

Guildhall Gainsborough  
Lincolnshire DN21 2NA

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**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, 13th November, 2017 at 7.00 pm**, and your attendance at such meeting is hereby requested to transact the following business.

**To: Members of West Lindsey District Council**

1. APOLOGIES FOR ABSENCE
2. MINUTES OF THE PREVIOUS MEETING  
*To confirm as a correct record the Minutes of the previous meeting.*  
**(PAGES 5 - 14)**
3. MEMBERS' DECLARATIONS OF INTEREST  
*Members may make any declarations of interest at this point and may also make them at any point during the meeting.*
4. MATTERS ARISING  
**(PAGES 15 - 18)**
5. ANNOUNCEMENTS
  - i) Chairman of Council
  - ii) Leader of the Council
  - iii) Head of Paid Service

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

Large Clear Print: Braille: Audio: Native Language

6. PUBLIC QUESTION TIME

7. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 9

8. MOTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 10

1. "Chairman

Many areas of our district including the highly populated centres of Market Rasen and Gainsborough are becoming increasingly marginalised amid money saving practices of the police, the NHS and the ambulance services, in favour of the city centre of Lincoln.

I hope that this council shares my deep concerns that the latest episode in this catalogue of neglect comes with the news that only one ambulance unit will be stationed in Gainsborough and most of the time will not even be there but could be anywhere in the East Midlands, potentially many miles away from life threatening situations.

Given that we are already half an hour from the nearest trauma unit even when the emergency services get on the scene - then it could be anything to an hour or more before an emergency is treated with the same quality of care that you would expect to receive anywhere else in this United Kingdom.

Why should our residents be at serious risk of losing their lives when in other places risk is minimised.

I call on this Council to support my motion condemning East Midlands ambulance service management for taking a step too far in withdrawing local ambulances to the Lincoln station and thus compromising public safety in West Lindsey. I ask that all Councillors sign a document condemning this decision and ask the ambulance service for its immediate reconsideration.

I know that Members from all parties are equally worried and therefore will be prepared to stand up and be counted by supporting my motion at this critical time.

I so move. "

Cllr Matthew Boles  
Gainsborough

2. "Chairman

***Council notes that:***

- In October 2015 a Peer review was undertaken of the Planning service with the aim of identifying long running issues and a means to address them.
- A follow-up review was undertaken after six months and that good progress was indicated, nevertheless there were areas to address and actions to be implemented
- In the previous civic year the Governance and Audit Committee formally requested that an audit be undertaken, however this was delayed pending the appointment of a permanent manager for the department, nevertheless in January 2017 the Committee resolved that the audit be undertaken
- That at the meeting of the Governance and Audit Committee on Tuesday, 7<sup>th</sup> November the internal audit report regarding of Development Management was considered

Council resolves to:

- Welcome the outcomes of the internal audit of Development Management. Particularly the positive 'substantial' assurances given to the Planning Service (Development Control) and the Monitoring of Section 106 Agreements
- Accept the outcome of the internal audit of Development Management. Noting the 'limited' assurance given to Planning Enforcement and to commit to supporting the actions identified in the report particularly with continued additional resources.

I so move "  
Cllr. Giles McNeill

9. MODERN.GOV - DEMONSTRATION AND PRESENTATION  
**(VERBAL REPORT)**

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

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## 10. REPORTS FOR DETERMINATION

- a. Adoption of Brattleby Neighbourhood Plan

**(PAGES 19 - 22)**

- b. Recommendation from Prosperous Communities Committee - Adoption of the CIL for West Lindsey

**(PAGES 23 - 30)**

- c. Recommendation from Prosperous Communities Committee - Amendment to Constitution - Delegations regarding Neighbourhood Planning

**(PAGES 31 - 34)**

- d. Amendment to Committee Membership and Revised Appointments to Outside Bodies

**(PAGES 35 - 40)**

Mark Sturgess  
Interim Head of Paid Services  
The Guildhall  
Gainsborough

Friday, 3 November 2017

## WEST LINDSEY DISTRICT COUNCIL

Minutes of the Meeting of Council held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 4 September 2017 at 7.00 pm.

**Present:** Councillor Mrs Angela Lawrence (Chairman)  
Councillor Mrs Pat Mewis (Vice-Chairman)

Councillor Mrs Gillian Bardsley	Councillor Mrs Sheila Bibb
Councillor Owen Bierley	Councillor Matthew Boles
Councillor David Bond	Councillor Mrs Jackie Brockway
Councillor David Cotton	Councillor Stuart Curtis
Councillor Michael Devine	Councillor Steve England
Councillor Ian Fleetwood	Councillor Paul Howitt-Cowan
Councillor Stuart Kinch	Councillor Hugo Marfleet
Councillor Mrs Jessie Milne	Councillor Giles McNeill
Councillor John McNeill	Councillor Mrs Maureen Palmer
Councillor Malcolm Parish	Councillor Roger Patterson
Councillor Tom Regis	Councillor Mrs Diana Rodgers
Councillor Mrs Lesley Rollings	Councillor Thomas Smith
Councillor Lewis Strange	Councillor Jeff Summers
Councillor Mrs Anne Welburn	Councillor Mrs Angela White
Councillor Trevor Young	

**In Attendance:**

Ian Knowles	Director of Resources and S151 Officer
Mark Sturgess	Chief Operating Officer
Alan Robinson	SL - Democratic and Business Support
Katie Coughlan	Senior Democratic & Civic Officer
Katy Allen	Corporate Governance Officer

**Also Present** 3 Members of the Public

**Apologies** Councillor Chris Darcel  
Councillor Richard Oaks  
Councillor Judy Rainsforth  
Councillor Reg Shore

### 31 CHAIRMAN'S WELCOME

The Chairman welcomed all Members and Officers present to the Meeting, with a special welcome to newly elected Member for the Scotter and Blyton Ward, Councillor Bruce Allison.

