

## **WEST LINDSEY DISTRICT COUNCIL**

MINUTES of the Meeting of the Prosperous Communities Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 6 June 2017 commencing at 6.30 pm.

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

Councillor Owen Bierley  
Councillor Michael Devine  
Councillor Paul Howitt-Cowan  
Councillor Mrs Pat Mewis  
Councillor John McNeill  
Councillor Mrs Lesley Rollings  
Councillor Trevor Young

**In Attendance:**  
Mark Sturgess Chief Operating Officer  
Ian Knowles Director of Resources and S151 Officer  
Eve Fawcett-Moralee Commercial and Economic Growth Director  
Marina di Salvatore Growth and Projects Officer  
Jo Walker Team Manager Projects and Growth  
Katie Coughlan Governance and Civic Officer

**Also Present:** Councillor Tom Smith

**Apologies:** Councillor Mrs Maureen Palmer

**Membership:** No substitutes appointed

### **6 CHAIRMAN'S WELCOME**

This being the first meeting of the new civic year, the Chairman welcomed both returning and new members of the Committee to the meeting.

### **7 MINUTE'S SILENCE**

In light of recent events in both Manchester and London, the Chairman asked all present to join her in a minute's silence to remember all those affected.

The Committee stood for a minute's silence.

## **8 PUBLIC PARTICIPATION**

There was no public participation.

## **9 MINUTES OF PREVIOUS MEETING**

- (a) Meeting of the Prosperous Communities Committee – 2 May 2017

**RESOLVED** that the minutes of the meeting of the Prosperous Communities Committee held on 2 May 2017 be confirmed and signed as a correct record.

- (b) Meeting of the Prosperous Communities Committee – 8 May 2017 (at the conclusion of Annual Council)

**RESOLVED** that the minutes of the meeting of the Prosperous Communities Committee held on 8 May 2017 (at the conclusion of Annual Council) be confirmed and signed as a correct record.

## **10 MATTERS ARISING SCHEDULE**

Members gave consideration to the Matters Arising Schedule which set out the current position of all previously agreed actions as at 26 May 2017.

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

## **11 MEMBERS' DECLARATIONS OF INTEREST**

All Members present declared a personal non-pecuniary interest in agenda item 6d (Central Lincolnshire LDO) as one of the affected land owners was a recently retired District Councillor.

## **12 AMENDMENT TO INDEPENDENT LIVING POLICY**

Members gave consideration to a report which proposed an amendment to the Independent Living Policy, in relation to discretionary grants and as detailed in Section 3 of the report.

WLDC had offered DFG (Disabled Facilities Grants) for a number of years and within the legislation there were powers to offer discretionary grants.

West Lindsey had never utilised the powers available for a Discretionary Disabled Facilities Grant policy due to a high demand for the service and a lack of funding to cover the demand. No discretion was currently offered under the existing policy.

Funding was received from the Better Care Fund for Disabled Facilities Grants and the

2017-2019 Policy Framework for this stated that *“areas have flexibility in how the fund is spent over health, care and housing schemes or services, but need to agree how this spending will improve performance in the following four metrics: Delayed transfers or care: Non-elective admissions (general and acute): Admissions to residential and care homes: and effectiveness of re-ablement”*

All grants were currently means tested and this testing determined whether an applicant needed to make a financial contribution. This means test did not take into account any debts the applicant may have. As the current policy allowed no discretionary grants, applicants who needed to make a contribution, on occasion had to reject the adaptation as they could not meet the contribution, and this in turn could result in the resident remaining in their home unsafe and thereby potentially resulting in an early admission to care/residential home or an admission to hospital as a result of a slip/trip for example.

It was hoped that this Policy change would allow the Authority to have discretion when dealing with applicants who found themselves in this situation and allow help to be offered where necessary through a grant. It was stressed that all applications would still be means tested and any applicant offered a discretionary grant would have a land charge made against their property, to ensure that if the property was sold within a 10 year period the grant would be repayable to the Authority.

In concluding, Members were reminded that the monies for DFGs were funded externally and in effect did not impact on the Council’s budget. The service was very much demand led and difficult to predict. However, it was anticipated this policy change could be funded from within the Council’s current funding allocation.

Discussion ensued and in response to Members’ comments Officers confirmed that this initiative, or request for Policy change, had been borne out of the team’s experience of using the current Policy.

Whilst all were supportive of the change, there were concerns that those who could afford to pay should pay, and discretions should be used with caution. By way of reassurance it was stressed that no other element of the Policy would change and those applicants who may be offered a discretionary grant would only be done so following an in depth financial assessment.

Members enquired how the Policy’s usage would be monitored and Officers advised that the use of the discretionary funding could be added as a measure and monitored through performance and delivery.

