



Guildhall Gainsborough
Lincolnshire DN21 2NA

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AGENDA

This meeting will be recorded and the video archive published on our website

Corporate Policy and Resources Committee

Thursday, 20th September, 2018 at 6.30 pm

Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA

Members:

- Councillor Jeff Summers (Chairman)
- Councillor Owen Bierley (Vice-Chairman)
- Councillor Mrs Sheila Bibb
- Councillor Matthew Boles
- Councillor David Cotton
- Councillor Michael Devine
- Councillor Ian Fleetwood
- Councillor Stuart Kinch
- Councillor John McNeill
- Councillor Mrs Maureen Palmer
- Councillor Tom Regis
- Councillor Trevor Young

1. **Apologies for Absence**
2. **Public Participation Period**
Up to 15 minutes are allowed for public participation. Participants are restricted to 3 minutes each.
3. **Minutes of Previous Meeting** (PAGES 3 - 11)
To confirm as a correct record the Minutes of the previous meeting held on 19 July 2018.
4. **Declarations of Interest**
Members may make declarations of Interest at this point or may make them at any point in the meeting.
5. **Matters Arising Schedule** (PAGES 12 - 14)
Setting out current position of previously agreed actions as at 12 September.
6. **Public Reports for Approval:**
 - i) Annual Health and Safety Report (PAGES 15 - 25)

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

Large Clear Print: Braille: Audio: Native Language

- ii) The Council Tax Care Leavers Relief Scheme for 2018/19 (PAGES 26 - 47)
 - iii) Living Over the Shop (LOTS) Grant (PAGES 48 - 53)
 - iv) 5-7 Market Place - Conversion (PAGES 54 - 62)
7. **Committee Work Plan** (PAGES 63 - 67)
8. **Exclusion of Public and Press**
To resolve that under Section 100 (A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.
- i) 5-7 Market Place - Exempt Appendices (PAGES 68 - 112)
 - ii) Affordable housing scheme at North Marsh Road, Gainsborough (PAGES 113 - 118)

Mark Sturgess
Head of Paid Service
The Guildhall
Gainsborough

Wednesday, 12 September 2018

Corporate Policy and Resources Committee- 19 July 2018
Subject to Call-in. Call-in will expire at 5pm on 2nd August 2018

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Corporate Policy and Resources Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 19 July 2018 commencing at 6.30 pm.

Present: Councillor Jeff Summers (Chairman)
Councillor Owen Bierley (Vice-Chairman)

Councillor Mrs Sheila Bibb
Councillor Michael Devine

In Attendance:

| | |
|---------------------|--|
| Eve Fawcett-Moralee | Executive Director of Economic and Commercial Growth |
| Ian Knowles | Executive Director of Resources and S151 Officer |
| Katy Allen | Corporate Governance Officer |
| Jeannette Anderson | Corporate Systems Development & ICT Manager |
| Amanda Bouttell | Senior Project and Growth Officer |
| Cliff Dean | ICT Manager |
| James Welbourn | Democratic and Civic Officer |

Also in attendance: 2 members of the public

Apologies: Councillor Matt Boles
Councillor David Bond
Councillor John McNeill
Councillor Maureen Palmer
Councillor Tom Regis
Councillor Trevor Young

16 PUBLIC PARTICIPATION PERIOD

There was no public participation.

17 MINUTES FOR APPROVAL

The minutes of the Corporate Policy and Resources Committee meeting held on 14 June 2018 were agreed as a true record.

18 MINUTES FOR NOTING

The minutes of the Joint Staff Consultative Committee meeting held on 5 July 2018 were noted.

19 DECLARATIONS OF INTEREST

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

20 MATTERS ARISING SCHEDULE

The Executive Director of Resource circulated, as promised, the Surestaff Contracts and levels of placement numbers to Members; the text of this is attached below:

Surestaff Contracts and levels of placement (WLDC = West Lindsey District Council)

| | |
|------------------------------------|---|
| <i>WLDC Waste</i> | <i>25 max</i> |
| <i>WLDC Street Cleaning</i> | <i>2 max</i> |
| <i>WLDC Customer Service</i> | <i>6 max (1 colleague transferred to WLDC)</i> |
| <i>WLDC Planning</i> | <i>1 (current)</i> |
| <i>WLDC Finance</i> | <i>2 max</i> |
| | |
| <i>Caspian</i> | <i>just started, 2, expected to rise to 15 operatives and 3 rivers once 2nd machinery is up and running (approx. 2 weeks)</i> |
| <i>Poly pearl</i> | <i>up to 10 based on last season , but currently not put through more than 4 (packaging industry will increase output in the run in to Christmas)</i> |
| <i>Plum</i> | <i>up to 5 depending on volume</i> |
| <i>Brightstar</i> | <i>seasonalearlier start this year expected late July....between 20 and 30, doing 50 + hours per week.</i> |
| | |
| <i>Retford Wallcoverings</i> | <i>average 3 (1 just taken onto RWC books; fee paid)</i> |
| | |
| <i>Schaunberg</i> | <i>average 2 fluctuating demand</i> |
| <i>Laburnhum House Educational</i> | <i>average 2 based on volume</i> |
| <i>FP Trading</i> | <i>occasional demand up to 3</i> |
| <i>Ewewmove</i> | <i>occasional admin up to 2</i> |

The other matter arising was noted.