It was also with sadness, the Council bid a fond farewell to former District Councillor Stuart Curtis who had recently took the decision to resign from his position, as District Councillor for Sudbrooke Ward, due to ill health. The Chairman advised that formal tributes would be

paid under the Leader's announcements agenda item.

### **32 MINUTES OF THE PREVIOUS MEETING**

(a) Minutes of Meeting held on 3 July 2017

**RESOLVED** that the Minutes of the Meeting held on 3 July 2017 be confirmed and signed as a correct record.

### **33 MEMBERS' DECLARATIONS OF INTEREST**

No declarations of interest were made at this stage of the meeting.

### **34 MATTERS ARISING**

The Monitoring Officer noted that all items due for completion were showing black, as having been completed.

Of the three remaining green items, two were not yet due for completion but remained on track, the third entitled "motion – flying of flag" had, since the reports were published, been completed and as such was now deemed completed.

**RESOLVED** that the Matters Arising be noted.

### **35 ANNOUNCEMENTS**

#### **i) Chairman of the Council**

The Chairman addressed Council advising it had been a very busy period. Over recent weeks she had had the pleasure of attending a number of Events and Award Ceremonies, making reference to the following: -

- The Bishop Burton Student Awards Ceremony
- National Citizens Service – both Groups in Caistor, Market Rasen and Gainsborough and a graduation in Lincoln
- Judging the Gainsborough in Bloom competition.
- The Scout and Guide Jamboree at the Lincolnshire Showground
- The Pedal Car Grand Prix at the High School in Gainsborough

She had also had the pleasure of recently planting a tree at "Cherry Fields" in Cherry Willingham to officially open a wonderful community project. The project was home to a "growing to eat" area, cycle track, woodland walk and footpaths linking to the Viking Way. A total of nearly 2000 trees had been planted in the area.

The Chairman had also recently raised the Red Ensign to celebrate Merchant Navy Day at the Guildhall and expressed thanks to those Members who had supported this event.

In conclusion the Chairman thanked all those Members who had attended the "Meet the Officers and Staff Event" held earlier in the evening.

**ii) Leader of Council**

The Leader in opening his announcements paid tribute to a dear friend, good colleague and ally for a number of years, Councillor Stuart Curtis, who had recently taken the decision to resign from his position due to ill health. He praised Councillor Curtis for his pragmatic approach, his working together approach and positive attitude, commenting on his stewardship in his Planning Committee Chairman role, which he had held for a number of years. The Leader indicated that in the interim he would manage ward duties in the area. He shared with Council a message he had early received from Councillor Curtis' daughter regarding the most current position.

Fellow Members across the Chamber joined the Leader in paying tribute to their former colleague, commenting on his unwavering professionalism and the fair and balanced way in which he approached his role and duties. All were in agreement that Councillor Curtis would be sorely missed in the Chamber by all.

The Leader then returned to his announcements, making reference to the recent demolition of the Sun Hotel and the motion which was evident across the Town in terms of regeneration. A number of key projects were moving forward at a good pace and he awaited the outcome with excitement and anticipation. The Council continued to support regeneration across the District as whole, including the creation of Business units at Hill Crest, Caistor. The Leader had recently visited the development and was encouraged by the enthusiasm surrounding the project.

The Local Plan was also proving an invaluable document, and was assisting the Council in defending a number of planning appeals successfully

**iii) Head of Paid Service**

This was the first update from the new joint executive management team.

Members noted that over the summer the new management team had been finding its feet.

The key piece of work which had needed completing was a new structure for the staff below director level. This had now been done and the Head of Paid Service indicated the Management Team would be sharing with members in the near future a "family tree" (together with contact details and major responsibilities).

Alongside this work the Management Team had been working to communicate key messages to the staff. As part of this process the first whole staff meeting had been held at Trinity Arts Centre on 18 July. The meeting was very well attended and, along with the Leader, had provided the Management Team with an opportunity to be able to explain to the staff the management arrangements following the retirement of the Chief Executive, the roles of the three directors in managing the council and that as far the delivery of services was concerned it was business as usual.

It was also noted the event held earlier in the evening whereby Councillors had had the opportunity to meet with staff, was also part of the process of continuing to involve staff in the work of the council.

Looking forward, the Chamber were advised that the Autumn period look set to be a busy one. The briefings for the committees have recommenced after the summer break and all had important business to transact over the coming months

The first Scampton Airshow was due to be held at the weekend and officers would be heavily involved, both using the event to promote business opportunities in the District and ensuring appropriate emergency planning cover was in place.

It was also noted that the Council had been shortlisted for the Association of Public Service Excellence award for the best commercialisation and entrepreneurship initiative for its acquisition of "Surestaff".