A Member made reference to circa £2m capital monies being available through the Better Care Fund and urged Officers to work with the organisation regarding how this money could be utilised. Officers confirmed that this work was happening.

A Member posed a potential financial scenario for an applicant and sought indication as to whether they would receive assistance through the policy. Officers undertook to investigate and respond outside of the meeting.

**RESOLVED** that the amendment to the Independent Living Policy, in relation to discretionary grants, as detailed in Section 3 of the report, be approved.

### **13 BROADBAND SURVEY RESULTS**

In December 2016 a decision was made by the Prosperous Communities Committee for a survey to be developed that would test out the extent of the issue of broadband provision throughout West Lindsey. West Lindsey were not part of the Onlincolnshire Phase 2 and the Authority needed to consider how to support residents in delivering the last 10-15% of coverage across West Lindsey.

The Committee therefore gave consideration to a report which sought to provide Members with an up-to-date position with regard to Broadband Provision across the District, including the results of the survey. The report also set out high level options for future consideration. It was noted that there was currently no budget allocation for supporting broadband provision and therefore dependent on the action taken, budget implications would need to be a consideration.

It was noted that responses received up until 10 May had been taken into consideration when writing the report. Responses continued to be received and these would be taken into consideration in due course.

The survey results, as detailed in Section 2 of the report together with the speed test results detailed in Section 3 of the report were summarised to the Committee.

Debate ensued, with all Members welcoming the report. It was acknowledged that broadband provision was an issue across the District but that this was patchy with many issues being very localised and relating to speed and connectivity. The good response rate was welcomed, highlighting the importance of the issue to the community and those affected. However some Members, despite welcoming the options for further investigation, were of the view that the Authority had worked hard to improve the situation but it was maybe time to acknowledge that Lincolnshire County Council were the lead authority for this matter, in light of the additional resources, both financial and staffing, which would need to be found.

Other Members expressed concern at the apathy. The Council's vision was to have a place where people wanted to live and work and were investing significant monies into achieving this. There was a view that without appropriate broadband provision those efforts would be wasted. People wanted broadband, businesses needed broadband and without it the area would not thrive, nor be a place where people wished to invest or stay. Broadband infrastructure was considered as important as any other utility. The budget position was acknowledged, however improving the situation did not necessarily require huge amounts of money. Some Members were of the view that the Council still had a role to play and a duty to lobby, apply pressure to those responsible, hold to account agencies and to continue to raise issues and concerns. Members considered such actions would require few additional resources and would welcome any such actions the Council had or could take in respect of this, including within the future report.

The need for lobbying, applying pressure, and such like was acknowledged and accepted by all. There was also a view that Option 1 should also be pursued in the first instance. Officers indicated that negotiations continued and Lincolnshire County Council were now supporting the District Council position, it was hoped that Officers would be able to report

further progress in this area within the next report. Officers further expanded on the types of support Option 3 could maybe allow the District Council to offer for a time limited period, similar to the support offered to Neighbourhood Planning. It was also noted that Option 2 was very much dependent on the outcome of Option 1. The need for lobbying was acknowledged and if the Government was to reach its target coverage they would need to acknowledge the issues faced in rural communities. Organisations such as SPARSE could be used to raise the profile of the issues.

It was therefore agreed that further information regarding a blended approach encompassing Options 1 and 3, together with information around lobbying and the agencies which could be approached would be submitted for further consideration at the next meeting of the Committee.

**RESOLVED** that, having considered the next steps, Officer be requested to submit a further report for consideration at the Committee's meeting in July 2017 incorporating further information regarding a blended approach encompassing Options 1 and 3, together with information around lobbying and the agencies which could be approached.

#### **14 SECTION 106: PROCESS AND MONITORING**

Members of the Prosperous Communities Committee had previously requested an update in relation to planning obligations, often known as Section 106 agreements. The report sought to promote a better understanding of the process and to recognise when and how monies may be requested and used. The rules relating to Section 106s were detailed in paragraph 2.3 of the report and it was noted that this report would likely form a series of reports for committee consideration as work continued.

Debate ensued and Visiting Member, Councillor Tom Smith sought indication of how far back the review would extend? Whether the outcome would also be reported to the Planning Committee? And when it was likely the new IT system referred to would be operational?

In responding, Officers advised that the review would go as far back as 2010 but would be guided by evidence prior to that. Officers were happy to present the outcome report to the Planning Committee also and it was likely the new system would be in place by September 2017. Officers outlined the work which was currently being undertaken in anticipation of this including the transfer of data and the development of new processes.

