are two policy committees – Policy and Resources Committee and Prosperous Communities Committee, as well as Challenge and Improvement Committee (Scrutiny), Planning Committee, Governance and Audit Committee, Licensing and Regulatory Committee, Standards Sub-Committee and a Taxi and General Licensing Sub-Committee



REMUNERATION

PANEL

The Local Government Act 2000 reformed the system for paying allowances to elected members and, in particular, required the establishment and maintenance of an independent Remuneration Panel to provide the Council with advice on its Members' Allowances Scheme. The Council must have regard to this advice.

West Lindsey's Remuneration Panel was first appointed in 2001 and comprised three members and a reserve member. The Council has since decided to increase the size of the Panel to five or six members. The period of office of three members of the Remuneration Panel expires in May 2015.

The Panel makes recommendations to the Council about the level of basic allowance paid to all members, the categories of special responsibilities for which special responsibility allowances may be made, the levels of those allowances, the rates of any child care/ dependant carers' allowance and travel and subsistence allowances, and member eligibility for a pension.

The Council provides the Remuneration Panel with appropriate administrative support, information about the roles of Councillors and the way in which the Authority operates and discharges its functions.

Members of the Remuneration Panel receive £38.18 per meeting and their travelling expenses.

It is for the Council itself to approve the Members' Allowances Scheme; the role of the Remuneration Panel is to make recommendations.

The Council recognises the importance of finding the right independent people for appointment to the Remuneration Panel and aims to select appointees not only based on skills and experience, but also on attitude and approach. The successful applicant will need to demonstrate that he/she matches the person specification. The Council sees the operation of the Independent Remuneration Panel as crucial in providing an impartial element which will enhance public confidence in the allowances system.



Annual Council

9 May 2016

Subject: Annual Review of the Constitution

Report by:

Monitoring Officer

Contact Officer:

Alan Robinson
Monitoring Officer
0142 676509
Alan.Robinson@west-lindsey.gov.uk

Purpose / Summary:

The purpose of the report is to recommend to Council the proposed amendments to the Constitution, following consideration by the Governance and Audit Committee at its meeting on 14 April 2016, and to seek agreement to undertake other associated governance work.

RECOMMENDATION(S):

- (a) that Council note the outcome of the annual review.
- (b) that the amendments detailed at Section 2 of the appended report be approved for immediate adoption and implementation.
- (c) that the amendments made to the Financial and Contract Procedure Rules, agreed by the Governance and Audit Committee at its meeting on 19 January 2016, shown at Appendix 1 of the appended report be noted.
- d) that the further planned work detailed at Section 4 of the appended report be noted and supported including the addition of the followings areas relating to section 4.1(a): -
 - The pre-application process and protocol

- The Committee referral process ie the Scheme of Officer Delegation for this area; and
- Officer involvement in the Appeals Process

e) That Council commission the Monitoring Officer, with support from and through the Governance and Audit Committee, to undertake further detailed evaluation work into the implications of a possible move to the leader cabinet model, with a view to achieving the outcomes set out below ((i) – (vii)) relate and submit recommendations to full council during autumn 2016.

- (i) Speed of decision making – The Council’s Decision Making process allows it to take advantage of opportunities on commercial projects and ensure that WLDC can work as quickly as its colleagues in Greater Lincolnshire
- (ii) Empowering Individuals – Those members charged with representing the Council with partners have the authority to act and take responsibility for the decisions they make.
- (iii) Effective Council governance and roles of Members and Officers - to ensure the Council has maximum influence and impact with any potential Mayor and Combined Authority to the benefit of West Lindsey.
- (iv) Specialist Knowledge – Members have the knowledge and skills to make good, well informed and safe decisions
- (v) Transparency – Governance arrangements which ensure residents can see that decisions are made reasonably and fairly.
- (vi) Accountability – There is clear accountability for success and failure for both members and officers
- (vii) Involvement – Members are able to set policy and take ownership of key decisions.

IMPLICATIONS

Legal: The Council is required by law to prepare, and keep up to date, the Constitution.

Financial : FIN/21/17 There are only very limited financial implications as a result of making amendments to the constitution. These relate to the resources needed to make changes to electronic records and to the limited printing costs of producing amended pages for paper copies of the Constitution.

Staffing : None arising from this report but the Constitution sets out the manner in which staffing matters should be dealt with.

Equality and Diversity including Human Rights :

None arising from this report.

Risk Assessment :

Failure to amend the constitution to reflect changes could lead to a risk of legal challenge and reputational risk for the Council.

Climate Related Risks and Opportunities :

None arising from this report.

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

Accessed through WLDC website "[Meetings, agendas, minutes and reports](#)"
[Constitution of the Council | West Lindsey](#)

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 and Introduction

- 1.1 The Governance and Audit Committee, in accordance with their agreed Terms of Reference are required to “consider and make recommendations on any proposal to make changes to the Constitution prior to its consideration by the Council.
- 1.2 Therefore, at its meeting on 14 April 2016, the Governance and Audit Committee gave consideration to the report attached at Appendix A.
- 1.3 The Minute arising from this meeting is set out below: -

91 ANNUAL REVIEW OF THE CONSTITUTION (GA.66 15/16)

Consideration was given to a report which proposed a number of amendments to the Constitution for consideration by the Governance and Audit Committee prior to being recommended to Full Council.

In presenting the report the Monitoring Officer outlined the process which had been followed in undertaking the review, as detailed at Section 1 of the report. The changes being proposed as a result, and contained in Section 2 of the report were summarised to the Committee. It was noted that whilst undertaking the review a number of other associated actions for further work and development had been identified and these were outlined in Section 4 of the report.

Debate ensued and Members welcomed the associated work which had been identified. However with regard to paragraph 4.1 (a) which advised of the intention to review the public participation scheme of the Planning Committee, the Chairman was of the view that this action should be extended to include the following areas: -

- The pre-application process and protocol
- The Committee referral process ie the Scheme of Officer Delegation for this area; and
- Officer involvement in the Appeals Process

The Chairman was also of view that as this work directly related to governance, and the Governance and Audit Committee were charged with a number of responsibilities in this area, that any proposed amendments should be submitted to the Governance and Audit Committee for final approval in accordance with their Terms of Reference.

The Committee were in agreement to the suggestions made and these were proposed and seconded.

With regard to paragraphs 4.3 and 4.4 of the report in which it was being recommended that the Governance and Audit Committee further explore the implications of a possible move to the leader cabinet model, with a view to making recommendations to full council during Autumn 2016, the Chairman considered it may be opportune if the Committee could agree some outcome statements, at this stage, for this piece of work to be approved by Council.

The following suggestions were made: -

- Speed of decision making – The Council’s Decision Making process allows it to take advantage of opportunities on commercial projects and ensure that WLDC can work as quickly as its colleagues in Greater Lincolnshire
- Empowering Individuals – Those members charged with representing the Council with partners have the authority to act and take responsibility for the decisions they make.
- Effective Council governance and roles of Members and Officers - to ensure the Council has maximum influence and impact with any potential Mayor and Combined Authority to the benefit of West Lindsey.
- Specialist Knowledge – Members have the knowledge and skills to make good, well informed and safe decisions
- Transparency – Governance arrangements which ensure residents can see that decisions are made reasonably and fairly.
- Accountability – There is clear accountability for success and failure for both members and officers
- Involvement – Members are able to set policy and take Ownership of key decisions.

The Committee were in agreement to the suggestions made.

In light of the above, having being proposed and seconded it was duly **RESOLVED** that:

- (a) the outcome of the Annual Review be noted; and
- (b) it be **RECOMMENDED** to Council that:-
 - (i) the outcome of the Annual Review be noted;
 - (ii) the amendments detailed at Section 2 of the report be approved for immediate adoption and implementation;
 - (iii) that the in-year amendments made to the Financial and Contract Procedure Rules agreed by the Governance and Audit Committee at its meeting on 19 January 2016 shown at Appendix 1 be noted;
 - (iv) that the further planned work detailed at Section 4 of the report be noted and supported, including the addition of the followings areas relating to section 4.1(a): -
 - The pre-application process and protocol
 - The Committee referral process ie the Scheme of Officer Delegation for this area; and

- Officer involvement in the Appeals Process

- (v) the Monitoring Officer, with support from and through the Governance and Audit Committee, undertake further detailed evaluation work into the implications of a possible move to the leader cabinet model with a view to achieving the outcomes set out above, and make recommendations to a future meeting of Full Council during autumn 2016.

2 Recommendations

2.1 In light of the above it is **RECOMMENDED** : -

- (a) that Council note the outcome of the annual review.
- (b) that the amendments detailed at Section 2 of the appended report be approved for immediate adoption and implementation.
- (c) that the amendments made to the Financial and Contract Procedure Rules, agreed by the Governance and Audit Committee at its meeting on 19 January 2016, shown at Appendix 1 of the appended report be noted.
- d) that the further planned work detailed at Section 4 of the appended report be noted and supported including the addition of the followings areas relating to section 4.1(a): -
 - The pre-application process and protocol
 - The Committee referral process ie the Scheme of Officer Delegation for this area; and
 - Officer involvement in the Appeals Process
- e) That Council commission the Monitoring Officer, with support from and through the Governance and Audit Committee, to undertake further detailed evaluation work into the implications of a possible move to the leader cabinet model, with a view to achieving the outcomes set out below ((i) – (vi)) relate and submit recommendations to full council during autumn 2016.
 - (i) Speed of decision making – The Council’s Decision Making process allows it to take advantage of opportunities on commercial projects and ensure that WLDC can work as quickly as its colleagues in Greater Lincolnshire
 - ii) Empowering Individuals – Those members charged with representing the Council with partners have the authority to act and take responsibility for the decisions they make.
 - (iii) Effective Council governance and roles of Members and

Officers - to ensure the Council has maximum influence and impact with any potential Mayor and Combined Authority to the benefit of West Lindsey.

- (iv) Specialist Knowledge – Members have the knowledge and skills to make good, well informed and safe decisions
- (v) Transparency – Governance arrangements which ensure residents can see that decisions are made reasonably and fairly.
- (vi) Accountability – There is clear accountability for success and failure for both members and officers
- (vii) Involvement – Members are able to set policy and take ownership of key decisions.



GA.66 15/16

Governance and Audit Committee

14 April 2016

Subject: Annual Review of the Constitution

Report by:

Monitoring Officer

Contact Officer:

Alan Robinson

Strategic Lead for Democratic and Business Support and Monitoring Officer

01427 676509

Alan.robinson@west-lindsey.gov.uk

Purpose / Summary:

The purpose of the report is to recommend to Council the proposed amendments to the Constitution, following consideration by the Governance and Audit Committee at its meeting on 14 April 2016

RECOMMENDATION(S): THAT IT BE RECOMMENDED TO COUNCIL

- (a) That Members note the outcome of the annual review.
- (b) That the amendments detailed at Section 2 of the report be approved by Council for immediate adoption and implementation.
- (c) That Members note the amendments made to the Financial and Contract Procedure Rules agreed by the Governance and Audit Committee at its meeting on 19 January 2016 shown at Appendix 1
- (d) That Members note the further planned work detailed at Section 4 of the report.
- (e) That Council commission the Governance and Audit Committee to undertake further detailed evaluation work into the implications of a possible move to the leader cabinet model and submit recommendations to full council during autumn 2016

IMPLICATIONS

Legal: The Council is required by law to prepare, and keep up to date, the Constitution.