21 BUDGET CONSULTATION 2018

Members received a verbal update from the Corporate Governance Officer, with a presentation of the proposed technology being provided on the computer screen.

The following information was provided:

- Each service section within West Lindsey District Council (WLDC) was broken down into its component teams. Users of the budget consultation software would be able to configure the budget figures as they saw fit;
- The previous appearance of the budget consultation software was a lot simpler; there was now more information available to configure;

- There was the opportunity to provide comments within the survey through free text boxes;
- Members supported the idea of a glossary for users as it could be difficult to understand with no prior knowledge of the software;
- A notification would be sent to parish and town councils and the local citizens' panels about the survey. The survey would be available on the West Lindsey website in a digital format, as well as being available in paper form.

22 COMMUNITY LOTTERY

Members considered a report requesting the approval of spending funds generated from the Community Lottery, approved by Prosperous Communities committee on 5 June 2018.

The following points were highlighted:

- As a district, lottery money was already being received through the Big Lottery and other various initiatives. The money from community grants was going straight into the community; it was not being channelled through WLDC;
- On 18 July a number of people attended the Community Grants celebration event, which underlined the value that community organisations place in grant funding through the district council. As well as money, advice was provided with this funding;
- It was incumbent on Members to promote the community lottery as soon as it became available for sale.

RESOLVED to approve the allocation of funds generated from the community lottery to the council's Community Grants Programme overseen by the Prosperous Communities Committee.

23 DESKTOP REFRESH, INFRASTRUCTURE REFRESH & LICENCES

Members considered a report requesting the ability to draw down the planned expenditure for the ICT equipment and software refresh.

The ICT Manager introduced the item, highlighting the following points:

- Currently the IT equipment that WLDC officers and partners use was coming to the end of its life, leading to a repeated number of hardware failures;
- A significant number of batteries were failing; obtaining spares for this equipment was proving increasingly hard;
- The switches were also at 'end of life', and they pose a security risk for the authority. There were roughly 20,000 attacks per hour on the Council's first line of defence;

- Updating the software licensing on servers would provide the ability to work effectively and faster and keep up to date with security patches.

Following questions from Members, further comment was provided:

- People's expectation of what they can do without leaving home was increasing all the time;
- West Lindsey was a very big district; IT helps to create equality, in that people at the extremes of the district were on a level playing field with people in Gainsborough (for whom it was much easier to attend the Council buildings).

RESOLVED to:

- (1) Approve the drawdown from reserves to purchase replacement desktop equipment and expenditure at a cost of £175,000. This would be funded from the IT Reserve and the procurement would be a joint procurement with North Kesteven District Council who would replicate the selected devices across their estates, whilst supporting mobile working allowing colleagues to work remotely as well as providing resilience on business continuity;
- (2) Approve the drawdown from reserves and the expenditure on the switch and Wi-Fi network equipment that was end of life at a cost of £105,000 for the infrastructure replacement and £15,000 revenue cost for a five year license to be funded from the IT Reserve. A joint procurement exercise had been undertaken with North Kesteven District Council (NKDC) who were replicating the work.
- (3) Approve the drawdown from reserves and the expenditure by the ICT Team on software license at a cost of £34,000 from revenue.

24 MARKET RASEN 3 YEAR VISION/STRATEGY AND TRANSFER OF WEST LINDSEY AREA OFFICE TO MARKET RASEN TOWN COUNCIL

Members considered a report on creating a self-sustaining town with capacity to address social, economic and environmental issues.

The Executive Director of Commercial and Economic Growth reminded Members that there had been an addendum circulated to them containing a revised recommendation and some additional financial information.

The additional information asked the Committee to consider a preferable disposal option to offer Market Rasen Town Council a long term full repair and insure leasehold at peppercorn rent (term to be negotiated) on the building. From a financial point of view, this option would result in the retention of the freehold of the property and would attract a peppercorn rent. The full repair and insurance would ensure future maintenance and insurance costs were born by the leaseholder.

Members commended the work that had been put in by officers to get to this stage, and

added that the strategy would be good news for Market Rasen and for the district as a whole.

Members moved and seconded the amended recommendations, and it was **RESOLVED** to:

- (1) Accept the recommendation from Prosperous Communities Committee on 30 January 2018 to approve an 'in principle' allocation of £200k funding from the Capital Programme towards the delivery of growth projects detailed within the strategy subject to:
 - Consultation and support for the strategy;
 - The setting up of an agreed implementation mechanism e.g. a Charitable Incorporated Organisation;
 - Suitable financial regulation

The Executive Director of Resources was granted delegated authority to make the final decision to award funding subject to the above and following consultation with the Chairman of the Corporate Policy and Resources Committee.

- (2) To conclude the disposal of the Market Rasen Area Office to Festival Hall through the option of a long term full repair and insure leasehold at peppercorn rent.

25 PROGRESS AND DELIVERY REPORT – PERIOD 1 (2018/19)

The Executive Director of Resources introduced the Progress and Delivery report for period 1 2018/19, and gave apologies on behalf of the Executive Director of Operations.