Members welcomed the report, the ongoing work and the new role. It was further indicated that the Committee would welcome a more detailed report regarding monies held from off-site contributions for affordable housing, including the level of monies held and any time limits which applied. Officers were agreeable to this suggestion.

It was brought to Members' attention that the report following the CIL Examination had recently been published. It had recommended a reduction in the rate applied. A brief discussion ensued regarding how the charges would levied, what CIL would contribute to and the importance the Council had ensuring communities were supported.

In responding Officers indicated there would be a workshop held in the Autumn with Parish

Councils. Communities where development was seen and where CIL was applicable would receive 15% of the contribution (in the absence of a Neighbourhood Plan) or 25 % if they had an approved Plan.

In responding to Members' questions, Officers confirmed that CIL did operate on the same terms of S106 in so much as if the money was not spent it would not have to be returned to the developer. Furthermore the District Council could not make the Parish spend the money or dictate where the money should be spent.

A Member shared details of the perception in some local communities regarding the spending of S106 monies.

In responding, Officers whilst acknowledging the perception, reaffirmed the rules regarding levying and spending S106 monies. They could only legally be levied to alleviate the impact of the development, thus this was a perception. However, it was acknowledged the Authority could do more to be open and transparent about where monies were levied and spent and it was hoped in time this would be an additional facility on the Authority's website, enabling communities to clearly see this level of information.

**RESOLVED** that:

- (a) the information contained within the report be received and noted;  
and;
- (b) a further report regarding monies held from off-site contributions for affordable housing, including the level of monies held and any time limits which apply, be submitted to a future meeting of the Committee for consideration.

**Note:** Councillor Paul Howitt-Cowan left the meeting during consideration of this item and prior to the vote having taken place.

## **15 CENTRAL LINCOLNSHIRE LDO**

On 12th February 2015 the Government had announced proposals for 11 Food Enterprise Zones across the country, including 3 within Lincolnshire, with a view to attracting investment and encouraging closer ties between food and farming businesses to boost the domestic food and farming sector. The Central Lincolnshire Food and Enterprise Zone Local Development Order (LDO) sought to capitalise on the opportunities associated with the existing businesses/premises at Hemswell Cliff and the availability of adjacent land to support the development of an 'agri-food cluster' located within the A15 growth corridor.

The Hemswell Cliff FEZ site extended to approximately 30ha in total and comprises arable land at the location of a former RAF base. The FEZ area was located immediately north of the A631 and west of the existing Hemswell Cliff Business Park.

The purpose of an LDO was to simplify and speed up the planning process by providing certainty about the types of development which would be permitted within a specific area, and reduced the potential risks associated with the formal planning process, encouraging development to come forward in the area.

The LDO, if granted, would facilitate development of new premises and facilities for businesses in the agri-food sector, thereby providing a location for new and expanding businesses and encouraging inward investment. Investment in the agri-food sector in the location would also contribute to the Council's regeneration and socio-economic objectives through the creation of employment opportunities and integration with the existing businesses and residential areas of Hemswell Cliff.

Following a six week public/statutory consultation period, amendments have been made to the draft LDO. The consultation responses received and amendments made as a result were shared with the Committee and detailed within the report. Endorsement was sought from the Prosperous Communities Committee for adoption (to grant Outline Planning Permission for an agri-food led commercial development) of the LDO, prior to it being submitted to the Secretary of State.

It was therefore recommended to Members that the LDO be endorsed by Committee for adoption.

Members welcomed the report and on that basis it was: -

**RESOLVED** that:

- (a) the Central Lincolnshire Food Enterprise Zone LDO be endorsed for adoption; and
- (b) a copy of the Local Development Order be issued to the Secretary of State.

## 16 APPOINTMENT OF MEMBER CHAMPIONS

Consideration was given to a report which sought to appoint Member Champions for the 2017/18 civic year.

Historically Member Champions had been appointed by Council, at their Annual Meeting, however following changes to the Constitution, agreed by Council in May 17, the responsibility for appointing Champions, now sat within the remit of the relevant Policy Committee.

The following Members had been nominated for the Member Champion roles that sit within the remit of the Prosperous Communities Committee:-

### **Member Champion Role**

Heritage and Tourism  
Housing  
Planning  
ED/Town Centre  
Health  
Localism/Neigh Plans  
Community Safety/ASB  
Young People/Skills

### **Proposed Name**

Paul Howitt-Cowan  
Jessie Milne  
Stuart Kinch  
Sheila Bibb  
Angela White  
Steve England  
Trevor Young  
Reg Shore

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Transport	Lewis Strange
Safeguarding/Mental Health	Gill Bardsley
Volunteering	Jessie Milne
Democracy	Roger Patterson
Armed Forces	Tom Smith

Debate ensued and Members raised a number of queries regarding the purpose of Member Champions and areas which had been selected. Previous champion roles appeared to no longer exist and some previous Member Champions indicated that they had never undertaken any duties despite holding the position.