Financial: 8/16
There are only very limited financial implications as a result of making amendments to the constitution. These relate to the resources needed to make changes to electronic records and to the limited printing costs of producing amended pages for paper copies of the Constitution.

Staffing: None arising from this report but the Constitution sets out the manner in which staffing matters should be dealt with.

Equality and Diversity including Human Rights : None arising from this report.

Risk Assessment: Failure to amend the constitution to reflect changes could lead to a risk of legal challenge and reputational risk for the Council.

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

Title and Location of any Background Papers used in the preparation of this report:
Accessed through WLDC website "[Meetings, agendas, minutes and reports](#)"
[Constitution of the Council | West Lindsey](#)

Call in and Urgency:

Is the decision one which Rule 14 of the Scrutiny Procedure Rules apply?

Yes

No

Key Decision:

Yes

No

1 Introduction

- 1.1 The Council is required by law to prepare and keep up to date a Constitution which explains how the Council operates, how decisions are made and the procedures which are to be followed to ensure that these are efficient, transparent and accountable to local people.
- 1.2 Article 14 of the Constitution stipulates how such a review should be conducted namely:
- a) by observing meetings of different parts of the Member and officer structure;
 - b) by undertaking an audit trail of a sample of decisions
 - c) by recording and analysing issues raised with the Monitoring Officer by Members, officers, the public and other stakeholders; and
 - d) by comparing practices in this authority with those in comparable authorities, or national examples of best practice.
 - e) by undertaking a review of each committee's effectiveness annually.
- 1.3 As a comprehensive review of the Constitution was undertaken in 2011 and 2014, a number of relatively minor amendments are being proposed as detailed at Section 2 of the report.

2. Proposed Amendments

- 2.1 In reviewing the Constitution, the actions detailed at 1.2 above have been undertaken using a variety of methods including:-
- (a) attending a variety of Committee Meetings in order to review proceedings;
 - (b) collating feedback from stakeholders and interested parties including that received in formal complaints or alleged breaches of the Code whether upheld or not
 - c) Seeking the views of Senior Officers and Team Managers who work within the Constitution
 - d) Seeking the views of all Members by e-mail
 - e) Surveying Members as to the effectiveness of the Committees to which they are appointed.
 - f) Reviewing other "fourth-option" Councils' Constitutions
- 2.2 Arising from the feedback received / issues identified the following additions/amendments are proposed to come into immediate effect.
- 2.3 The table below sets out the main proposed amendments for consideration along with the rationale for each.

Ref	Section /Page Ref	Amendment required	Reason for Amendment
1	Part IV page 10 – Taxi and General Licensing Sub-Cttee Terms of Reference	To amend bullet point (i) to read “ scrap metal licences ” as opposed to “scrap yard registrations”	Change of legislation in 2013 regarding the licensing of scrap metal dealers. This wording now reflects the role the Committee have in this area.
2	Part IV page 11 – Licensing Sub-Committee	To amend bullet point (k) to read “ Determination of an objection to a Temporary Event Notice by the Police or Environmental Health Officer ” as opposed to “Determination of a police objection to a Temporary Event Notice”	Police Reform and Social Responsibility Act 2011 changed who could object to TEN. This revised wording now reflects this.
3	Part IV page 13/4 – Challenge and Improvement Terms of Reference	To add a footnote to read “This Committee has an operating methodology which is agreed annually at its first full meeting”	For clarity and transparency.
4	Part IV Page 1 – Council Terms of Reference	To add into the footnote the words “ including the setting of fees and charges”	For clarity transparency and the avoidance of doubt
5	Part IV Page 3 – Corporate Policy and Resources Committee Terms of Reference	To add a new term of reference as follows “to recommend fees and charges for service areas within its remit or following a recommendation from the Prosperous Communities Committee to Full Council”	For clarity transparency and the avoidance of doubt
6	Part IV Page 4 – Prosperous Communities Committee Terms of Reference	To add a new term of reference as follows “to recommend fees and charges for service areas within its remit to Corporate Policy and Resources / Full Council”	For clarity transparency and the avoidance of doubt
7	Part IV Page 30 – Chief Operating Officer Delegations	To delete “1. To monitor authorisations to conduct surveillance under the Regulation of Investigatory Powers Act 2000” and replace with “1 To be the authorising officer for surveillance under the Regulation of Investigatory Powers Act 2000 and	There has been a change in legislation whereby RIPA requests need to be approved by the Magistrates’ Court therefore this amended wording reflects Officers’ revised role in the process.

Ref	Section /Page Ref	Amendment required	Reason for Amendment
		as such can make requests for the Magistrates' Court to consider applications made under RIPA.	
8	Part IV Page – 52 – Proper Officers	To include Section 100 (f) (2) of the Local Government Act 1972 which relates to the exclusion from council agendas any information which is likely to be dealt with in the absence of the press of public into the list of Proper Officer functions - Proper Officer to be the Chief Executive and Directors.	Having reviewed other constitutions these functions are specified
9	Part IV Page 52 – Proper Officers	To include Section 100 (b) (2) of the Local Government Act 1972 which relates to the circulation of committee reports and agendas into the list of Proper Officer functions – Proper Officer to be the Chief Executive	Having reviewed other constitutions these functions are specified
10	Part IV Page 55 – Proper Officers	To include Section 13 (3) of Part III of Schedule 12 of the Local Government Act 1972 – which relates to holding the Office of Parish Trustee where there is a parish meeting with no separate Parish Council into the list of Proper Officer functions – Proper Officer to be the Monitoring Officer	Arising from consultation with stakeholders
11	Part IV Page 15 – Standards Sub-Committee Terms of Reference	To amend the footnote regarding membership to read “the committee shall comprise six elected District Councillors and <u>up to</u> three non-voting parish representatives.	There is no legal requirement specifying the number of parish representatives. It is considered that by incorporating the words “up to” it allows flexibility and allows the Committee to continue its work if a parish councillor resigns / loses an election for example.
12	Part IV Page 15 – Standards Sub-Committee Terms of Reference	To add an additional footnote to read “this Sub-Committee, by formal resolution of Full Council at its annual meeting each year, is not politically balanced”.	Increased transparency. Non-politically balanced Standards committees are considered best practice and improve the public's confidence.
13	Part IV Page 34 –	To add an additional restriction as to when	Members will approve new policy when

Ref	Section /Page Ref	Amendment required	Reason for Amendment
	Responsibility for Functions – Chief Operating Officer – Development, Neighbourhoods and Strategic Growth	planning applications cannot be determined using delegated powers, namely “ (i): Any application where the recommendation is for approval which is in conflict with a policy of the Central Lincolnshire Local Plan [NB this will only come into force once the Central Lincolnshire Local Plan is adopted as part of the development plan for West Lindsey] “ Note all other restrictions listed in this section of the Constitution remain in force and un-amended.	they adopt the Central Lincolnshire Local Plan. Therefore any application which departs from Policy must be approved by Members.
14	Appendices – Appendix 4 – Role Description for the Deputy Leader of the Council – Page 8	To add an additional duty to the description under the heading Governance, ethical standards and relationships, namely “to co-ordinate communication between Members and Officers”	Arising from feedback from the administration.
15	Part IV / Page 22 – Responsibility for Functions Officers General – Sub delegation	To insert a new paragraph under the sub-delegation paragraph to read “14. where urgency dictates during periods of leave or sudden unexpected absence, delegations granted to the Chief Operating Officer or Director of Resources can be exercised by the other, except when the matter relates to a function which by law must be undertaken by either the Head of Paid Service or the S151 Officer”.	Provides greater flexibility and allows business continuity Please note reference to the Commercial Director has purposely not been made as it is considered conflicts of interest may arise.
16	Part IV / Page 22 – Responsibility for Functions Officers General – Sub delegation	To insert a new paragraph under the sub-delegation paragraph to read “15. Functions which by law must be undertaken by the Statutory Officers cannot be sub-delegated and are set out elsewhere in this document.”	Avoidance of Doubt
17	Part IV / Page 30 – Responsibility for	To Insert a new delegated function namely “ Power to Serve notice under Section 12(a) The	This will enable officers to carry out a new legal requirement as a result of the

Ref	Section /Page Ref	Amendment required	Reason for Amendment
	Functions – Chief Operating Officer – Public Protection	Microchipping of Dogs (England) Regulations 2015”	introduction of new legislation.

3. In-Year changes to the Financial and Contract Procedure Rules

3.1 Furthermore Council, at its meeting on 21 May 2015, during consideration of the last Annual Review of the Constitution resolved that: -

the Governance and Audit Committee be delegated to make any changes to the Financial and Contract Procedure Rules between Annual Councils.

3.2 In accordance with the above resolution the Financial and Contract Procedure Rules were amended and approved by the Governance and Audit Committee at its meeting on the 19 January 2016.

3.3 The revised Procedure Rules (including tracked changes) are shown at Appendix 1, Members are asked to note these.

3.4 The full report considered by the Governance and Audit Committee, in which the rationale for having made these changes is set out, can be viewed at [Governance and Audit Committee Reports - 19 January 2016 | West Lindsey](#) (Paper E relates).

4 Associated Work Planned to be undertaken during the 16/17 year

4. 1 Whilst undertaking the annual review of the Constitution a number of other associated actions for further work and development have been identified namely: -

(a) Having attended a number of Planning Committee Meetings and received feedback from Officers, Members and Stakeholders, it is intended to work with the Planning Committee in order to review the current Public Participation Scheme. This will be subject to a separate report at a future meeting of the Planning Committee.

(b) The Local Code of Conduct has not been reviewed since its implementation. It is intended to work with the Standards Sub-Committee and Governance and Audit Committee to review its content and ensure it reflects all the behaviours that as an Authority we would expect of elected Members and are mentioned elsewhere in other Protocols and Guides throughout the Constitution. Early suggestions are that it should include reference to confidential information and respect. Any proposed changes would be subject to a separate report to a future meeting of Full Council.