The Executive Director of Resources updated the Committee on pieces of work that the Council were undertaking, and whether they were above or below their achievement target. These pieces of work are summarised below:

- The green waste collection had seen a positive roll-out with a higher than expected number of subscribers;
- The number of new users of the Leisure Centre was exceeding expectations;
- The Trinity Arts Centre was achieving higher patronage than anticipated;
- Council Tax and Business Rates collection to date was below target, partly due to the 12 month instalment option, meaning that rates cannot be collected as early as they previously had been;
- Development Management had income currently below target;
- A number of outstanding enforcement cases had been closed, which in turn had led to a higher average closure time for enforcement cases;

- Regulatory services were subject to a briefing requested by Prosperous Communities Committee;
- The use of bed and breakfast accommodation in home choices cases had been below target for at least the last five months. This would be continually monitored;

Following this summary, the Housing and Enforcement Manager explored the issues being experienced by the Enforcement team, before addressing issues around food safety. These topics are summarised below:

- Over a period of time there had been a high demand for dealing with planning enforcement cases. This had led to an agreement for an additional resource;
- The audit of Enforcement requested by the Governance and Audit Committee recommended that some of the enforcement measures reported by Progress and Delivery be changed; this was in part because the timescales of cases in the hands of the inspectorate could not be controlled by WLDC;
- Timescales of enforcement cases would be something that the new enforcement officer would look to address;
- The aim was to provide an initial response to planning enforcement cases within 20 working days. This had been achieved 77% of the time in the first three months of 2018;
- In the first three months of this year 111 cases had been closed, compared to 210 closures in the whole of the previous year;
- The average length of an enforcement case was 107 days if the legacy cases (of over a year old) were removed;
- There was an ongoing internal audit covering food safety. The targets were still not being met but officers were confident that the level will improve;
- There were around 97% of food premises in the district rated at 5* or above. The focus was always on Category A or B businesses, which are larger premises; all other premises were assessed in line with the Food Standards Agency guidelines;
- There were more food safety visits than shown in the Progress and Delivery report, but they were not full visits;
- Premises can fail on paperwork alone; in some instances the overall rating can be low as a result of this. If the business pays a fee after having had a food safety visit, then inspectors will re-visit and reassess within a certain timeframe. Previously, the re-visit would have to be rescheduled for later in the year.

RESOLVED to note the report.

26 MOBILE PHONE USAGE POLICY

Members considered a report on an updated mobile phone usage policy. The updated policy had included references to social media, the use of pins or passwords, and driving whilst using a mobile phone.

Members were assured that as part of the desktop refresh across the Council, all job roles had been looked at so that the relevant technology would be available for certain posts that required them; for example, field workers would require a work mobile phone. There would also be occasions where officers could request a mobile phone, but they would need to provide a valid business case to support that argument.

The Corporate Systems Development and ICT Manager agreed to look into the possibility of providing spare mobile telephones for staff.

RESOLVED to grant delegated authority to the Executive Director of Resources (S151 Officer) to make minor housekeeping amendments to the policy in future, in consultation with the chairman of the Corporate Policy and Resources committee and the chairman of the Joint Staff Consultative Committee.

27 REVIEW OF THE EQUALITY POLICY

Members considered a report reviewing the Council's Equality Policy. The report had been approved by the Joint Staff Consultative Committee.

The review as a whole made sure that WLDC were up to date with recent legislation.

RESOLVED to approve the Equality Policy and the policy is adopted for all employees of the council.

Delegated authority be granted to the Executive Director of Resources to make minor housekeeping amendments to the policy in future, in consultation with the chairman of the Corporate Policy & Resources committee and chairman of the Joint Staff Consultative Committee (JSCC).

28 BUDGET AND TREASURY MANAGEMENT MONITORING – PERIOD 1 2018/19

Members considered a report setting out the revenue, capital and treasury management activity from 1 April to 31 May 2018.

The Executive Director of Resources highlighted the following points from the report:

- There was currently a small underspend on salaries;
- There was a retention on the previous leisure contract which wasn't accrued for at year end, which meant that it fell into the current year;
- A review into costs incurred by Property Services; this identified a number of pressures;

- A legal costs settlement within the Policy and Resources directorate came to £19,000;
- A higher than expected income had been received from the green waste collection;
- A total of £64,000 from a loss of income;
- There had been no breaches of regulatory requirements over the previous two months (the period covered by the report).

RESOLVED to:

- (1) Accept the forecast out-turn position of a £72k net contribution to reserves as at 31 May 2018, as at paragraph 1;
- (2) Note the use of Earmarked Reserves during the quarter approved by the Executive Director of Resources using Delegated powers, as detailed at paragraph 1.5.1;
- (3) Accept the Commercial Income position;
- (4) Approve the amendments to Car Parking fees and charges detailed within Appendix A;
- (5) Accept the Treasury Management and Prudential Indicators to 31 May 2018.

29 COMMITTEE WORK PLAN

The Democratic and Civic Officer assured Members that the ICT Strategy – 6 monthly update would be added to the workplan for December.

Subject to that amendment, the workplan was noted.

30 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.

31 BUDGET AND TREASURY MANAGEMENT MONITORING – PERIOD 1 2018/19 EXEMPT APPENDICES

There was an abbreviation of SBEM within the report – this stood for Simplified Building Energy Model.

The exempt appendix was noted.

Corporate Policy and Resources Committee- 19 July 2018
Subject to Call-in. Call-in will expire at 5pm on 2nd August 2018

The meeting concluded at 7.43 pm.