The regeneration of Gainsborough was proceeding at pace and was now clearly evident, with the development of the new Lidl store and the construction of the new Travelodge on the site of the old Sun Hotel.

The annual budget consultation round would also be starting later this month and Members were encouraged to promote the events and avenues to engage across communities.

In conclusion Members were advised consultation on the crematorium project was also shortly due to commence.

### **36 PUBLIC QUESTION TIME**

There were no questions from members of the public.

### **37 QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 9**

Councillor Matthew Boles submitted the following question to the meeting:

Councillor Bibb, Do you consider the councils selective licencing scheme to have been a success or to have solved any of the issues it was sent up and envisaged to do?

Or do you agree with many residents in the North Ward and myself that it has not solved any issues it has simply moved them from one area of Gainsborough to another?

The Chairman of the Prosperous Communities Committee, Councillor Mrs Sheila Bibb, responded:-

Thank you Madam Chairman, and thank you Councillor Boles for raising this question.

Selective licensing was introduced in a limited area of Gainsborough just over 1 year ago and we are now reaching the end of the first phase of the process. As with all such things it takes a while to see results and even longer before we can draw any substantiated conclusions. In this case, where the focus has been on the landlord, we are starting to see the anticipated results with regard to the properties involved. The vast majority of landlords have engaged with the scheme proactively and positively and are meeting its requirements. The first set of prosecutions for rogue landlords are underway and improvements to property



conditions across the area have been made. As we move into Phase 2, where the focus will be on further addressing unlicensed and criminal landlords, alongside tenant behaviour, we can expect to see further changes. An update on Selective Licensing will be coming to Prosperous Communities in October and this should give a better understanding of the success of this measure to date.

With regard to the second part of the question concerning the movement of issues to other areas of Gainsborough, I too note these reports. However, at this time there is nothing, so far as I am aware, to directly tie any such movement to the work which has been done to date with Selective Licensing. I will be seeking regular reports on this situation as it is one of concern. Officers involved in the scheme are happy to meet with Cllr Boles directly to discuss this and consider it further.

Councillor Boles indicated he welcomed the offer to meet with Officers and the Chairman of the Committee to further discuss his concerns.

Councillor Matthew Boles had also submitted the following question to the meeting:

Councillor Summers your long term support for the re-introduction of car parking in Gainsborough Town centre is well documented and appreciated.

However during the recent car parking review by WLDC this option seemed to be overlooked and discarded which was a disappointment to many in the town especially Town Centre businesses.

I have recently been asked by town businesses to facilitate a meeting with Lincolnshire County Council's highway department, West Lindsey District Council, Gainsborough Town Council and Business representatives to discuss this matter and all possible options available.

Could you please commit to supporting and attending such a meeting?

(I will be asking for a similar commitment from the County Council portfolio holder for Highways at LCC full council on 15/9/17)

The Leader of the Council, Councillor Jeff Summers, responded:-

Thank you for your question Councillor Boles.

As you quite rightly say, I have been a supporter of bringing car parking back into the market place. I am delighted to now be supported by a Gainsborough Town, and County Councillor.

Once again I must reiterate there is a need for us to create commercial equity across the town centre, and I am prepared to work with all parties to secure the best commercial and social arrangements possible for the town.

Recently I have discussed the issue with County Council Officers, who have offered to investigate what the process would be to have the highways designation removed from the market place, establish it as a car park and potentially hand it over to West Lindsey.

Please do not run away with the idea this will happen, it is being investigated.

Thank you. Councillor Boles

Councillor Boles thanked the Leader.

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

Councillor Jeff Summers had submitted the following motion:-

At our recent Lincolnshire Leaders meeting it was agreed around the table, we should collectively lobby government for a fairer funding deal.

Chairman.

I am asking if you would in the first instance allow a show of hands from members who would support a united county wide effort to lobby Government for a fair and equitable funding settlement for Lincolnshire.

Second, would you allow a short debate and suggestions from Members for subjects which may be more specific to the needs of West Lindsey which could be added to future spending initiatives? This would enable me to return to the next County meeting with hopefully your councils support.

I so move.

Councillor J Summers  
Leader of Council

Before moving to debate the Leader was permitted to put his motion into context, and stated the following: -

During my time as a West Lindsey Councillor, 15 years in all. We as a council have complained about the unfair distribution of Government Funding to Rural Authorities. A justified stance when you compare the rate of investment per capita between a city resident and one living in an area designated as suffering the inequalities described under sparsity. Much of this inequity could have been resolved with a devolution deal, however this was not to be. As a result we cannot negotiate but only look for allies and lobby.

It has been calculated, if Lincolnshire were to receive the average payment across England, then the Geographical County would receive a further £116 million extra per annum.

Obvious areas where this extra support could be spent are Highways and maintenance, broadband, flood defences, health, leisure and attracting more business with improved work opportunities. As you will have noticed many of these items are not the responsibility of district councils but all do affect our living environment and wellbeing.

The motion was seconded by the Deputy Leader and debate ensued.

All Members across the Chamber were supportive of the stance, there was a view that greater use of all the Lincolnshire MPs should be made in any lobbying campaign and these MPs should make a united stance.