- (c) Officers are continuing to refine the Sub-Delegation scheme. This is now available electronically to all staff, in a central location with an easy-to-use search function.
- (d) When surveying Members regarding the effectiveness of Committees a number of suggestions were made which related to Member development. Officers will continue to work with Members during the 16/17 civic year with a view to producing personal development plans
- 4.2 Members are asked to note the planned work set out above.
- 4.3 As a result of the commitment in the Conservative manifesto and as a result of the growing importance of the Devolution work in Lincolnshire workshops were arranged to give members an understanding of the Governance systems available and how they may meet the needs of WLDC. A number of key drivers emerged from comments expressed by those present at the workshop. These include
- Speed of decision making
 - Executive powers for key members
 - Specialist Knowledge
 - Transparency
- 4.4. As a result of this it is recommended that governance and audit committee further explore the implications of a possible move to the leader cabinet model and submit recommendations to full council during autumn 2016

5. Recommendations

That it be recommended to Council: -

- (a) That Members note the outcome of the annual review.
- (b) That the amendments detailed at Section 2 of the report be approved by Council for immediate adoption and implementation.
- (c) That Members note the amendments made to the Financial and Contract Procedure Rules agreed by the Governance and Audit Committee at its meeting on 19 January 2016 shown at Appendix 1.
- d) That Members note the further planned work detailed at Section 4 of the report.
- e) That Council commission the Governance and Audit Committee to undertake further detailed evaluation work into the implications of a

possible move to the leader cabinet model and submit recommendations to full council during autumn 2016

Contract Procedure Rules

Introduction and Scope

The purpose of these Procedure Rules is to –

- Help officers administer their contracts in a consistent and proper way;
- Ensure legal clarity and reliability in contract administration;
- Help ensure that expenditure involved in contracts is controlled within approved budgets; and
- Support officers to achieve and demonstrate best value for the Council.
- Ensure compliance with Public Contract Regulations, Financial Procedure Rules, applicable Grant Funding regulation and with all UK and European Union legal requirements
- Ensure fairness in allocating public contracts
- Comply with all legal requirements
- Comply with the Councils' policies
- Comply with the Councils' corporate and service aims and objectives

Commented [AG1]: Addition

These Contract Procedure Rules advise on procedures for the purchase of goods and services and should be read together with Financial Procedure Rules and the Approved Code of Practice (ACOP) for Procurement, which is held in the ACOP Library on Minerva.

These Procedure Rules apply to all West Lindsey District Council officers and services.

These Procedure Rules apply equally to contracts for the purchase and sale of goods and services.

In the event of any conflict between EU law, UK law and these Procedure Rules, the requirements of European law shall prevail over UK law and the requirements of UK law shall prevail over these Procedure Rules.

In support of continuous improvement, Contracts need to be devised that drive down costs, drive up quality and still provide an incentive for both partners.

The push towards e-government will bring opportunities for electronic tendering and other forms of e-procurement. These will offer process-cost reductions, but must provide the same standards of openness and probity as the current longer established tendering process.

How to use these Procedure Rules

Some of the rules in these Procedure Rules apply to all contracts. Others depend on the expected value of the contract involved.

The expected value of a contract is calculated by totaling all capital and/or

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revenue expenditure over the expected life of the contract including any extension periods. This will include licenses and maintenance fees if applicable. For open-ended contracts, the value should be calculated over a notional four-year period.

Local Suppliers

For the purpose of these regulations a local supplier is defined as those “whose trading premises are located in Lincolnshire and/or a 20 mile radius of the County”.

Exceptions

All staff involved in the purchase and/or supply of goods and services must follow these Procedure Rules. However, exemptions can be agreed by either

- a) The appropriate Committee, or
- b) The **Core** Leadership Team and the Chief Finance Officer

Commented [AG2]: addition

If the total value of the contract is over the EU Threshold legal advice must be sought from Legal Lincolnshire before proceeding with the exception process and the contract.

- i) An example of where option (a) might be needed is - where it is felt that a tendering exercise would not achieve best value. A report to Committee would need to demonstrate this in terms of cost, performance and quality comparisons, market conditions and any other relevant factors. The report should provide the basis for subsequent audit scrutiny.
- ii) Option (b) will be appropriate only in the following circumstances -

There are unforeseen events – for example, the breakdown of equipment or delayed deliveries,

A quotation or tender differs marginally from the specification but nevertheless represents the best value for West Lindsey,

There is only one potential supplier or contractor,

If the value of the contract is below £25,000.

If option (b) is used, a written request must be submitted to the **Core Leadership Team** and the Chief Finance Officer detailing the reasons for the request. If approved, the note must be signed by a member of the **Management Team**, on behalf of the **Management Team** and the Chief Finance Officer and retained on file. Additionally, where the value of the contract is over the EU Threshold (which should be confirmed with Procurement Lincolnshire) a report must be taken to the

Commented [AG3]: change from 'Management'

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relevant Committee to inform it of the action taken and the reasons for taking it.

NOTE: It is not a substitute for instances where procurement planning has not been exercised and Services find themselves with insufficient time to undertake a competitive process.

Commented [AG6]: addition

Rule 1. Requirements for All Contracts

All contracts must comply with Contract and Procurement Procedure Rules. A contract is any arrangement made by, or on behalf of, the Council, including schools, for the carrying out of works or for the supply of goods or services. These include arrangements for:

- a) The supply, or disposal of goods;
- b) Execution of works;
- c) The delivery of services
- d) The hire, rental, repair, maintenance or lease of goods or equipment;

Contracts do not include:

- a) Contracts of employment which make an individual a direct employee of the authority;
- b) Agreements regarding the acquisition, disposal, or transfer of land (for which Financial Regulations shall apply) or
- c) Awarding of Grant monies.

Commented [AG7]: addition

1.1 Contracts shall include, as a minimum, details of –

The Name of the Council and the Supplier

- The goods and services to be supplied or purchased;
- The price (including any discounts or deductions);
- The period over which the contract is to be performed;
- The timing of supply;
- Arrangements for payments.

Commented [AG8]: insert

1.2 Other terms and conditions can be written in with the agreement of both parties.

1.3 There must be an approved budget for all contracts where West Lindsey District Council will incur expenditure.

1.4 An officer must have authority to enter into a contract, through committee approval or delegated powers.

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- 1.5 If any person who is not an officer of West Lindsey District Council is involved in supervising or letting a contract on behalf of the Council, then they must comply with these Procedure Rules in the same way as if they were an officer.
- 1.6 All contracts should reflect the Council's wider policies such as equality of opportunity and sustainability and in particular, Procurement Lincolnshire's sustainable procurement strategy and any internal guidance.
- 1.7 All procurements must comply with EU law. Only those procurements above a certain threshold are required to follow the advertising and notification provisions made in the EU regulations. However, all procurements, of whatever value, must follow the principles of non-discrimination and equality of opportunity that are contained in the regulations.
- 1.8 The Council is committed to employing only competent contractors. Health and Safety should be considered and provisions made as appropriate. The Contracts Officer from Business Improvement can give further advice if required.
- 1.9 The concept of partnership is recognised and supported by the Council. Partnerships will be based on flexible and innovative approaches but must still conform to the provisions of Contract Procedure Rules (and Financial Procedure Rules).
- 1.10 Long term contracts will need to include mechanisms for variations. For example parts of the contract may be varied by reference to the then current RPI or other suitable index.

Rule 2. Framework Agreements

- 2.1 The lead officer must check whether a suitable Corporate Contract or Framework Agreement (including ESPO, other buying consortia, Office of Government Commerce or relevant Frameworks let by NHS) exists before seeking to let another contract. Where a suitable Corporate Contract or Framework Agreement exists, these must be used unless there is a good reason not to and these reasons must be recorded and agreed in writing with the Leadership Team and Chief Finance Officer.
- 2.2 The term of any *Framework Agreement* (including any extension period) should not exceed four years, except in cases duly justified by the *Contracting Authorities* and where an *EU Procurement Directive* applies and was included in the contract notice.
- 2.3 A *Framework Agreement* may be awarded to either a single *Economic Operator*, or three or more. Contracts based on *Framework Agreements*

Commented [AG9]: insert

Commented [AG10]: change to Crown Commercial Services, OGC doesn't exist

Commented [AG11]: Where are they recorded?

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may be awarded either:

- By applying the terms laid down in the *Framework Agreements* (where such terms are sufficiently precise to cover the particular call-off) without reopening competition; or
- Where the terms laid down in the *Framework Agreements* are not precise enough or complete for the particular call-off, by holding a mini competition in accordance with the following procedure -
 - a) Inviting the *Economic Operators* within the *Framework Agreements* who are capable of executing the subject of the contract to submit written *Tenders*.
 - b) Fixing a time limit, which is sufficiently long, to allow *Tenders* for each specific contract to be submitted, taking into account factors such as the complexity of the subject of the contract.
 - c) *Tenders* shall be submitted in writing, and their content shall remain confidential until the stipulated time limit for reply has expired.
 - d) *Contracting Authorities* shall award each contract to the *Tenderer* who has submitted the best *Tender* on the basis of the award criteria set out in the specifications of the *Framework Agreement*.

Rule 3. Joint Commissioning:

3.1 When the Council jointly commissions services with other public sector bodies such as Health Authorities, or other Local Authorities, the following procedures shall apply:

- The authorities concerned will decide which of them is to act as the lead authority for the purposes of the particular service that is to be commissioned.
- The procedures for the procurement of services of the lead authority shall be followed.
- All partaking authorities will be issued with a copy of the agreement

Commented [AG12]: insert

Rule 4. Contracts under £10,000

4.1 Contracts up to £1,000

Strategic Leads must ensure that best value for West Lindsey is

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obtained.

A local supplier must be used where appropriate.

Minimum of one oral quotation is required for goods, which includes similar types of process (e.g. looking up from a catalogue).

Minimum of one written quotation is required for services. An email will be acceptable.

The form of contract will be a properly completed official West Lindsey District Council order raised through the Financial Management System Purchasing Module.

4.2 Contracts from £1,001 to £10,000

Strategic Leads must ensure that best value for West Lindsey is obtained.

A minimum of two written quotations is required. One of the quotations must be from a local supplier, where possible, and a local supplier must be used who can provide the most economically advantageous offer.

Commented [AG14]: addition

Commented [AG15]: change from 'where they'

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The minimum requirement for the form of contract will be a properly completed official West Lindsey District Council order raised through the Financial Management System Purchasing Module. An accompanying letter or e mail, cross-referenced to the order, should give further details if necessary.

All Contracts £5,000 and over must be entered onto the Contract Management System by the Contracts Officer in Business Improvement.

Entry of contracts under £5,000 will be dependent on the provision and at the discretion of the Strategic Lead.

The services will be responsible for updating the contract on the management system through the term.

Commented [AG17]: addition

Rule 5. Contracts from £10,000 to £75,000

5.1 Contracts from £10,001 to £25,000

Electronic Tendering is the preferred method of carrying a RFQ exercise for procurements with an Estimated Total Contract Value exceeding £10,000.

Commented [AG18]: addition

Strategic Leads must ensure that best value for West Lindsey is obtained.

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Pre-Procurement approval is required.

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A minimum of three written quotations are required. One of the quotations must be from a local supplier and a local supplier must be used who can provide the most economically advantageous offer.