Chairman

Corporate Policy & Resources Committee Matters Arising Schedule

Purpose:

To consider progress on the matters arising from previous Corporate Policy & Resources Committee meetings.

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

| Status | Title | Action Required | Comments | Due Date | Allocated To |
|--------------|-------------------------------|--|---|----------|----------------|
| Black | | | | | |
| | ICT Strategy - 6 month update | Members requested a 6 month update on the ICT Strategy at their meeting on 14 June 2018. | This has now been added to the Forward Plan for December's CPR. | 14/12/18 | Katie Coughlan |

| | | | | | |
|--|------------------------------------|---|--|-----------------|--------------------|
| | Figures for Surestaff staff | At CPR The Executive Director of Resources agreed to obtain some figures from the Executive Director of Operations for the number of drivers on the Surestaff books, and how many are retained when their contracts end. Information to be emailed to CPR Members. | There are currently 5 drivers and it is difficult to say how many are retained due to the nature of the work. | 19/07/18 | Ian Knowles |
|--|------------------------------------|---|--|-----------------|--------------------|

| | | | | | |
|--|---------------------------------|--|-------------------------------|-----------------|----------------------|
| | Note on food inspections | During the CPR meeting on 19 July 2018, it was agreed that the Executive Director of Operations send out the note that had gone to Prosperous Communities members to CPR members. | Note sent on 1 August. | 20/09/18 | Mark Sturgess |
|--|---------------------------------|--|-------------------------------|-----------------|----------------------|



**Corporate Policy and
Resources Committee**

20 September 2018

Subject: Annual Corporate Health and Safety Report

Report by:

Executive Director of Operations

Contact Officer:

Emma Redwood
People and Organisational Development Manager
Telephone 01427 676591
Emma.redwood@west-lindsey.gov.uk

Purpose / Summary:

Summary of Performance of the Corporate Health and Safety Service throughout the Authority.

RECOMMENDATION(S): That Members support and note the Corporate Health and Safety Report

IMPLICATIONS

Legal: Health and Safety at Work etc., Act 1974 and associated legislation

Financial : FIN/108/19/TJB

None from this report.

Staffing :

Equality and Diversity including Human Rights :

None.

Risk Assessment : Development of robust health and safety performance management systems ensures that the authority is compliant with health and safety legislation and that staff, visitors and contractor's health, safety and welfare can be assured.

Climate Related Risks and Opportunities :

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

Executive Summary

The health and safety report is to provide Members with information on how corporate health and safety is developing within West Lindsey District Council.

It is the duty of management to ensure that all processes and procedures of work are designed and maintained, to prioritise the health and safety of our employees and visitors/contractors whilst working in or visiting our premises.

We continually strive to improve the health and safety culture at WLDC, so that we progressively improve protection for our own employees, clients, visitors and contractors.

The new Health and Safety coordinator joined the council in November 2017, now working closely with the safety champions and managers across the council.

Accidents are recorded on Minerva and investigated by managers and assisted by the safety champion. Accidents that are reportable under RIDDOR are reported by health and safety coordinator to the HSE.

(There were three reportable accidents in 2017 -18)

Employees throughout the council have been encouraged to report all incidents and near misses.

Work continues through the Lincolnshire Safety Advisors group around property and waste to ensure a consistent approach to health and safety.

As part of the performance management, meetings are held with the Safety Champions and they consider the main area of concerns for the coming year could be

- Demands
- Change and managing change
- Due to the above concerns that health and safety may not get the consideration it requires

With the concerns the safety champions have raised the Safety Champion group remains important. The awareness of health and safety should continue to be a priority, and the safety champions carry on being very active.

The excellent work of the Safety Champions should be encouraged and thanks be expressed to them.

Introduction

This Health and Safety report is for Members, Management Team and Staff. It provides the opportunity to inform Members how the corporate service is developing health and safety throughout the Authority to reduce accidents/ incidents and ill health.

In summary, the purpose of the report is to:

1. Give members and management team reassurance confidence that health, safety and welfare is being properly managed within the organisation by sharing of information on progress and delivery.
2. Maintain health, safety and welfare at the front and centre of the organisation as a corporate priority
3. Demonstrate the transparent, proactive management and control of corporate risk, legal compliance and reputation.
4. Provide an auditable trail of engagement with members and senior leadership that would contribute to demonstrating compliance to external enforcement agencies.

1 Background - Corporate Health and Safety

- 1.1 The Health and Safety at Work etc., Act 1974 and regulations made under this Act aim to eliminate or reduce accidents and ill health, in a proactive rather than reactive manner. Although the responsibility for health and safety predominately rests with the employer, **all** employees have responsibilities to ensure that they comply with instructions provided by the employer.
- 1.2 Within West Lindsey the responsibility for ensuring health and safety compliance lies ultimately with the Head of paid service, but is devolved down to all managers. In appropriate circumstances this may be devolved further, to other employees, who are competent in health and safety, particularly in specialist work areas.
- 1.3 West Lindsey District Council's Health and Safety Policy lays down our commitment to health and safety, including responsibilities and general arrangements. This will be supplemented by various service procedures as deemed necessary.

2 Corporate Health and Safety

- 2.1 The Health and Safety Co-ordinator's remit is to carry out the corporate health and safety function. The Health and Safety coordinator provides day to day advice on the subject to staff of all levels of the council. Advising managerial staff via various reporting mechanisms on how to control risks identified and how to comply with legislation.
- 2.2 Safety Champions provide assistance and support to managers, employees and members to ensure that health and safety responsibilities are fulfilled and embedded within the organisation.