The Leader confirmed that North Lincolnshire and North East Lincolnshire Councils were engaged in these discussion, however this was not an attempt to re-unite devolution

conversations.

Members also encouraged greater use of such organisations as SPARSE and the LGA to support the Council in its quest for a fairer funding deal.

All were in agreement that there was a need to make the Government clearly understand the extra costs that came with being a rural area. It was further suggested that other shires such as Norfolk and East Yorkshire should also be encouraged to join the campaign as there was a genuine belief the greater the number the stronger the message.

Further debate ensued and during the course of this the following areas in need of greater investment were suggested: -

- Transport
- Schools and Education
- Police
- Social Services and Adult Social Care
- Infrastructure

The Leader thanked Members for their support and undertook to take the views expressed by Members to the next County Leaders Meeting.

### **39 BUDGET CONSULTATION - SOFTWARE DEMONSTRATION**

The Chairman advised that Budget Consultation was shortly due to commence and this year it had been agreed to use a piece of on-line software as an additional consultation tool. The Director of Resources was invited to introduce the purpose of the tool to Members and the benefits it would afford.

Officers advised that through the budget simulator, residents would not be offered the opportunity to increase budgets in service areas, the reason being that if consultation responses of this nature were sought and received, arguably they would be of little value, as currently the Authority did not have additional funds to commit.

Members were then given a demonstration of the software, the features it offered and the questions and options respondents would be asked and given.

Members welcomed the piece of software commenting on its friendly and inclusive nature. In response to questions Officers outlined the safeguards included to ensure multiple responses from any one individual would not be accepted.

Some Members indicated the option of a Council Tax freeze should have been included, it was also considered that providing additional context alongside people's choices and explanation as to what this would mean for services would have been useful.

It was acknowledged that the simulator could provide more flexibility in the future, however at the same time this was the first year the software was being used and there would be an opportunity to refine it further in the future.

In response to Members questions regarding how the software would be used to analyse responses, the Director of Resources offered to hold a workshop for those Members interested. This offer was welcomed by Members.

The Chairman thanked Officers for the demonstration.

#### **40 DISTRICT COUNCIL BY-ELECTION FOR THE SCOTTER AND BLYTON WARD - RESULT OF POLL**

Members were asked to note the outcome of the District Council By-Election held on 27 July 2017 in the Scotter and Blyton Ward.

The report set out the number of votes polled and the percentage turnout.

The Chairman, Leader and fellow members took the opportunity to welcome newly elected Councillor Allison to the Chamber.

**RESOLVED** that the outcome of the By-Election be duly received and noted.

#### **41 AMENDMENT TO THE CONSTITUTION TO PERMIT CONCURRENT MEETINGS OF THE TWO POLICY COMMITTEES**

Members gave consideration to a report which sought agreement to make amendments to the Constitution to permit concurrent meetings of the Policy Committees.

In responding to a Members comment that concurrent meetings should be extended wider than to just the two policy committees, the Chairman of Governance and Audit Committee, indicated that whilst he was happy to look at this suggestion as part of the wider annual review of constitution, to date the need had never arisen. This report and suggested amendment was in response to circumstances that the organisation currently found itself in.

**RESOLVED** that: -

(a) the following amendments be made to the Constitution: -

- Part IV / Page 3 - Corporate Policy and Resources Committee Terms of Reference, the following footnote be added: -  
“This Committee can meet concurrently with the Prosperous Communities Committee”
- Part IV / Page 4 - Prosperous Communities Committee Terms of Reference, the following footnote be added: -  
“This Committee can meet concurrently with the Corporate Policy and Resources Committee”
- Part IV/ Page 29 – Responsibility for Functions - Head of Paid Service, the

additional delegation be added: -

“to call concurrent meetings of the policy committees when it is considered prudent and efficient to do so in accordance with the agreed protocol.”

- (b) the Monitoring Officer, through the Governance and Audit Committee work towards establishing a protocol for running concurrent policy committee meetings. The protocol should establish a criteria for calling such meetings, establishing consultation requirements, address chairmanship, casting votes, and the process of voting.

## **42 APPOINTMENT OF AN ELECTORAL REGISTRATION OFFICER**

Following the retirement of the Chief Executive, the Council was required to appoint an Electoral Registration Officer in accordance with Section 8 of the Representation of the Peoples Act 1983.

**RESOLVED** that the Monitoring Officer be appointed as the Council's Electoral Registration Officer.

**Note:** The Monitoring Officer, left the Chamber prior to the above item being considered and returned after the above vote had been taken.

## **43 APPOINTMENT OF EXTERNAL AUDITOR**

Members gave consideration to a report, the purpose of which was to consider the consultation of and determine the appointment of our External Auditor for 2018/19 onwards.

Members were provided with details of the proposed appointment, the consultation process and how objections to the appointment could be raised.

**RESOLVED** that having consider the consultation on the appointment of the External Auditor, the appointment of Mazars as the Council's External Auditor from 1 April 2018 for a period of 5 years be approved.

The meeting concluded at 8.18 pm.