Commented [AG20]: change from 'where they'

The minimum requirement for the form of contract will be a properly completed official West Lindsey District Council order raised through the Financial Management System Purchasing Module. An accompanying letter or e mail, cross-referenced from the order, should give further details if necessary.

Commented [AG21]: addition

Contracts must initially be entered onto the Contract Management System by the Contracts Officer in Business Improvement. It will be the responsibility of the Service to update the contract through the term.

Commented [AG22]: addition

5.2 Contracts from £25,001 to £75,000

Electronic Tendering is the preferred method of carrying out an RFQ exercise for procurements with an Estimated Total Contract Value exceeding £25,000.

Pre-Procurement approval is required.

Procurement at this level has two options.

Option 1 – Seek a minimum of three written quotations.

Option 2 – Advertise the opportunity on Source Lincolnshire and Contracts Finder. This process will be conducted through the Open Procedure. Permission must be sought from the Chief Finance Officer

Commented [AG23]: addition

Quotations must be based on a request for quotation (RFQ) document including a written specification with simplified Terms and Conditions.

Contracts above £25,001 must be notified to the Head of Finance who will maintain a register of such contracts.

Commented [AG24]: remove

Contracts must initially be entered onto the Contract Management System by the Contracts Officer in Business Improvement. It will be the responsibility of the Service to update the contract through the term.

Commented [AG25]: addition

5.2.1 Invitation

- a) Strategic Leads must invite at least three written quotations from suitable traders against a written specification for the goods or services required. A date and time for the receipt of the quotations must be set and the invitation must:

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- state that the Council is not bound to accept any tender or quotation;
 - specify the evaluation criteria and award procedure.
- b) As a minimum, invitations to quote should include the following details -
- A date and time for the receipt of the quotations;
 - The quality or outcomes required;
 - The goods or services to be supplied or purchased;
 - The price (including any discounts or deductions);
 - The period over which the contract is to be performed;
 - The timing of the supply;
 - Arrangements for payments;
 - Monitoring requirements and default procedure;
 - Relevant Terms and Conditions from the Councils' standard Terms and Conditions are incorporated

5.2.2 Receipt/Opening/Acceptance –

- a) Quotations should ideally be received electronically through a secure electronic vault. If this option is not practical quotations can be received in a plain sealed package by the date and time previously specified. They must be marked "Quotation for" with the name of the contract but with no mark to identify the sender.
- b) If quotations are received through an electronic vault they can be opened by an officer authorised by the relevant Strategic Lead.
- c) If quotations are received in hard copy, they are to be endorsed with the date and time of receipt and kept by the Strategic Lead in a secure place until the time of opening.
- d) Quotations (hard copy) are to be opened at one time by the Strategic Lead and another officer with a record being kept of all quotations.
- e) Quotations received after the time specified or in envelopes/packages which identify the sender may not be considered.
- f) Any anomalies or apparent errors in the quotation will be clarified by the Strategic Lead and a record of the outcome kept on file.
- g) The Strategic Lead should accept in writing the quotation that represents the best value for West Lindsey.

Commented [AG26]: remove and replace with officer in charge of the procurement process

5.2.3 Form of Contract and Contract Provisions

Reviewed May 2015

Part V / Page 125

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- a) Within this category, the form of contract may range from a comprehensive and detailed letter (for lower values) to a straightforward formal document prepared by the Legal Adviser (for higher values). Every contract shall specify the goods, materials or services to be supplied or the work to be executed, the price to be paid, the period within which the contract is to be performed and such other conditions and terms as may be agreed. The Legal Adviser should, in all cases, be consulted on the terms of the contract.
- b) The contract may include a clause for the payment of liquidated damages should the contractor fail to complete the contract within the agreed time.
- c) A clause must be inserted allowing the Council to cancel the contract and recover any losses from doing so if the contractor or their agent offers any gift or consideration in relation to the contract.
- d) Where appropriate, the contract should require that the goods or services comply with the relevant European Standard or, if unavailable, a British Standard or equivalent issued by another Member State.
- e) The contract must require that the supplier has all the necessary permissions such as waste disposal licence, planning permission etc.

Rule 6. Contracts from £75,000 up to the EU Threshold

6.1 Electronic Tendering is the mandated method of carrying out a Tender or RFQ exercise for procurements with an Estimated Total Contract Value exceeding £75,000.

Pre-Procurement approval is required.

Procurement at this level has two options.
Option 1 – Seek a minimum of four written quotations.

Option 2 – Advertise the opportunity on Source Lincolnshire and Contracts Finder. This process will be conducted through the Open Procedure. Permission must be sought from the Chief Finance Officer

Quotations must be based on a request for quotation (RFQ) document including a written specification. with simplified Terms and Conditions.

Tenders should be co-ordinated by Procurement Lincolnshire, with all tender documentation issued electronically by and returned to the relevant

Commented [AG27]: addition, LCC have made it mandatory from £5000.

Commented [AG28]: remove

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officer as advised by Procurement Lincolnshire.

Adverts must be placed in the relevant websites as advised by Procurement Lincolnshire.

Commented [AG29]: remove

6.2 Invitation to Tender

The Strategic Lead will select the most appropriate procurement route. Generally there are two main procedures for tendering, restricted (6.5) or open (6.6). In addition Approved Lists may be used as outlined at 6.14.

Commented [AG30]: Replace with 'The main procedure for tendering is through the Open Procedure'

6.3 Restricted Procedure

A two stage process. A list of contractors can be compiled from a response to an advertisement or other market research. Where used, the advert should give details of the contract, invite expressions of interest, state the number of bidders who will be invited to tender, and give a time limit within which a pre-qualification questionnaire (PQQ) should be submitted (not less than 30 days if undertaken electronically). The PQQ will contain certain criteria including, but not limited to:

- Financial stability
- Capacity
- Track record
- References
- Health and Safety

When the time limit has expired, invitations to tenders will be sent to a selected number of bidders successful at the PQQ stage.

Commented [AG31]: take out this clause as procurements below EU threshold are subject to open procedure only

6.5 Open Procedure

An advertisement shall be placed inviting firms to tender directly for a contract. The advert should be placed on relevant websites and appear at least 40 days (if undertaken electronically) before the closing date for tenders.

Commented [AG32]: change to 30 days

It should state the nature and purpose of the contract, where further details may be obtained and the closing date for tenders.

The Open Procedure is a single stage tender (i.e. no PQQ stage) where all bidders are required to submit a full tender response, and all compliant submissions must be evaluated.

Commented [AG33]: addition

6.6 Timescales

Advice should be sought from Procurement Lincolnshire on developing an appropriate tendering timeline. Where tendering is undertaken, using an electronic vault, timescales may be reduced according to the

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procedure to be followed.

6.7 Contract Provisions

Provisions are as Procedure Rule 5.2.3 above.

6.8 Receipt of Tenders

6.9.1 Tenders ideally should be received electronically through a secure vault if this option is not practical tenders can be received in a plain sealed package bearing the words "Tender for" and the name of the contract to which it relates. There should be no mark which might identify the sender.

6.9.2 All tenders should be endorsed with the date and time of receipt, with non electronic tenders held by the relevant officer in a securely locked cabinet until the time and date agreed for opening.

6.9.3 Tenders received after the time specified or in envelopes/packages which identify the sender are not to be considered.

6.10 Opening of Tenders

6.10.1 Where Tenders are received in hard copy, they shall be opened by the Monitoring Officer and the Procurement Team or their representatives.

6.10.2 Of those present at the opening, at least two must not be involved in the tender process.

6.10.3 The service is responsible for maintaining a record of all tenders received which will include –

- The names of the contractors;
- The amount of each tender;
- The signatures of the persons opening the tenders;
- The signature of the person receiving the tenders for evaluation. (if hard copy supplied).

6.10.4 Where tenders are received through an electronic vault they will be opened by the relevant officer.

6.11 Evaluation and Acceptance of Tenders

6.11.1 Any anomalies or apparent errors in the tender shall be clarified by the Strategic Lead and a record of the outcome kept on file.

6.11.2 The tenders shall be assessed and scored against the previously set evaluation criteria.

Commented [AG34]: remove and replace with officer in charge of the procurement process

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- 6.11.3 No tender shall be accepted formally until adequate and satisfactory financial and technical references have first been obtained in writing.
- 6.11.4 The appropriate Director has delegated authority to accept the tender that represents best value within the approved budget, in accordance with the Council's corporate delegations.
- 6.12 Form of Contract
- 6.12.1 The form of contract should always be a formal document, the provisions of which shall be approved by the Legal Adviser to the Council prior to the invitation to tender. Every contract shall specify the goods, materials or services to be supplied or the work to be executed, the price to be paid, the period within which the contract is to be performed and such other conditions and terms as may be agreed.
- 6.12.2 The contract shall be signed by the appropriate Director.
- 6.13** Approved Lists:
- 6.13.1 *Approved Lists* may be used to select *Applicants* as an alternative to advertisement where the *Total Contract Value* for a contract exceeds £75,000. They may also be used to select *Applicants* where the *Total Contract Value* is less. *Approved Lists* should be used where recurrent transactions of a similar type are likely but where such transactions need to be priced individually and cannot easily be aggregated and priced in a single tendering exercise. *Approved Lists* cannot be used where the *EU Procurement Directive* applies.
- 6.13.2 Strategic Leads shall draw up in consultation with their Lincolnshire Procurement Resource:
- *Approved Lists of Economic Operators* ready to perform contracts to supply goods or services of particular types including without limitation on the basis of agreed contract terms; and
 - Criteria for *Shortlisting* from the lists.
- 6.13.3 No person may be entered on an *Approved List* until there has been an adequate investigation into both their financial and technical ability to perform the contract, unless such matters will be investigated each time bids are invited from that list.
- 6.13.4 *Approved Lists* must be drawn up after an advertisement inviting applications for inclusion on the list. The advertisement must be placed to secure widest publicity among relevant *Economic Operators* throughout all member states of the EU. Persons may be entered on a list between the initial advertisement and re-advertisement provided the shortlisting requirements are met.

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6.13.5 The list and *shortlisting* criteria must be reviewed at least annually and re-advertised at least every three years. For clarification review means:

- The reassessment of the financial, technical ability and performance of those *Economic Operators* on the list unless such matters will be investigated each time bids are invited from that list, and
- The deletion of those *Economic Operators* no longer qualified, with a written record kept justifying the deletion.

On re-advertisement, a copy of the advertisement must be sent to each person on the list, inviting them to reapply.

6.13.6 All *Approved Lists* shall be maintained in an open, fair and transparent manner and must be open to public inspection.

6.13.7 Lists maintained by third parties e.g. the New Qualification System (NQS), Construction Line, EXOR or any list maintained in substitution of the NQS will be deemed to be an *Approved List* for the purpose of these Contract Procurement Procedure Rules and shall not be subject to the requirements of Regulation 6.13.2 inclusive.