2.3 The Corporate Health and Safety page on the Minerva continues to be a platform for sharing information on health and safety, risk assessments, accident investigations and inspections and is accessible for all levels of staff to view. The page is also used to communicate important Health and Safety information and updates.

3 Aim of Corporate Health and Safety Service

The aim of the Service is to ensure that the Authority fulfils its statutory obligations with regard to health and safety legislation and that accidents and ill health are reduced or eliminated, to provide a safe working environment for staff, members, visitors and contractors and anyone who may be affected by our activities.

4 Work Plan 2017-18

This is a summary of the work that has been carried out in the last 12 months.

During the year there was one change of resources to note, with the Health and Safety coordinator leaving in July 2017, and the new Health and Safety coordinator starting in November 2017.

5 Policy and Procedure Reviews

New policies and procedures devised and consulted on with Services and safety champions

Reviewed the following policies and procedures:

- Health and safety Policy – on the forward plan
- Accident and Incident reporting and recording procedure
- Fire risk assessments carried out at all WLDC sites.

6 Safety Champions

The Safety Champions are carrying out the following duties to assist and support the managers:

- Attending quarterly meetings and providing feedback
- Carrying out quarterly workplace inspections
- Investigating accidents/ incidents as required
- Being involved in reviewing policies and procedures
- Reviewing risk assessments with Managers
- Dealing with complaints and day to day issues in Services
- Embedding health and safety throughout the Authority
- Assist the Health and Safety Co-ordinator

One safety champion resigned from the group due to work commitments. There are now ten remaining safety champions across all sectors of the council. Those who resigned have been thanked for their work carried out whilst being a safety champion.

6.1 Health and Safety Champions Committee

The Safety Champions Committee meet quarterly and the Head of paid service is the Chair. The cohort of Safety Champions are able to participate, deal with local issues, share information and learn from others experience and come up with solutions.

The minutes of the meetings are posted on the corporate Health and Safety page on Minerva and copies printed and posted in sites where the staff may not always have access to the computer e.g. Trinity Arts Centre and the Depots. A core brief is also prepared for feedback to team meetings. This ensures that health and safety has clear lines of communication.

Regular reports are taken to management team on health and safety and the opportunities to discuss.

6.2 ICT

The corporate Health and Safety site on Minerva is continually developing and the Safety Champions are continuing to help to shape the page. The site contains space for the Safety Champions to:

- complete work place inspections
- input accidents and incidents
- log accident/ incident investigation information
- receive accident/incident forms directly so the Safety Champions and managers can carry out accident investigations

Enable Managers and Employees to:

- look at accidents, information and risk assessments
- log and review accidents, incidents
- share information

The risk assessment and health and safety library is available for all to reference, documents can be printed off for employees who do not regularly access the site and sharing documents.

The Difficult and Dangerous Customer procedure, and register have been improved and this is reviewed regularly.

7 Health and Safety Training

The following training has been delivered:

- Passing on the principles – Manual Handling train the trainer
- Manual Handling training delivered by the Operational Services team to other Services as required
- Evac chair key trainer course
- Accident Investigation training
- Risk assessment training

The following training is booked but not yet delivered:

- Fire marshal training for employees and partners
- First aid at work

8 Accidents

All workplace accidents/ incidents, near misses and verbal/violent incidents are recorded on Minerva and investigated by the Manager, assisted by the Safety Champions and/or the Health and Safety Co-ordinator. Those accidents/ incidents reportable under Reporting of Injuries and Dangerous Occurrences Regulations (RIDDOR) are reported to the Health and Safety Executive by the Health and Safety Co-ordinator.

Accident figures are also reported through:

- The Safety Champions Group and Lincolnshire Safety Officers Group
- Operational Service accidents are also reported to the Lincolnshire (Health and Safety) Waste and Refuse Forum.

At the moment we have difficulty comparing accident records as the Authorities all record them differently, however this is something the group are investigating.

Where appropriate, accidents are investigated with findings and recommendations communicated to responsible managers for them to take action to prevent a reoccurrence.

Near Miss reporting

In most Council Services there has been a reluctance for employees and managers to capture and document near misses. Near miss reporting is vitally important to preventing more serious accidents from happening in the future. Managers may be addressing near misses and making sure that the working environment is safe, but few are documented.

The Health and Safety coordinator will work with Services to encourage a culture of Near Miss reporting.