Chairman

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## Council Matters Arising Schedule

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### Purpose:

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

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

### Matters arising Schedule

Active/Closed Meeting	Active Full Council				
Status	Title	Action Required	Comments	Due Date	Allocated To
Black					
	<b>motion - flying of union flag</b>	extract from mins of mtg 3/7/17: - RESOLVED that the content of the motion be enacted in accordance with the discussion above and subject to the legal position being determined in respect of the flying of flags externally overnight/24 hours a day.	<b>the civic support officer has been aware that this motion has been carried in full and has been requested to purchase the required equipment to fulfil this.</b>  <b>items have been ordered and receipt of goods is awaited. Items now received and flags in situ.</b>	30/09/17	Katie Coughlan

	<b>motion re SWW referral to PC Cttee</b>	extract from mins of mtg 3/7/17 RESOLVED that the motion be supported and the Prosperous Communities Committee be requested to further investigate the issues the raised.	<b>this item will be discussed at Chairs brief in August (the next available PC Cttee) in the first instance and a course of action agreed and entries programmed into the forward plan. added to pc brief agenda - kjc . This item will be considered at PC Cttee in the New Year</b>	30/11/17	Mark Sturgess
	<b>circulation of management structure</b>	extract from mins 4/9/17 the Head of Paid Service indicated the Management Team would be sharing with members in the near future a “family tree” (together with contact details and major responsibilities).	<b>this information has been provided to all Members by e-mail</b>	05/10/17	Emma Redwood
	<b>budget software workshop</b>	extract from mins of meeting 4/9/17 In response to Members questions regarding how the software would be used to analyse responses, the Director of Resources offered to hold a workshop for those Members interested. This offer was welcomed by Members.	<b>please organise workshop as agreed .  Workshop was held</b>	31/10/17	Katy Allen



Green					
	<b>Code of Conduct</b>	Minute extract 08/05 b) within a period of 28 days of the Code being adopted, all Members agree to sign an undertaking to abide by the new Code of Conduct; and c) the Monitoring Officer, during 2017/18, undertake consultation with all Parish Councils, in relation to the new Code of Conduct, with a view to those Parishes also adopting its content by Autumn 2017	<b>b) Now completed. c) Ongoing - 3 consultations events will be held throughout November across the District.</b>	30/11/17	Alan Robinson
<b>Grand Total</b>					

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**FULL COUNCIL**

**Date: 13 November 2017**

**Subject: Brattleby Neighbourhood Plan Adoption**

Report by:

Chief Operating Officer: Mark Sturgess

Contact Officer:

Daniel Evans  
Assistant Neighbourhood Planning Officer  
Daniel.evans@west-lindsey.gov.uk

Purpose / Summary:

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

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

## IMPLICATIONS

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

**Financial :** FIN/102/18 Additional financial contributions are available from DCLG to support Neighbourhood Planning

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

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

**Risk Assessment :** n/a

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

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

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

**Call in and Urgency:**

**Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?**

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

**Yes**

☐

**No**

**X**

**Key Decision:**

A matter which affects two or more wards, or has significant financial implications

**Yes**

**X**

**No**

☐

## Neighbourhood Planning

### 1. Summary

Following a positive referendum result on the 31<sup>st</sup> August 2017, West Lindsey District Council is publicising its decision to 'make' the Brattleby Neighbourhood Development Plan as part of the West Lindsey Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

### 2. Background

Brattleby Parish Council, as the qualifying body successfully applied for the village to be designated as a Neighbourhood Area, under the Neighbourhood Planning (General) Regulations (2012), which came into force in August 2015. Following the submission of the Brattleby Neighbourhood Plan to the Council, the plan was publicised and comments were invited from the public and stakeholders. The consultation period closed in February 2017.

### 3. Decision & Reasoning

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

The Examiner's Report concluded that the plan meets the Basic Conditions, and that subject to the modifications proposed in the report and which are set out in the Brattleby Neighbourhood Plan Decision Statement March 2017, the plan should proceed to a Referendum. It was agreed at the Council meeting of West Lindsey District Council on the 18th July 2017 that the plan should proceed to referendum and, in the outcome of a successful referendum result, it should be 'made' (adopted).

A referendum was held on 31<sup>st</sup> August 2017, 97% of those who voted were in favour of the plan. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 as amended requires that the neighbourhood plan forms part of the statutory development plan following a successful referendum. Nevertheless the Council are required to 'make' the Neighbourhood Plan following the result of the referendum.

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

The referendum held on 31<sup>st</sup> August 2017 met the requirements of the Localism Act 2011; it was held in the Parish of Brattleby and posed the question:

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

The count took place on the 31<sup>st</sup> August 2017 and greater than 50% of those who voted were in favour of the plan being used to help decide planning applications in the plan area.

The results of the referendum were:

Question:		
Do you want West Lindsey District Council to use the Neighbourhood Plan for Brattleby to help it decide planning applications in the neighbourhood area?		
	Votes recorded	Percentage
Number of votes cast in favour of 'yes'	35	97.2%
Number of votes cast in favour of 'no'	1	2.8%

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

In accordance with the Regulations and the Council's procedure the Brattleby Neighbourhood Development Plan is 'made' and planning applications in the area must be considered against the Brattleby Neighbourhood Development Plan, as well as current local and national planning policy, such as the Central Lincolnshire Local Plan (2012) and the National Planning Policy Framework and Guidance.