Rule 7. Contracts above the EU threshold

7.1 At this level TENDERS are required as per Procedure Rule 6 plus –

- a) The estimated contract value must be considered in relation to the EU procurement thresholds in force at the time. An advertisement must be placed in the Official Journal of the EU and other set procedures followed.
- b) The contractor will be required to provide suitable security for the due performance of the contract. This shall be decided by the appropriate Director in consultation with Procurement Lincolnshire.

7.2 Invitation to Tender

The Strategic Lead, in consultation with Procurement Lincolnshire, will select the most appropriate procurement route. Generally there are two main procedures for tendering, restricted or open (6.5). In addition Approved Lists may be used as outlined at 6.13.

Commented [AG35]: addition

Commented [AG36]: addition

6.9 Restricted Procedure

A two stage process. A list of contractors can be compiled from a response to an advertisement or other market research. Where used, the advert should give details of the contract, invite expressions of interest, state the number of bidders who will be invited to tender, and

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give a time limit within which a pre-qualification questionnaire (PQQ) should be submitted (not less than 30 days if undertaken electronically). The PQQ will contain certain criteria including, but not limited to:

- 6.9.1 Financial stability
- 6.9.2 Capacity
- 6.9.3 Track record
- 6.9.4 References
- 6.9.5 Health and Safety

When the time limit has expired, invitations to tenders will be sent to a selected number of bidders successful at the PQQ stage.

Commented [AG37]: addition

Rule 8. Financial Control

8.1 Expenditure above the contract price should be reported as follows –

Contract Figure £	Director £	Leadership Team & Chief Finance Officer £	Committee £
Up to 25,000	Up to 2,000	Over 2,000 to 5,000	Over 5,000
25,001 to 75,000	Up to 3,000	Over 3,000 to 7,500	Over 7,500
75,000 above	Up to 5,000	Over 7,500 to 10,000	Over 10,000

- 8.2 The reporting requirement does not apply where contract growth is in accordance with the provisions of the contract.
- 8.3 Financial Procedures Rules regarding virement still apply to all additional expenditure.
- 8.4 Strategic Leads should report any overspends on the Final Account to Financial Services, identifying where the additional expenditure will be generated, and subsequently to the appropriate committee.
- 8.5 Compliance with Procedure Rules must not be avoided by breaking contracts down into lesser values.

Rule 9. Contracts Register

9.1 All West Lindsey District Council contracts must be recorded on the Contracts Register. Strategic Leads are responsible for updating the register.

Commented [AG38]: replace with Contract Management system

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Rule 10. The Appointment of Consultants to Provide Services:

10.1 The following procedure applies where in the opinion of the relevant officer because of the specialist nature of the services required, it is necessary to appoint a consultant to provide the services to the Council.

This procedure does not apply when:

- The estimated Total Contract Value of the services is equal to or exceeds the EU Threshold for the supply of services in which case the EU procurement procedure must be followed, or
- When the services required may be obtained through ESPO or other collaborative arrangements in the public sector.

10.2 The officer must submit a report to the Director setting out:

- The nature of the services for which the appointment of a Consultant is required;
- The estimated Total Contract Value of the services;
- That no employee of the Council has been identified with the capacity or availability to undertake the services.

10.3 If the Director is of the opinion that in the interest of value for money for the provision of the services it is necessary or expedient to secure the appointment of a consultant to provide those services they shall record that opinion in writing and authorise the officer to engage a consultant using an established Corporate Contract or Framework Agreement or where the nature of the services required are so specialist and no suitable Corporate Contract or Framework Agreement is in place a formal tendering process will follow receipt and evaluation of the business case proposals.

10.4 Where the Total Contract Value is estimated to be above £75,000 the Rules are set out in Procedure Rule 6 onwards and should be followed.

10.5 Where the Total Contract Value is between £10,000 and £75,000 the Rules are set out in Procedure Rule 5 onwards and should be followed.

The officer must submit invitations to provide the services to at least three Applicants who are experienced in providing services of a similar type to the services required.

A RFQ/Invitation to Tender for the provision of consultancy services

Commented [AG39]: this will be the pre-procurement form

Commented [AG40]: addition

Commented [AG41]: Remove

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must include:

- a) a specification for the services;
- b) a questionnaire seeking details of the applicant's experience in providing similar services;
- c) the Council's standard contractual terms on which it is intended to appoint the consultant to provide the services; and
- d) the Award Criteria.

10.6 If the officer is of the opinion that the nature of the services required is so specialist that fewer than three Applicants would be able to provide the services the officer must record in writing the reason why the services are so specialist and, subject to the approval of the Director of Resources, may send the invitation to provide the services to two/one Applicant(s) only.

10.7 Responses to the invitation to provide the services shall be submitted to the officer by the appointed time and shall be opened by the officer and a representative of the relevant Director. The responses shall be evaluated in accordance with the Award Criteria to ascertain which response is most economically advantageous. The evaluation shall be recorded in writing and the record shall be signed by the officer.

10.8 The officer shall submit the evaluation report to the Director and recommend the appointment of the applicant who has submitted the most economically advantageous response. The Director may accept or reject that recommendation and shall record their reason for doing so in writing and sign and date that record.

10.9 Prior to appointing the chosen consultant to provide the services the officer shall ensure that:

- a) two satisfactory references have been obtained;
- b) a bankruptcy search has been undertaken against the name of the consultant with a satisfactory result;
- c) the independent Medical Officer is satisfied of the consultant's medical fitness to provide the services;
- d) the employment/tax status of the consultant has been confirmed

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Annual Council
9 May 2016

Subject: Annual Report from the Challenge and Improvement Committee 2015/16

Report by:	Director of Resources
Contact Officer:	Katie Coughlan Governance and Civic Officer 01427 676594 Katie.coughlan@west-lindsey.gov.uk Councillor Paul Howitt-Cowan Chairman of the Challenge and Improvement Committee Cllr.p.howitt-cowan@west-lindsey.gov.uk
Purpose / Summary:	To present the Annual Report.

RECOMMENDATION(S):

1) That Members receive the Annual Report from the Challenge and Improvement Committee

IMPLICATIONS

Legal:

The Chairman of the Committee is required constitutionally (Part 1 Page 17 paragraph 7.6) to submit an annual report to Council on the work his Committee has undertaken.

Financial : FIN / 11/ 17

None arising directly from this report

Staffing

None arising directly from this report:

Equality and Diversity including Human Rights :

N/A

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:

Agendas and Minutes arising from the meetings of the Challenge and Improvement Committee held during 2015/16 located on the website

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 and Context

1.1 The Chairman of the Committee is required constitutionally (Part 1 Page 17 paragraph 7.6) to submit an annual report to Council on the work his Committee has undertaken over the previous year.

1.2 The Chairman's Annual Report is set out below.

2. Chairman's Annual Report

2.1 The primary role of the Challenge and Improvement Committee is to scrutinise the Council in a positive and effective manner, however, it has to be appreciated that all committees are there primarily to hold to account West Lindsey District Council. I cannot over emphasise the need for colleagues to study all papers and reports well in advance of meetings and to contact officers for clarification before the committee meets in order to be well informed to arrive at a decision and to remember, that if colleagues are unsure therefore to defer that decision, until they feel comfortable to proceed.

2.2 The central thrust of this year has been to make the Committee robust and give it greater credibility as a scrutiny body, which is non-political, without fear or favour, working solely to enhance the work of The Council. I feel we have achieved this in a variety of ways and set out below the range of activity the Committee has been involved in:

- Establishment of and Continued Work of the Democracy Working Group
- Re-establishment of the Progress and Delivery Working Group
- Review of Operating Methodology
- Continued Programme of Public Body Scrutiny
- Items Selected for Pre-Scrutiny to Assist in Policy Development
- Establishment of a South West Ward Working Group

3. **Establishment and Continued Work of the Democracy Working Group** – C&I set up a small democracy group during 14/15 with the initial aims of promoting the concept of democracy across the District and to look at possible initiatives which would engender greater participation in the democratic process and uphold the principles which support effective democratic operations. To that extent the group identified three initial projects:

- A review of the current configuration of the Council Chamber
- Consideration to take the Planning Committee out into the District
- Engagement with young people and schools

3.1 Consideration of taking the Planning Committee out into the District was deemed to be impracticable and as an alternative it was decided to ensure that all Planning Committee meetings be webcast in real-time and larger viewing screens be installed for the viewing gallery.

3.2 The Group has continued to work throughout the 15/16 Civic Year, and following a change in Membership currently comprises Councillors Anne Welburn, Roger Patterson and Giles McNeill.

3.3 Following its change in Membership the Group discussed previous minutes and suggestions in order to re-focus and move forward with chosen priorities. The revised priorities became:

- Revisiting options for a reconfiguration of the Council Chamber to support in-meeting communication and debate
- Development of a four-year plan for promotion of democracy and youth engagement through the civic office
- Use of communication and social media to publicise and engage with our communities around democracy

3.4 Along with the reconfiguration of the chamber and developing a four-year plan, the DWG have been progressing the following initiatives to promote democracy and youth engagement within the District:

- Continued attendance and support of the Road Safety Partnership which will be brought forward for update at their next meeting
- Letters agreed to be circulated to West Lindsey Primary Schools inviting them to hold their School Council meetings in the Chamber at the Guildhall and meet with the Chairman
- Letters agreed to be circulated on a rolling basis to all Secondary schools within the District and for the Chairman and Ward Members to visit to talk to students about democracy and the decision making process
- Funding will be made available and publicised through the community grant for schools to purchase flag poles and be involved in flag raising days for the District
- Support for the 'Clean for the Queen' project
- Screens have been installed in the Council Chamber for better viewing for the public during meetings, and to display the webcast feed

3.5 The DWG agreed four year plan to promote democracy and youth engagement is set out below

CIVIC YEAR	PRIORITY 1	PRIORITY 2	PRIORITY 3
15/16	Reconfiguration of the Council Chamber to aid debate and democratic process	Reintroduction of 18 th Birthday Cards for new voters *	Road Safety Partnership attendance and support
16/17	Reintroduction and development of Primary Youth Council Meetings in the Chamber	Commence Secondary School Visits for all Members of Council	Flags and Flagpoles for Schools Initiative

17/18	Introduction of Youth Chairman and Youth Council for WL	Focus on Scouting / Guiding	Focus on Cadets and Introduce a Chairman's Cadet
18/19	Youth Council to lead on projects such as a Takeover		

- * The Group have been asked to reconsider this item as it has associated delivery costs.
- 3.6 Arising from the work of the Group, recommendations on a new Chamber layout were submitted to Council in April 2016. Subject to agreement these will come into operation from Annual Council 2016.
- 3.7 The Chairman of the Council and the Chairman of the Challenge and Improvement Committee are now advisors to the Group and we have formalised and extended the Group's Terms of Reference to include being a sounding board for all civic matters as and when referred to the Group.
- 3.8 The Group's full Terms of Reference are set out at Appendix A to this report.
- 3.9 The work of this Group has been much appreciated and continues.
- 4 **Re-establishment of the Progress and Delivery Working Group –**
C&I re-established the successful progress and delivery working group. This Group has reviewed with officers the effectiveness and usefulness of the measures included in the current progress and delivery reports to ensure that what is reported to the public, partners and stakeholders is relevant and relates to the aims and objectives of the Council's Corporate Plan.
- 4.1 The working group have been looking at the following aspects of performance management:
- Reviewing the previously agreed measures to confirm they are the appropriate measures
 - Considering how these measures provide a performance framework for the organisation that allows Members to monitor progress against the Corporate Plan, service delivery and implemented projects
 - Considering the reporting format for future reports
- 4.2 Members have reviewed the current reporting format and content, scrutinised the Council's current Corporate Scorecard, had sight of a proposed set of measures to oversee delivery against the new Corporate

Plan priorities and were introduced to the concept of a measure definition sheet to be used internally so as to ensure consistency of reporting.