8.1 Accident figures

Total number of accidents within the Services– April 2017- March 2018

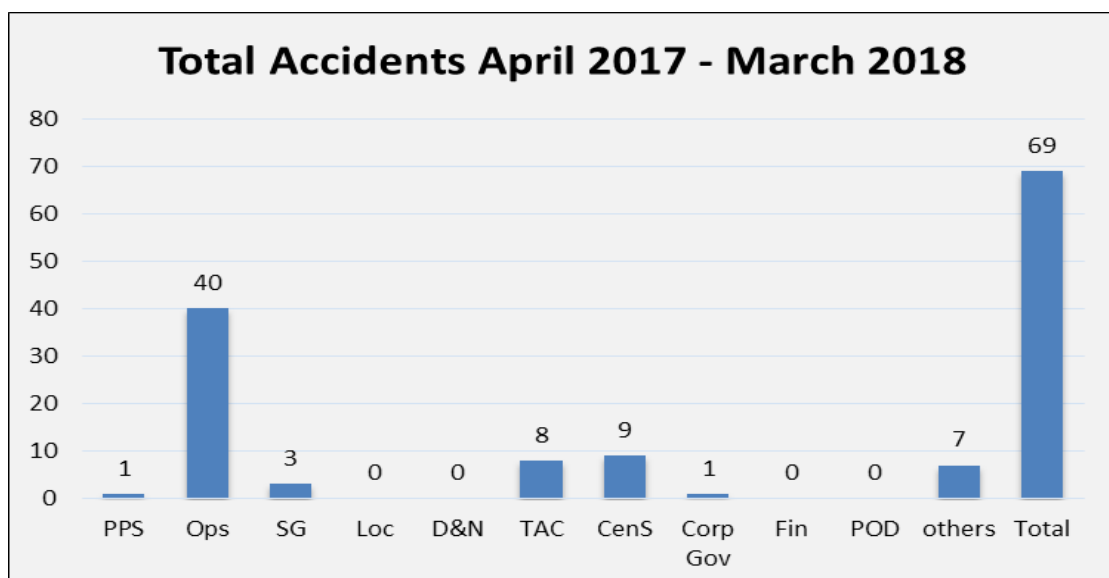


Fig 1

Comparison of yearly accident totals 2012-2018

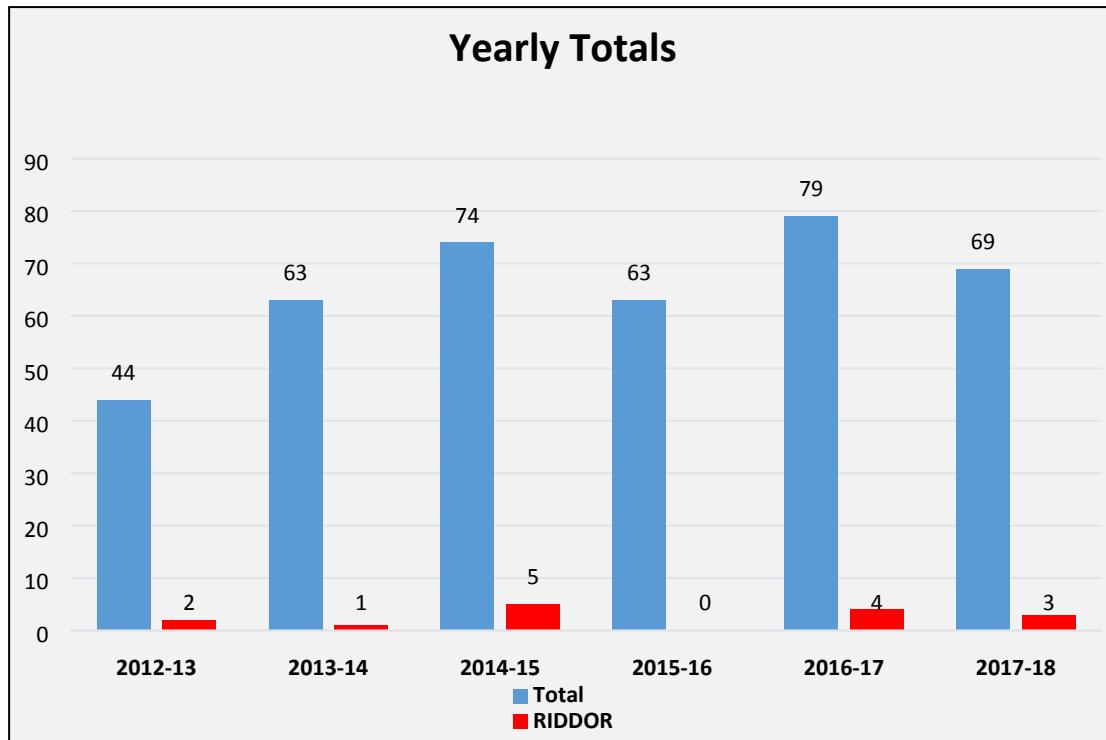


Fig 2

The highest number of accidents occurred in Operational Services which have been broken down into categories (Fig 3)