#### 4. Recommendation:

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



Council

13 November

**Subject: Recommendation from Prosperous Communities Committee - Adoption of the West Lindsey Community Infrastructure Levy Charging Schedule**

Report by:

Chief Operating Officer

Contact Officer:

Rachael Hughes  
01427 676 548  
[rachael.hughes@west-lindsey.gov.uk](mailto:rachael.hughes@west-lindsey.gov.uk)

Purpose / Summary:

To accept the recommendation from the Prosperous Communities Committee which seeks adoption of the Community Infrastructure Levy Charging Schedule for West Lindsey.

## **RECOMMENDATION(S):**

**That Members accept the RECOMMENDATION from the Prosperous Communities Committee that: -**

- 1. The modifications set out in the West Lindsey Community Infrastructure Levy (CIL) Examination Report (Appendix A) to the Draft Charging Schedule be approved and incorporated into the West Lindsey CIL Charging Schedule.**
- 2. The West Lindsey CIL Charging Schedule, (Appendix B), which has been amended to reflect the Examiner's modifications, be adopted.**
- 3. The position statement provided by Lincolnshire County Council, as requested by the Prosperous Communities Committee, be accepted.**
- 4. The supporting policies Instalments and In-Kind and Regulation 123 List (Appendix C, D & E), that were consulted upon alongside the Draft CIL Charging Schedule consultation, also be approved**
- 5. The CIL Charging Schedule be implemented on a date as**

soon as is practicable on or after 1 January 2018 and in alignment with the other Central Lincolnshire authorities

**6. The Chief Operating Officer be authorised to:**

**-set the implementation date as per recommendation 5 above**

**-make minor changes to improve the presentation of the CIL Charging Schedule**

**-improve the presentation, and where necessary, clarification of supporting policy documents**

**7. A maximum 5% administration charge be agreed when CIL is adopted**

## **IMPLICATIONS**

### **Legal:**

**These are as set out in legal implications box of the report considered by Prosperous Communities Committee at their meeting on 24 October 2017 attached at Appendix 1**

### **Financial : FIN/104/18**

**These are as set out in financial implications box of the report considered by Prosperous Communities Committee at their meeting on 24 October 2017 attached at Appendix 1**

### **Staffing :**

**These are as set out in staffing implications box of the report considered by Prosperous Communities Committee at their meeting on 24 October 2017 attached at Appendix 1**

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



**Risk Assessment :**

**Please see the body of the report considered by Prosperous Communities Committee at their meeting on 24 October 2017 attached at Appendix 1**

**Climate Related Risks and Opportunities : none**

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

**These are as set out in background papers box of the report considered by Prosperous Communities Committee at their meeting on 24 October 2017 attached at Appendix 1**

**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 Introduction**

- 1.1 At its meeting on 24 October 2017, the Prosperous Communities Committee considered the report attached at Appendix 1.
- 1.2 The Minute arising from this meeting is set out below: -

### **64 ADOPTION OF CIL FOR WEST LINDSEY**

Members gave consideration to a report regarding proposals for West Lindsey District Council (WLDC) to formally adopt the Community Infrastructure Levy (CIL). The Committee was asked to accept the recommendations in the report and recommend these to Full Council for formal adoption. The report had previously been considered by the Challenge and Improvement Committee who had supported the recommendations.

The Developer Contributions Officer explained the concept of the CIL and Members were provided with a list of frequently asked questions and corresponding answers to assist with their understanding of the scheme. Discussion ensued about the level of charges and how they had been capped. The Developer Contributions Officer explained that the charges and capping had been set by the Inspector and could not be changed by the Council. It was noted that, should the CIL be formally adopted, guidance notes and training sessions would be provided, to include parish councils, once the scheme was implemented. Information would also be made available on the Council's website.

Debate ensued and some Members indicated slight concern that the proposals would be adopted prior to any workshops, however it was also acknowledged that the partnership arrangements had not necessarily made this feasible on this occasion.

Clarification was sought as to whether the rates could be increased in the future or alternately reduced in the future, and as such whether there was a review mechanism. Clarification was also sought as to whether payment in kind was acceptable for smaller developments.

Whilst Members welcomed the distribution of funds to communities affected directly by development, it was noted that usually it would be the services of the larger nearby settlements which would be put under strain and this arrangement would not offer those communities additional funding.

In response, Officers outlined how such impacts could and were mitigated.

Some Members did not consider that the 25% being offered to communities was enough considering the amenities they would need to provide to offer the healthy communities strived for.

In response Officers clarified that CIL would work in conjunction with S106s,

and whilst CIL would contribute to the large infrastructure projects identified, this being the Lincoln Eastern Bypass and secondary education, there would still be opportunity for other stakeholders, such as Health to secure a contribution from developers through S106, if deemed necessary and appropriate. Equally public open space could still be secured through a Section 106. Furthermore the Policy was now more flexible and did not necessarily require a percentage of land to be contributed but could require contributions to upgrade current facilities, focussing on quality not just quantity. CIL did not replace all the other avenues available to the Authority to mitigate the impact of development on communities.