4.3 This Group made formal recommendations back to us as a Committee at our April meeting which included: -

- An overall satisfaction expressed with the Progress and Delivery format and content, however with the following suggested improvements:
 - Direction of Travel indicators to be used in reporting
 - Consistent usage of explanations and rectification actions where appropriate

4.4 Work is now underway across the Council to firm up the measures to be used across the Council for 2016/17.

4.5 Additionally, a revised Progress & Delivery template is being designed which will report against:

- Corporate Scorecard
- Programme & Project Delivery
- Corporate Plan Delivery
- Service Performance

4.6 The concept of reporting by exception will be retained, however service areas will be invited to add brief contextual detail to the data they provide.

4.7 Formal discussions have taken place with both Policy Committee Chairman and the revised style reporting will be launched in May 2016.

5 **Review of Operating Methodology** – to ensure the on-going effectiveness of the Committee, a review of its operating methodology was undertaken. This focused on performance management and policy and performance reviews. The Committee recognises that the policy committees play a key role in challenging performance and policy development to seek assurance that any issues are rectified. However the Challenge and Improvement Committee must also play a part and scrutinise the operations of the policy committees to ensure they are fulfilling their roles effectively. To that extent, the Committee will intervene where it is felt that rectifications are inadequate and/or project development is cause for concern or post project reviews have not been conducted. Intervention will only occur after an agreed period of time has been allowed for rectifications to take effect.

5.1 The Committee have effectively challenged the Policy Committees on a number of areas this year particularly where baselines have not been included and where explanatory and or rectification text has been omitted.

- 5.2 The Challenge and Improvement Committee have also been charged with overseeing the implementation of the Development Management Improvement Plan and receive progress update reports every six months. On receiving the last report Members commented on the noticeable improvements to-date and were encouraged by the change they had seen. We hope this work continues and will continue to monitor progressing during 16/17.
- 6 **Continued Programme of Public Body Scrutiny** - to enhance the accountability for service delivery and the effectiveness of other public service providers delivering for residents of the District, the Committee has continued with a programme of meetings with strategic partners to discuss their approach to addressing the strategic needs of the residents of the District. Meetings held to date have seen: -
- Police Inspector Outen attend twice to discuss Crime & Anti-Social Behaviour;
 - Acis Group Limited attended to present an overview of their work; the impact it is having on the general well-being of the District and the issues they face. The Committee posed questions around Acis's intentions for their stock in the South West Ward; what provision they make to house the more vulnerable members of society in light of changes to welfare reform; how they planned to manage the new right to buy legislation; and offered challenge on why tenants requiring aids and adaptations were still being housed in unsuitable properties.
 - Representatives from the Lincolnshire West CCG attended to present an overview of their work; the impact it is having on the general well-being of the District and the issues they face. The Committee posed questions around the future intentions of the John Copeland Hospital; unacceptable GP waiting times and inconsistent service, dependent on the practice registered to; the implications of an aging population; the work of the neighbourhood teams; and how the CCG and WLDC can ensure their priorities are aligned.
- 6.1 While this is an area still being developed and refined initial thoughts are that the meetings have provided valuable insight into the strategic aims of these bodies and their impact on the District. Additionally, it has provided an opportunity for issues pertaining to the District to be raised and for responses to be provided.
- 6.2 Member engagement and attendance has been greatly raised through this area of the Committee's work. Copies of all the questions and answer sessions are available on the Members' Portal for future reference.

6.3 A programme of work for 2016/17 is in development, which it is hoped will be more outcome focussed. To achieve this we intend to deliver these sessions in a different format. Further details are contained in Section Nine.

7 **Selection of Items for Pre Scrutiny to Assist in Policy**

Development - a key role for the Committee is to take a pro-active stance in relation to the development of policy and to scrutinise proposals in advance of implementation. The Committee therefore routinely scans the Forward Plan to identify any matters of interest that are worthy of scrutiny and discussion.

7.1 During the year the Committee successfully pre-scrutinised the development of the Car Parking Strategy and drove an all Members Workshop on the subject to ensure full engagement. Arising from this a number of options were put forward for consideration into incorporating into the Strategy including:

- More dynamic use of car parks to open spaces for other users
- Parking during school-time pick-ups
- Supporting businesses by free 'quick errand' spaces
- Parking for residents
- Incremental increases in season tickets
- Free parking towards the end of the trading day when business is slower
- Uniformity for charging across areas

7.2 The Strategy was approved in November 2015 and the Challenge and Improvement Committee intend to closely monitor it's effectiveness and will be receiving impact assessment reports throughout the 16/17 civic year.

7.3 To date the topic of Markets has also been selected for advance scrutiny with a view to effecting and influencing policy decisions at the outset.

7.4 The Committee received its first pre-scrutiny report on this subject at its April meeting and this work will conclude early in the 2016/17 civic year with formal recommendations being made to both Policy Committees as a result.

8 **Establishment of a South West Ward Working Group** – In response to a formal request from Council arising from a motion and question submitted, the Challenge and Improvement Committee established a South West Ward Working Group.

8.1 The first meeting of the group took place on 21 September 2015 where draft terms of reference were agreed, which incorporated a proposed timeline for the work and the scope of the work. This is set out at Appendix B.

- 8.2 The Group is expected to make its final recommendations back to us as a Committee in May 2016 with Challenge and Improvement Committee making recommendations for action thereafter to the Prosperous Communities Committee.

9. Conclusion and Look Forward to Next Year

Public Body Scrutiny

- 9.1 At the Committee's last meeting of the 15/16 Civic Year, Members gave consideration to areas they may wish to incorporate into their work plan for 16/17 and agreed to a themed approach around Youth unemployment.
- 9.2 As previously mentioned at Section 6.3, the Committee are revising their approach to public body scrutiny. It has been agreed that the Committee takes a detailed look at the issue of youth unemployment and adopts a structured, chronological approach. The Committee recently received a presentation on this subject area, which highlighted that the rates of youth unemployment across our District are the highest in Lincolnshire.
- 9.2.1 To that extent it is proposed that a series of involved bodies are invited, starting with education through to careers advice (or equivalent), employers' bodies and finally Department for Work & Pensions and/or supporting job scheme partner agencies.
- 9.2.2 This approach is intended to map the 'journey', interventions and approaches taken at differing stages by agencies to identify and remedy the issues that face the youth of the District in obtaining the required qualifications, work skills and experience which support sustainable, rewarding employment and in turn support the local economy.

Other Areas

- 9.3 The Committee will oversee the introduction of the revised Performance and Delivery Monitoring Reporting and evaluate its effectiveness.
- 9.3.1 The Committee will continue to receive regular update reports and oversee the implementation of the Development Management Improvement Plan.
- 9.3.2 Following pre-scrutiny of the Market Operations Options the Committee will be making recommendations to the relevant Policy Committee early in the 16/17 Civic Year.
- 9.3.3 At the conclusion of the South West Ward Working Group the Committee will be making recommendations to the relevant Policy Committee early in the 16/17 Civic Year.

9.3.4 The Committee will continue to respond to direct requests to undertake work made either by Council or the Policy Committees.

10. Concluding Remarks

10.1 The past Civic year has been a busy one and the next one looks busier still! In conclusion, may I express appreciation to the Vice Chairmen and Members of the Committee who have shouldered the responsibility of scrutinising key areas of the Council's business with integrity and in a non-partisan manner. Thanks also go to Mr Ian Knowles for his help and support throughout the past civic year. Finally, a huge thank you to Katie, who has kept us on the straight & narrow throughout the past civic year.

APPENDIX A

Terms of Reference – Democracy Working Group

a) Membership 2015/16

The Membership of the DWG is appointed at Annual Council.

- Cllr Roger Patterson
- Cllr Anne Welburn
- Cllr Giles McNeill

Consulting on Civic Matters:

- The Chairman of the Council
- Chairman of Challenge and Improvement Committee

All Members of Council are welcome to feed in to the discussions of the group.

b) Purpose

The purpose of the Democracy Working Group is to:

- Increase confidence in local democracy – getting more people involved and taking responsibility for their community.
- Increase the public's awareness of the democratic process
- Increase awareness of the role of councillors.
- Help the public to understand the difference they could make as a councillor.
- Increase the number of people putting themselves forward to be a Parish / District councillor.
- Increase the voting turnout.
- Involve young people (Youth Councils / schools / etc) in the democratic process.
- Be a sounding board for civic matters as and when referred to the group.

c) Role

- The DWG works together as a close knit team to provide leadership on progression of initiatives to meet the objectives of the group.
- The DWG brings together and represents all Members of Council in the promotion of democracy.

d) Responsibilities

The DWG take collective responsibility for:

- Engaging all Members in the work it undertakes;
- Reporting on a regular basis and when requested to its parent committee (Challenge and Improvement);
- Developing ideas to further its objectives;
- Making recommendations, where necessary to its parent committee.

e) Modes of Operation

- The Group tailors its ways of working to its various functions;
- The Group meets on a regular basis, as business progression dictates.
- Agendas and Minutes are produced for each meeting, and Minutes are provided to the parent committee on a regular basis by e-mail

APPENDIX B

South West Ward Anti –Social Behaviour and Criminal Activity Task and Finish Group

Draft Terms of Reference

Purpose of the Group

To review the effectiveness of the council and partner agencies approach to tackling incidents of anti-social behaviour and criminal activity in the South West Ward of Gainsborough and work with these agencies to ensure that incidents are being dealt with efficiently and effectively within the context of the current powers and responsibilities available to the council and the partner agencies. On the conclusion of the work to make recommendations to the Prosperous Communities Committee on how the approach to these incidents could be changed in order improve efficiency and effectiveness.

Membership

Councillors Howitt – Cowan (chair), McNeill and Young. Supported by the Chief Operating Officer and other officers as appropriate.

Frequency of meetings

6 weekly (to allow for work to be completed between the meetings).

Method of Investigation

Diagnose the problem through an analysis of our current approach (policies and procedures), analyse the information/data available, learning from best practice and involve partner organisations.