Operational Service breakdown into categories

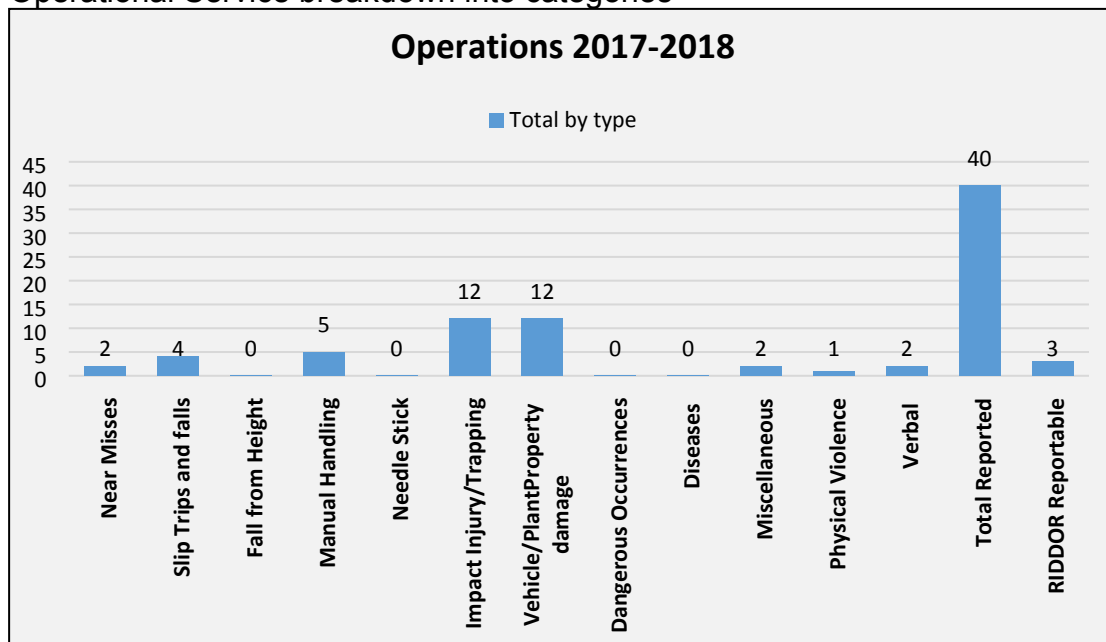


Fig 3

The Health and Safety Executive's classification of accidents is defined in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR)

In 2017-18 there were three reportable incidents that required reporting to the Health and Safety Executive (HSE). They were all over seven day injuries in Operational Services

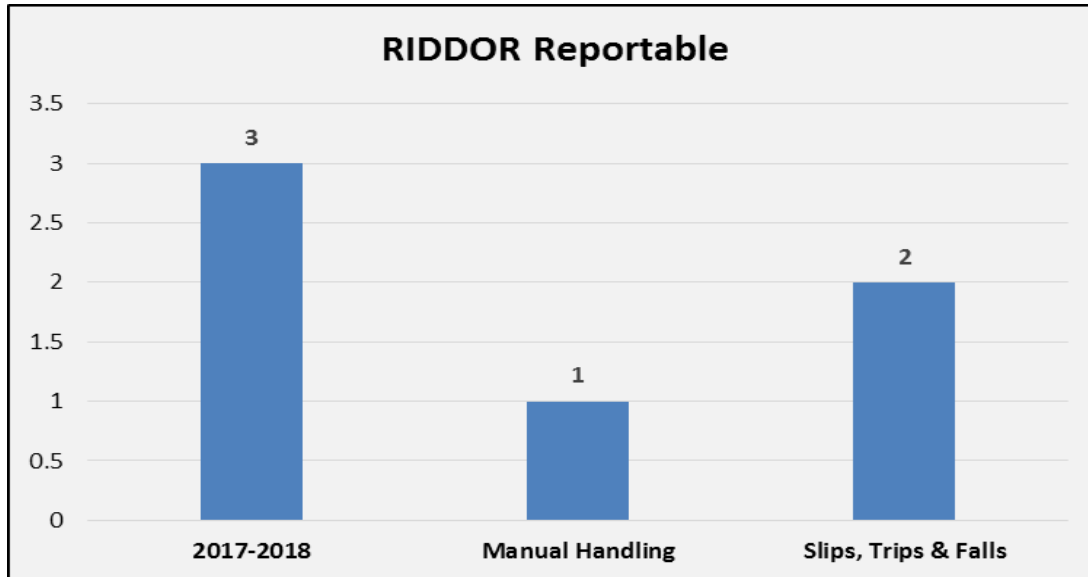


Fig 4

9 Stress

9.1 Stress figures are reported in the POD sickness report.

9.2 The interventions that have been implemented to try and reduce stress are as follows:

- Stress risk assessments being reviewed annually.
- Stress is on the agenda of the Safety Champion Group and Team meetings.
- Any individual stress risk assessments carried out have actions devised and are reviewed.

10 Other Workload

10.1 External Meetings:

- Lincolnshire Area Safety Advisors Group, to share information, work on projects and ensure consistent approach to H/S
- Lincolnshire Area Health and Safety Waste Group, again to share information, work on projects and ensure consistent approach to H/S
- IOSH branch meetings, as a member of IOSH the Health and Safety coordinator is able to attend events and presentations from road safety to occupational hygiene and waste, working at height to legal updates. There is also the opportunity to share information and best practices.

10.2 Managing Safety Champions Performance

Meetings with Safety Champions are held regularly to evaluate their performance against the roles and responsibilities and to get their ideas on improving the Service

11 Feedback from Safety Champions

The awareness of health and safety should continue to be a priority and the excellent work of the Safety Champions be encouraged. The main areas for concern raised by the safety champions for the next year are considered to be:

- Demands
- Change and managing change

Following previous feedback from the safety Champions the TV screens will be used as a way of raising health and safety awareness, and communication.

12 Work Plan 2018-2019

Appendix A is the work plan of activities that will be undertaken and coordinated by the Corporate Health and Safety Co-ordinator in the next twelve months.

13 Conclusion

The 2017 annual health and safety report shows that the Council continues to provide a healthy and safe environment for its employees and service users. It is therefore planned to continue this work to allow the Council's safety culture to continue to develop as the actions taken embed fully so that managers and employees are supported in taking responsibility for and giving priority to the health and safety of themselves and others.