Officers indicated they were informal positions and the role and purpose continued to be developed. The areas had been selected by Leader of the Council and all groups had been consulted regarding the nominations. Political balance rules did not apply. It would be at Members discretion if they wished to add an additional Champion.

The Vice-Chairman was of the view that the roles had never clearly been defined as there would likely be very different requirements dependent on the area the Champion was covering. In light that the list had been formulated in consultation with Group Leaders, it was suggested that the appointments as listed should be made and the points raised be further investigated and the position monitored throughout the year. It was also suggested that the Member Champions should be required to submit a report outlining the work they had undertaken in order that the need for the role could be better assessed. It was also suggested that appointments should be based on expertise as opposed to a general interest.

On that basis it was

**RESOLVED** that:-

- (a) those Members named above and as detailed in Section 3 of the report be appointed as Member Champions for 2017/18; and
- (b) a further report be submitted to a future meeting of the Committee regarding the role, purpose and positions held by Member Champions, in order that their future use could be better assessed.

## **17 WORK PLAN**

Members gave consideration to the Committee Work Plan.

**RESOLVED** that the Work Plan as set out in the report, be received and noted.

## **18 EXCLUSION OF PUBLIC AND PRESS**

**RESOLVED** that under Section 100 (A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as

defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

## **19 CAISTOR - HILL CREST PARK RURAL ENTERPRISE DEVELOPMENT**

The Committee gave consideration to a report which sought support from Members to recommend to the Corporate Policy and Resources Committee the granting of a commercial loan of £200,000 to support the redevelopment of a site and creation of new business units within Caistor.

Providing support and infrastructure for start-ups and the micro-business sector was a priority for WLDC and was clearly identified within the West Lindsey Economic Growth Strategy.

In presenting the report, Officers outlined the opportunities associated with the regeneration of the site, as detailed in Section 1.7 of the report. It was also noted that the project proposal had had support through the Caistor Neighbourhood Plan, had been granted planning permission, and had received a LEADER grant of £39k and would be seeking a further amount of circa £80k, totalling £119,000. The reasons why the applicant had approached the Council were outlined, together with the associated risks and mitigating measures which it was proposed would be in place to ensure any monies released were safeguarded.

A number of Members expressed concern that such types of business were high risk and that the Authority had previously invested in such things with, in their view, limited success. Members were not convinced that there was the demand level for such units as had been implied. There were also concerns over the relationship of the applicant with a particular Member of the Council, however, Officers confirmed that no other Members had an interest of a level that would prevent them from participating in the decision.

In response to Members' questions, Officers confirmed the current land value was higher than the loan value and clarified the ownership of the site. It was confirmed that the finalised interest rate had not been agreed, however, Members were referred to the information contained within the S151 Officers Comments within the report. The applicant's contribution was also clarified.

A number of Members at this stage in the meeting indicated that they had not received the report and thus had not had time to study and consider its content.

Members again expressed concern that in their view this was a high risk investment, such businesses were often not successful, the applicant had no proven track record of delivery, some were of the view that the location of the site was less than desirable and would also impact on its success and there were concerns regarding reputational risk.

In responding to Members' concerns, Officers again re-iterated the proposed mitigation measures which would be put in place to safeguard the loan, including those listed in the Section 151 Officer Comment's section of the report. In responding to comments it was further confirmed that any future sale of the land would only be with the Authority's permission (if a loan was agreed).

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It was stressed that planning permission had been granted and thus the site's location was not a matter for consideration by the Committee.

In the absence of the commercial loan, it was at this stage unlikely that the development could proceed to the build phase. The wider Economic Benefits were again outlined to Members. The project had received LEADER funding and thus the Business Plan submitted had been received positively. Officers stressed in bringing this proposal to Members it was in acknowledgement that there were currently no specific funding streams for rural developments, as there were in Gainsborough, and considered this development did meet the Council priority of rural economic growth.

In the fullness of time it was likely that a Commercial Loan Policy would need to be developed as such requests were likely to continue to be made.

Members, however, were still uncertain regarding the deliverability, the business plan and the implied need. A number of Members re-iterated that they had not received the report and had time to consider its content. Therefore, in light of the concerns they had raised it was proposed and seconded that the matter be deferred pending further information in respect of the Business Plan, in order that Members could be assured regarding deliverability.

On being put to the vote it was: -

**RESOLVED** that the item be deferred pending further information regarding the Business Plan in order that Members can be assured that the Project is likely to deliver as expected.

The meeting concluded at 8.50 pm.

Chairman