Scope of the Organisations Involved

Organisations with a role in delivering improvements in the South West Ward – ACIS, PCSOs, South West Ward Tasking Group, landlord groups.

Key Milestones and Reporting Timetable (including action planning)

1. Agree the terms of reference (meeting 1)
2. Review the evidence (meeting 2)
3. Action Plan (meeting 3)
4. Report back to Challenge and Improvement Committee with recommendations
5. Challenge and Improvement Committee makes recommendations back to Prosperous Communities Committee for action



Annual Council
9 May 2016

Appointments to Outside Bodies

Report by:	Manjeet Gill Chief Executive 01427 676501 manjeet.gill@west-lindsey.gov.uk
Contact Officer:	Alan Robinson Strategic Lead for Democratic and Business Support and Monitoring Officer 01427 676509 alan.robinson@west-lindsey.gov.uk
Purpose / Summary:	To request Council to agree to the addition of two further Outside Bodies to the existing list, and to confirm appointments to those bodies.

- RECOMMENDATION(S):**
- a) That the West Lindsey Dementia Action Alliance be added to the Council's list of Outside Bodies;
 - b) That The West Lindsey Churches Festival be added to the Council's list of Outside Bodies;
 - c) That Councillor Gill Bardsley and Councillor Paul Howitt-Cowan be the Council's representatives on the West Lindsey Dementia Action Alliance;
 - d) That Councillor Gill Bardsley and Councillor Paul Howitt-Cowan be the Council's representatives on the West Lindsey Churches Festival.

IMPLICATIONS

Legal: None associated with this report

Financial : FIN/22/17 None associated with this report

Staffing : None associated with this report.

Equality and Diversity including Human Rights : N/A

Risk Assessment : N/A

Climate Related Risks and Opportunities : None

Title and Location of any Background Papers used in the preparation of this report:
None

Call in and Urgency:

Is the decision one to which Rule 14 of the Scrutiny Procedure Rules apply?

Yes **No**

Key Decision:

Yes **No**

1 Background

- 1.1 A request has been received from Councillors Howitt-Cowan and Bardsley for the West Lindsey Dementia Action Alliance and the West Lindsey Churches Festival to be added to the Council’s list of Outside Bodies;
- 1.2 Councillors Howitt-Cowan and Bardsley are already active participants on the two bodies and it was felt desirable to formalise the arrangement.
- 1.3 The information forms, although not fully completed yet, are appended to this report along with additional information.

- 1.4 Should the appointments be confirmed, the Councillors will be required to submit an annual feedback report to Council, as is required for all Outside Bodies, to set out the work of the organisations.

2. Recommendations

- a) That the West Lindsey Dementia Action Alliance be added to the Council's list of Outside Bodies;
- b) That the West Lindsey Churches Festival be added to the Council's list of Outside Bodies;
- c) That Councillor Gill Bardsley and Councillor Paul Howitt-Cowan be the Council's representatives on the West Lindsey Dementia Action Alliance;
- d) That Councillor Gill Bardsley and Councillor Paul Howitt-Cowan be the Council's representatives on the West Lindsey Churches Festival.

NAME OF OUTSIDE BODY	WEST LINDSEY CHURCHES FESTIVAL
TYPE OF OUTSIDE BODY	e.g. Statutory/Community/Charity?
CONTACT NAME AND ADDRESS & Tel No.	HON SEC HELEN
Email address	helenandgray@yahoo.co.uk
NUMBER OF REPRESENTATIVES REQUIRED	
MEMBER APPOINTED	CLLR PDJ HOWITT-COWAN
VENUE / FREQUENCY / DURATION / TIME OF MEETINGS	CHURCH HALL MIDDLE RASEN MEET 6 TIMES A YEAR
REQUIREMENTS / OR QUALIFICATIONS (where applicable)	
BACKGROUND	
SUBSTITUTES ALLOWED	
PUBLIC LIABILITY INSURANCE	N/A
PERSONAL INDEMNITY INSURANCE	N/A
GRANT AID / ASSISTANCE RECEIVED FROM WLDC	£21K FROM wldc for the next 3 years
OTHER INFORMATION	Conference held in March of each year Festival held in May of each year AGM held in September of each year Holds a Constitution



This May, 96 stunning Lincolnshire churches will be open to visitors in a fantastic, free-entry festival of heritage and history. Visit our website for everything you need to know: photos, maps & accommodation plus details of where to take a pew for a home-made lunch (literally!) and the churches that are hosting our 19 music recitals. Takes place on 7-8th May (Eastern Churches) 14-15th May (Western Churches).

Website: <http://www.churchesfestival.info/p/west-lindsey-churches-li>

The Open Churches is supported by WLDC £7K for the next three years & by Systematic, the printers

The festival now in its 20th year is organised by a committee of volunteers which meets throughout the year to plan the May event

In March of each year a Conference is held to launch the brochure. This year it met at Hemswell Court and received presentations from the Archdeacon of Stow & Lindsey and from Dr Jonathan Foyle, a former Curator of Hampton Court, Time team presenter and lecturer.

In September of each there is an AGM of the Open Churches Festival.

This year the Festival is encouraging the communities to supply ' stories from their villages, stories of scandalous vicars, of individuals who have done great things or not. The returns have been very encouraging & it is envisaged that they will be collated for publication at a later date.

This year, the Chair & Vice Chair, Mrs Linda Patrick were invited to help Boston UK to set up a smaller festival to be staged in September 2017

And they both were invited to the Lincolnshire Wolds Festival to give a presentation which focused on the business & community advantages to opening up churches/ chapels in the Wolds.

Open Churches originated by WLDC tourism Dept and remains a secular event claimed

to be the largest of its kind in Europe!

Cllr PDJ Howitt-Cowan is the current Chair

NAME OF OUTSIDE BODY	West Lindsey Dementia Action Alliance
TYPE OF OUTSIDE BODY	e.g. Statutory/Community/Charity? Community
CONTACT NAME AND ADDRESS & Tel No.	Gill Collins Alzheimer's Society 15 Sixfield Close Lincoln LN6 0EJ
Email address	Gill.collins@alzheimers.org.uk
NUMBER OF REPRESENTATIVES REQUIRED	1
MEMBER APPOINTED	
VENUE / FREQUENCY / DURATION / TIME OF MEETINGS	Venues vary dependant on who volunteers a room the meetings are quarterly and of about 2 hours duration
REQUIREMENTS / OR QUALIFICATIONS (where applicable)	
BACKGROUND	
SUBSTITUTES ALLOWED	yes
PUBLIC LIABILITY INSURANCE	Yes group covered by Alzheimer's Society or their own organisations cover
PERSONAL INDEMNITY INSURANCE	
GRANT AID / ASSISTANCE RECEIVED FROM WLDC	
OTHER INFORMATION	The WL DAA is a social movement made up of organisations and individuals who have an interest in making West Lindsey dementia friendly and a better place for people with dementia to live and be involved.



Background: Matthew Boutlon initially led the way for the creation of a West Lindsey Dementia Action Alliance (DAA to address the needs and awareness of an increasing number of people suffering from Dementia.

Representatives: Cllrs Bardsley & Howitt-Cowan

Meetings Civic Year 2015/ 16

20 July 2015 @ WLDC Guildhall

19 October 2015 @ Festival Hall, Market Rasen

18 January 2016 @ Trinity Arts

18 April 2016 @ WLDC Guildhall

<p>Quarterly meeting dates</p> <p>Civic Year 2016/17</p>	<p>The next and subsequent quarterly meetings to be on a Monday afternoon. Proposed dates for 2016:</p> <p>18-07-16</p> <p>17-10-16</p> <p>To be held at the same time 2-4pm, venue TBC.</p>
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Find out how you or your Organisation or Business can help us make West Lindsey a Dementia Friendly Community

Participate in Dementia Friends @ 2.30pm

Thursday 19th May 2.00pm – 4.00pm

The Council Chamber WLDC The Guildhall

Join us for Refreshments and a chat!

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Annual Council
9 May 2016

Subject: WLDC Consultation Response and Support for the “Proposed Submission Draft Central Lincolnshire Local Plan”.

Report by:

Chief Operating Officer

Contact Officer:

Mark Sturgess – Chief Operating Officer.
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Mark.sturgess@west-lindsey.gov.uk

Purpose / Summary:

This report provides Councillors with an update on the final stage of the local plan consultation and recommends that members support a formal consultation response that endorses the Proposed Submission Draft Local Plan.

RECOMMENDATION(S):

- 1) That members welcome the publication of the Proposed Submission Draft Central Lincolnshire Local Plan, recognising the framework for strong economic growth it provides, in that it:
 - a. Provides a statutory spatial planning framework for the regeneration, growth and development of Gainsborough in accordance with the corporate aspirations this Council has for the town.
 - b. It assists with the use of major infrastructure assets present in the District to further jobs growth and economic prosperity within the District
 - c. It enables the growth and development of our market towns
 - d. It gives (through the provision of a five year housing land supply) appropriate protection to those areas within the District where further housing growth would damage the identity of communities and put a further strain on existing infrastructure
 - e. It gives support to communities who desire to see their areas grow by providing a framework within which Neighbourhood Plans can be prepared.
 - f. It enables some of the smallest settlements in the District to grow at a scale appropriate to their needs.

- 2) That Council endorse the Proposed Submission Draft Local Plan and that authority be provided to the Chief Operating Officer and Leader of the Council to submit a formal representation to the Central Lincolnshire Joint

Strategic Planning Committee and Local Plan team giving full WLDC support to the Proposed Submission Draft Local Plan (and therefore for the plan to proceed to Examination in Public and then adoption).

IMPLICATIONS

Legal: None arising from this report

Financial :

Staffing : None arising from this report

Equality and Diversity including Human Rights: None arising from this report.

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:

1. Report to the Council - "Central Lincolnshire Local Plan Consultation – Council Response" 10th November 2014
2. Preliminary Draft of the Local Plan – October 2014
3. [Further Draft of the Central Lincolnshire Local Plan](#) – published October 2015
4. Letter to members setting out the consultation arrangements from the Chief Operating Officer dated 14 October 2015
5. [Report to the Prosperous Communities Committee – 29 October 2015](#)
6. WLDC Full Council response to the Further Draft Local Plan Consultation 16 November 2015 (currently unavailable online)
7. [Proposed Submission Draft Central Lincolnshire Local Plan](#) – published April 2016

Call in and Urgency:

Is the decision one which Rule 14 of the Scrutiny Procedure Rules apply?