**RESOLVED** that it be **RECOMMENDED** to Full Council that: -

- (a) The modifications set out in the West Lindsey Community Infrastructure Levy (CIL) Examination Report (Appendix A) to the Draft Charging Schedule be approved and incorporated into the West Lindsey CIL Charging Schedule.
- (b) The West Lindsey CIL Charging Schedule, (Appendix B), which has been amended to reflect the Examiner's modifications, be adopted;
- (c) The position statement provided by Lincolnshire County Council, as requested by the Prosperous Communities Committee, be accepted;
- (d) The supporting policies Instalments and In-Kind and Regulation 123 List (Appendix C, D & E), that were consulted upon alongside the Draft CIL Charging Schedule consultation, also be approved;
- (e) The CIL Charging Schedule be implemented on a date as soon as is practicable on or after 1 January 2018 and in alignment with the other Central Lincolnshire authorities;
- (f) The Chief Operating Officer be authorised to:
  - set the implementation date as per recommendation 5 above
  - make minor changes to improve the presentation of the CIL Charging Schedule
  - improve the presentation, and where necessary, clarification of supporting policy documents; and
- (g) A maximum 5% administration charge be agreed when CIL is adopted

1.3 This report has also been the subject of pre-scrutiny by the Challenge and Improvement Committee, who resolved to support the recommendations, Section 9 of the report attached at Appendix 1 provides the arising minute.

### **3. Recommendations**

- 3.1 That Members accept the RECOMMENDATION from the Prosperous Communities Committee and approve recommendations (a) – (g) set out above and on the cover of this report.



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**Full Council**

**13 November 2017**

**Subject: Recommendation from Prosperous Communities Committee - Amendment to Constitution - Delegations regarding Neighbourhood Planning**

Report by:	Chief Operating Officer
Contact Officer:	Nev Brown Senior Neighbourhood Planning Policy Officer 01427 676653 <a href="mailto:nev.brown@west-lindsey.gov.uk">nev.brown@west-lindsey.gov.uk</a>
Purpose / Summary:	To accept the recommendation from Prosperous Communities that the decision, currently made by them, to accept the examiner's report and hold a referendum on a neighbourhood plan should in future be made through delegated powers given to the Chief Operating Officer, and as such the Constitution be amended to reflect this.

## **RECOMMENDATION(S):**

**That Members accept the recommendation from Prosperous Communities Committee and agree that the Constitution be amended as follows, in order to permit Neighbourhood Plans to proceed to referendum without the need for approval by Prosperous Communities Committee**

**:-**

**“Part IV Page 40/ 41- Chief Operating Officer – Delegated Powers - The following delegated power be included:-**

**To accept the Examiner's report and approve a neighbourhood plan may advance to Public Referendum following a successful independent examination in accordance with the Localism Act 2011 and the**

**Neighbourhood Plan Regulations 2012”**

## **IMPLICATIONS**

**Legal:**

**Amendments to the Constitution require Full Council Approval**

**Financial : FIN/103/18**

**None from this Report**

**Staffing :**

**None**

**Equality and Diversity including Human Rights :**

**Risk Assessment :**

**Climate Related Risks and Opportunities :**

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

**Report to PC Committee 24 October 2017**

**Minutes from PC Committee 24 October 2017**

**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 Introduction

- 1.1 Prosperous Communities Committee at its meeting on 24 October 2017 considered a report relating to Neighbourhood Plans: Priorities and Work Programme
- 1.2 The report reviewed the Council's support to neighbourhood planning groups in helping them to prepare their plans and sought Members' agreement to the revised arrangements and approval of a number of recommendations, prioritising Council assistance including the provision of top-up funding.
- 1.3 One section of the report detailed proposed amendments to delegated powers of the Chief Operating Officer in relation to Neighbourhood Plans, in order to further streamline the process.
- 1.4 Members will be aware that constitutionally only Full Council can agree such amendments hence Prosperous Communities Committee have made a recommendation as set out below: -
  - e) it be **RECOMMENDED** to Full Council that the decision, currently made by Prosperous Communities, to accept the examiner's report and hold a referendum on a neighbourhood plan, in future be made through delegated powers given to the Chief Operating Officer. This stage raises few issues and using delegated powers will save time at a critical stage in the neighbourhood plan process when statutory deadlines must be met.

## 2 Rationale for the Amendment

- 2.1 Over the course of a NP's preparation the Council has to make key decisions at differing stages throughout the process. The majority are currently made under delegated powers given to the Chief Operating Officer. This procedure works well helping NPs to be completed quicker. NPs in West Lindsey raise few issues largely because they must conform to the recently adopted Central Lincolnshire Local Plan. Under current arrangements the last two stages of NP production require committee approval. Approval is needed from Prosperous Communities for the Council to accept the examiner's report and to agree the holding of a referendum. A decision from Full Council is required to make the NP.

- 2.2 It is considered that the decision to accept the examiner's report and hold a referendum could also be done through delegated powers. A report therefore would no longer need to be submitted to Prosperous Communities for a decision. It has been found that this stage mostly involves fact checking the examiner's report and again raises few issues. This proposal will save time at a critical stage in the NP process when statutory deadlines need to be met.
- 2.3 The final decision to make (adopt) the NP must remain with Full Council. This is an occasion for both Members and the invited NPG to celebrate the completion of the plan and for the Council to thank the NPG for all its hard work. No changes are being proposed to this stage of the process.