Yes No

Key Decision:

Yes No

1.0 Background

- 1.1 Since 2009 the council’s statutory local planning function has been delivered by a separate local planning authority (established by parliamentary order) known as the Central Lincolnshire Joint Strategic Planning Committee (CLJSPC), supported by a team of officers. This CLJSPC is made up of members from the four contributing councils, including three members (plus one reserve) from West Lindsey. The committee’s role is to oversee the production of the local plan through to adoption and make decisions on new planning policy requirements. That means the approval and adoption of the local plan lies with the CLJSPC. The role of the WLDC committees in this joint function is one of a consultee, with the authority’s CLJSPC members making delegated decisions on the final content of the plan.
- 1.2 However, it remains a statutory duty for this council to have full and effective local plan coverage for its area. The government is committed to ensuring that there is full local plan coverage across the country and, through the Housing and Planning Bill, is proposing to take powers to enable it to intervene where local planning authorities are not progressing their duties with regard to local planning in their area. The joint arrangements the council has entered into will be sufficient, once the plan is adopted, to ensure that it complies with this duty.
- 1.3 To date, the role of this council has been is to consider the plan at its various earlier stages and confirm that in spatial planning terms it assists the council in delivering its strategic spatial objectives for the District, principally around the delivery of economic growth, housing growth, jobs growth and environmental protection. As members have previously been advised, and explained later in this report, at this final stage there are no further opportunities to make amendments to the plan.
- 1.4 The local plan is a strategic document that will ensure the economic growth, housing growth and jobs growth are delivered in a coordinated and planned way that makes the most of the opportunities available in the District and protects the areas that are environmentally sensitive.
- 1.5 Production of the Proposed Submission Draft Central Lincolnshire Local Plan represents a significant achievement for the partner authorities; following the decision not to pursue the earlier Core Strategy the new Local Plan has been produced both on time and within budget, far quicker than the national average for plan-making. The area covered by the plan is one of the largest covered by any plan nationally, and the growth targets that the plan seeks to deliver are amongst the highest anywhere in the UK. It is important that all partners recognise the need

to support this ambitious level of growth and provide full support for the local plan as it reaches this final stage.

- 1.6 Previously there have been two previous consultation stages, a 'Preliminary Draft' Consultation in October-November 2014, and subsequently consultation on a 'Further Draft' of the plan in October-November 2015. The latter consultation included a full draft of the local plan and specific site allocations.
- 1.7 Since then the local plans team have undertaken considerable further work to carefully consider the thousands of representations received, and to review and update the plan and extensive evidence base as necessary. The representations made during each consultation have been extremely helpful in shaping the plan and whilst it is accepted that not everyone will be satisfied with every wording or allocation in the plan, and that it is not possible for every single requested amendment to be incorporated, it is believed that there is considerable support, overall, for its content.

2.0 Current Position

- 2.1 The local plan is now at the final "Submission Draft" stage (or in legal terms is known as the 'Publication Draft Local Plan'). On 18 January 2016 CLJSPC members considered a review of the Key Issues raised during the previous public consultation and subsequently, on 14 March 2016, CLJSPC approved the Proposed Submission Draft for the final stage of consultation.
- 2.2 In doing so, that committee effectively declared that the local plan was considered to be final and the content legally sound and, subject to minor amendments agreed in that committee meeting and the outcome of the independent examination, it was the committee's intention to adopt the plan as presented.
- 2.3 The consultation period on the "Proposed Submission Draft" will run from 16 April 2016 and will close on 26 May 2016.
- 2.4 The Proposed Submission Draft Local Plan as presented broadly follows the thrust and intent of the previous 'Further Draft' version. To highlight a few important elements of it:
- It is a plan which welcomes growth in jobs (15,071 or 11,894 FTE net new jobs), homes (36,960) and supporting infrastructure.
 - The plan acknowledges that around 10,000 of the near 37,000 homes are already 'committed' (i.e. built or with consent), with the plan facilitating the delivery of the remaining homes.
 - Growth is focused in or adjacent to our major urban areas of Lincoln, Sleaford and Gainsborough, with 64% of the growth identified for the Lincoln Strategy Area, to match the 64% of Central Lincolnshire's population which lives in that area.
 - Limited growth is identified in our villages, with a 'cap' to growth in our smaller villages unless that village expressly wants more growth.
 - Policies to ensure infrastructure is delivered alongside growth, with specific infrastructure requirements listed for the major sustainable urban extensions.

- Policies to protect the special features of Central Lincolnshire, including Green Wedges, Local Green Spaces, Wolds AONB and heritage assets.
- Measures to ensure homes are built and designed for all in our community, including affordable homes and accessible homes (for those with mobility difficulties).
- Support for sustainable transport measures as well as highway improvements. As stated, officers have carefully considered all representations received at the last consultation stage, and aimed to address as many concerns as possible. For example:
 - Four of the proposed Gypsy and Traveller sites have been deleted, these receiving a considerable number of objections.
 - A small number of housing sites have been either added or deleted, mostly reflecting recent permissions or other new evidence.
- Reliance on the large scale 'sustainable urban extensions' (SUEs) has been slightly reduced, not in terms of their location/allocation, but in terms of their delivery in the Local Plan period to 2036.
- A variety of other policy 'tweaks' to ensure all policies are clear, in line with national policy, or reflect accurately local desires and requirements.

3.0 Next Steps

- 3.1 First, the Local Plan (and all associated material) will be subject to public consultation for six weeks, between Friday 15th April and Thursday 26th May 2016 inclusive.

As previously advised to members, the purpose of the final consultation is different and more formal to earlier consultations. As stated above CLJSPC have approved the Proposed Submission Draft as final and sound, as such once consultation is underway there are no further opportunities to make changes to the local plan prior to submission to the Secretary of State.

In simple terms, whilst the consultation is open to everybody (including those who have not made any representations to date), the crucial aspect to understand is that all representations received are **not** subsequently considered by officers or the Committee, but instead are considered later on by an independent Inspector.

It is also important to understand that any objections at this stage must be based on one of the 'tests of soundness' as set down by legislation. This means that it is not a completely open-ended consultation process, but rather an objector must state why the plan is 'unsound' and what needs to be done to address the matter (typically this means that consultation responses can only focus on technical or procedural matters and what must be done to address them). This must be submitted in writing during consultation.

It is also important to emphasise that, as set down by legislation, any objections made at earlier consultation stages are not carried forward to the next stage in the process; and as such, if a representor remains unsatisfied with the Local Plan, that representor must repeat their objection at the next consultation stage, if the representor wants it to be considered.

It is fair to say that many members of the public do not, understandably, always comprehend this process at this stage, and are often surprised to find out that neither officers or Committee have any opportunity to amend the Local Plan as a result of the consultation. A communications plan, overseen by CLJSPC, is in place to ensure that the purpose and nature of the consultation is clearly promoted.

- 3.2 Second, after the close of the consultation on 26th May 2016, the Joint Planning team will;
- upload all representations on to the Central Lincolnshire website (the consultation portal),
 - summarise the key issues raised
 - publish all evidence base material and 'submit' the Local Plan and associated material to the secretary of state (or, in practice, to the Planning Inspectorate). This is scheduled to all happen by late June 2016.
- 3.3 Third, as soon as the Local Plan is 'submitted', the plan is taken out of the hands of the Joint Committee and its officers, and is entirely in the hands of an Inspector appointed to 'examine' the Local Plan.
- 3.4 Fourth, that Inspector will consider all representations received, and will hold a 'Hearing' session as part of the examination, whereby those who wish to verbally raise their objections with the Inspector will get their chance to do so. Officers will sit at all days of the 'Hearing', to defend the contents of the Local Plan.
- 3.5 Fifth, ultimately, the Inspector will prepare an Inspector's Report, which will contain a list of 'main modifications'. These are binding on the Joint Committee, if it wants to adopt the Local Plan.

Throughout this 'examination' process, there will be times when the Inspector will indicate that he/she is considering recommending a particular modification, and will normally ask officers whether it could offer a set of suggested wordings to meet the concern. As such, CLJSPC has delegated authority to the Local Plan Manager to 'negotiate' such possible modifications with the Inspector during the examination process, to enable the smooth running of the examination. These modifications are in effect 'owned' by the Joint Committee as the examination proceeds i.e. they are not formally agreed by the Inspector at this stage (though, as stated, a strong indication that the Inspector is minded to support them is given), and are normally subject to a round of light-touch consultation, before the Inspector formally considers them (though all of this is a matter for the Inspector to decide, and is not set down in regulation).

- 3.6 Finally, what happens next is normally that the Inspector uses the set of modifications to complete their Inspector's Report, though the final set of modifications is entirely in the hands of the Inspector.

4.0 Alignment with the Ambitions of the Council

- 4.1 The current West Lindsey corporate plan is centred upon a number of themes – a prosperous and enterprising district; accessible and connected district; a green district where people want to live, work and visit.

- 4.2 Strategically and spatially the objectives of the local plan fully support the delivery of the council's corporate plan themes and objectives.
- 4.4 At a more detailed level the council has ambitions to support the growth and regeneration of Gainsborough, the growth and development of its market towns, to exploit the potential of the A15 corridor through the district to drive economic growth and development, support the communities of the district to help them deliver the type and scale of development they need and to ensure that development takes place in the right locations without straining local infrastructure to breaking point.
- 4.5 The Proposed Submission Draft Central Lincolnshire Local Plan will support the council in achieving its strategic and spatial ambitions in all of these areas.

5.0 Conclusion

- 5.1 It is a statutory requirement for councils to have a local plan for their area. The government is increasing its pressure on all councils to have up to date local plan coverage for its area.
- 5.2 The Housing and Planning Bill which is currently going through its parliamentary procedures makes provision for the Secretary of State to intervene where councils are not making sufficient progress towards achieving local plan provision.
- 5.3 The Central Lincolnshire Local Plan is supported by an extensive evidence base and has been subject to two consultations. The Proposed Submission version represents considerable work, over several years, by all partner authorities with all parties committed to meeting an ambitious timetable. The plan is being delivered on time, in line with that agreed timetable.
- 5.4 The local plan process has also been subject to an audit during this period and has received full assurance.
- 5.5 Members are urged to formally recognise that the strategic elements of the plan firmly support the corporate position of the council.

6.0 Recommendations:

- 1) That Members welcome the publication of the Proposed Submission Draft Central Lincolnshire Local Plan, recognising the framework for strong economic growth it provides, in that it:
 - a. Provides a statutory spatial planning framework for the regeneration, growth and development of Gainsborough in accordance with the corporate aspirations this Council has for the town.
 - b. It assists with the use of major infrastructure assets present in the District to further jobs growth and economic prosperity within the District
 - c. It enables the growth and development of our market towns
 - d. It gives (through the provision of a five year housing land supply) appropriate protection to those areas within the District where further

housing growth would damage the identity of communities and put a further strain on existing infrastructure

- e. It gives support to communities who desire to see their areas grow by providing a framework within which Neighbourhood Plans can be prepared.
 - f. It enables some of the smallest settlements in the District to grow at a scale appropriate to their needs.
- 2) That Members endorse the Proposed Submission Draft Local Plan and recommend that authority be provided to the Chief Operating Officer and Leader of the Council to submit a formal representation to the Central Lincolnshire Joint Strategic Planning Committee and Local Plan team giving full WLDC support to the Proposed Submission Draft Local Plan (and therefore for the plan to proceed to Examination in Public and then adoption).