### **3. Recommendation**

- 3.1 That Members accept the recommendation from Prosperous Communities Committee and agree that the Constitution be amended as follows, in order to permit Neighbourhood Plans to proceed to referendum without the need for approval by Prosperous Communities Committee :-

"Part IV Page 40/41- Chief Operating Officer – Delegated Powers –  
The following delegated power be included:-

To accept the Examiner's report and approve a neighbourhood plan may advance to Public Referendum following a successful independent examination in accordance with the Localism Act 2011 and the Neighbourhood Plan Regulations 2012"



**Council**

**13 November 2017**

**Subject: Amendment to Challenge and Improvement Committee Membership and Appointment to Outside Body**

Report by:

Monitoring Officer

Contact Officer:

Alan Robinson  
Monitoring Officer  
01427 676509  
[alan.robinson@west-lindsey.gov.uk](mailto:alan.robinson@west-lindsey.gov.uk)

Purpose / Summary:

This report sets out the wishes expressed by the Administration to make an amendment to their Committee Membership on the Challenge and Improvement Committee.

The report further sets out the wishes of the Administration with regard to the current vacancy on the Central Lincolnshire Joint Strategic Planning Committee and of the wish to change Council's representative on the West Lincolnshire Domestic Abuse Service.

## **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, the Members set out at section 1.5 of the report be appointed to serve on the Council's Challenge and Improvement committee for the remainder of the 2017/18 civic year.**
- 2) That Councillor Ian Fleetwood be appointed as the Council's representative on Central Lincolnshire Joint Strategic Planning Committee (having formerly been the reserve) and Councillor Owen**

**Bierley be appointed as the reserve representative.**

- 3) That Councillor Angela White be appointed as the Council's representative on West Lincolnshire Domestic Abuse Service, in replace of Councillor Pat Mewis.**

## **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/101/18**

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.

<b>Title :</b>	<b>Location of Background Papers:</b>
Notices received from the Group Leaders on the allocation of Committee/ Sub-Committee places	
Minutes Annual Council 8 May 2017	
Minutes Council 3 July 2017	

## **Call in and Urgency:**

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

Yes

☐

No

X

**Key Decision:**

Yes

☐

No

X

**1. Committee Membership of the Challenge and Improvement Committee**

- 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).
- 1.2 At the Annual Council meeting on 8 May a report was submitted which appointed members to each of the Council Committees according to agreed political proportionality.
- 1.3 Membership of the Challenge and Improvement Committee and Corporate Policy and Resources Committee was subsequently amended again, following a change in Group Leader by the Liberal Democrats, which necessitated such, due to Constitution restrictions.
- 1.4 In July 2017, there was a by-election in the Scotter and Blyton Ward resulting in Councillor Bruce Allison being elected. However Councillor Allison to date has not been allocated any Committee seats. The Administration have therefore expressed the wish that Councillor Allison be appointed to the Challenge and Improvement Committee, replacing Councillor Fleetwood.
- 1.5 The amended membership of the Challenge and Improvement Committee is set out below.

**Challenge and Improvement Committee (12 members)**

Councillor Bruce Allison  
Councillor David Bond  
Councillor Paul Howitt-Cowan  
Councillor Jessie Milne  
Councillor Malcolm Parish  
Councillor Roger Patterson  
Councillor Di Rodgers  
Councillor Tom Smith  
Councillor Lewis Strange  
Councillor Anne Welburn  
Councillor Angela White

**2. Appointment to Central Lincolnshire Joint Strategic Planning Committee.**

- 2.1 The resignation and untimely passing of Councillor Stuart Curtis has seen a vacancy arise on the Central Lincolnshire Joint Strategic Planning Committee.
- 2.2 The Administration have therefore expressed the wish that Councillor Ian Fleetwood be appointed as the Council's representative on the Central Lincolnshire Joint Strategic Planning Committee (having formerly been the reserve) and Councillor Owen Bierley be appointed as the reserve representative.
- 2.3 The amended membership of the Central Lincolnshire Joint Strategic Planning Committee is set out below.

**Central Lincolnshire Joint Strategic Planning Committee.**

Councillor David Cotton  
Councillor Ian Fleetwood  
Councillor Jeff Summers  
Councillor Owen Bierley (reserve)

**3. Appointment to West Lincolnshire Domestic Abuse Service**

- 3.1 In May 2015 Councillor Pat Mewis was elected as the Council's representative to serve on West Lincolnshire Domestic Abuse Service.
- 3.2 Until recently the organisation held its meetings at premises within Gainsborough. However having not renewed its lease on this premise, its meetings are now being held at premises in Lincoln.
- 3.3 Councillor Angela White has expressed an interest in the work undertaken by the organisation and in light of the change of location of the meetings and Councillor's White's close proximity, it would seem sensible to revise this appointment.

**4. Recommendations**

- 1) In accordance with the provisions of section 16 of the Local Government and Housing Act 1989 and the wishes expressed by political groups, the Members set out at section 1.5 of the report be appointed to serve on the Council's Challenge and Improvement committee for the remainder of the 2017/18 civic year.
- 2) That Councillor Ian Fleetwood be appointed as the Council's representative on Central Lincolnshire Joint Strategic Planning

Committee (having formerly been the reserve) and Councillor Owen Bierley be appointed as the reserve representative.

- 3) That Councillor Angela White be appointed as the Council's representative on West Lincolnshire Domestic Abuse Service, in replace of Councillor Pat Mewis.

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