Working with the Safety Champions to raise awareness of health and safety through the Authority and encouraging everyone to take responsibility. Good working relationships are being built with all levels of the Authority and with partners.

Appendix A

Work Plan 2018-19

| Action | Action by | Target | Timescale |
|--|---|--|------------------|
| Produce work plan | Health and Safety Co-ordinator | To have a structure to work to or follow for 2018-19 | Aug 2018 |
| Stress risk assessment reviews | All services | Services to review stress risk assessments and check up to date | ongoing |
| Review, Fire policy & Asbestos policy | Health and Safety Co-ordinator | Review and check up to date | complete 2018 |
| Performance management for Safety Champions | Health and Safety Co-ordinator | Annual Evaluation of the Safety Champions roles and responsibilities | Sept 2018 |
| Development of Minerva | Health and Safety Co-ordinator and Safety Champions | On-going | ongoing |
| Review training | POD Manager and Health and Safety Co-ordinator | Review training that would be paid and organised by Health and safety budget | ongoing |
| Further training: Diffusing situation training when dealing with difficult customers | Health and Safety Co-ordinator | Provide employees with skills to ensure their safety | Dec 2018 |

Agenda Item 6b



**Corporate Policy and Resources
Committee**

Date 20 September 2018

Subject: The Council Tax Care Leavers Relief Scheme for 2018/19

Report by:

Ian Knowles, Executive Director of Resources &
Section 151 Officer

Contact Officer:

Alison McCulloch
Revenues Team Manager
Alison.mcculloch@west-lindsey.gov.uk
01427 676508

Purpose / Summary:

This report seeks to clarify the Council's policy with regard to the council tax paid by young people leaving care as permitted by Section 13A of the Local Government Finance Act 1992 from 1 April 2018.

RECOMMENDATION(S):

1. That Members agree the amendments to the Section 13A policy (see Appendix A) to allow for Council Tax relief to be awarded to young people under the age of 25 leaving care.
2. That Members agree that individual applications for care leavers under the age of 25 years be determined by the Section 151 Officer under delegated powers.

IMPLICATIONS

Legal:

Section 76 of the Local Government Act 2003 introduces Section 13A Billing Authority's (Power to Reduce Amount of Tax Payable) into the Local Government Finance Act 1992. This allows a billing authority to reduce the amount of Council Tax payable to such an amount as it thinks fit, including reducing the amount to zero.

This power may be exercised in relation to individual cases or by determining a class of case or cases in which liability is to be reduced to an extent provided by the determination.

The authority to determine individual applications under Section 13A may be delegated to an officer of the Authority under Section 101 of the Local Government Act 1972.

Financial Implications FIN 45/19/CC

The loss in Council Tax revenue resulting from the granting of a local discount or a reduction must be met by the billing authority and not passed on to other major precepting authorities. In other words Council Tax payers will fund any reduction that is granted.

It is anticipated that only a small number of reductions are likely to be granted and it is expected that any reductions granted can be provided for out of existing budgets.

There are currently 18 care leavers under the age of 25 years resident in the West Lindsey area and none of them have any liability for council tax.

The level and number of rewards granted will be continuously monitored through the financial year and funding identified to mitigate the impact on the budget.

Staffing :

None directly resulting from this report

Equality and Diversity including Human Rights :

None directly from this report

Risk Assessment :

If awarded the full cost of the relief would be incurred by West Lindsey District 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:

Local Government Finance Act 1992 – Section 13A -
<http://www.legislation.gov.uk/ukpga/1992/14/section/13A>

The Local Government Act 2003 – Section 76 -
<http://www.legislation.gov.uk/ukpga/2003/26/section/76>

Call in and Urgency:

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

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

Yes

No

Key Decision:

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

Yes

No

Executive Summary

This report is written in response to a Children's Society campaign that has identified a range of disadvantages care leavers experience. In particular care leavers are a vulnerable group for council tax debt. The Children's Society suggests local authorities implement a Care Leavers Council Tax Relief Scheme.

Section 13A of the Local Government Finance Act 1992 (as amended by Section 76 of The Local Government Act 2003) allows the Council to reduce the amount of council tax payable. Powers may be used on a case by case basis or by specifying a class of use where several taxpayers may fall into a group due to similar circumstances.

The council already operates a Council Tax Section 13A Relief Scheme under a policy agreed and introduced in January 2015 and it is used to help mitigate any unforeseen or exceptional hardship circumstances that threaten taxpayers' ability to pay the council tax or to remain in their homes.

To introduce a scheme specifically for care leavers under the age of 25 years will ensure that we continue to play a key role in addressing issues such as homelessness and health inequalities.

However, as there is a financial implication when awarding discounts under Section 13A because the Council has to fund all awards from its own funds without any Government support, any such awards must meet certain criteria to ensure they offer value for money to the districts taxpayers.

It is envisaged that individual applications for Section 13A Discretionary Relief be determined by the Director of Resources under his delegated powers.

Notifications will always be made in writing to the applicant and any awards will be made by crediting the council tax account to which it applies.

1 Background

- 1.1** This report is written in response to a Children's Society campaign that has identified a range of disadvantages care leavers experience. In particular care leavers are a vulnerable group for council tax debt. The Children's Society suggests that care leavers up to, at least, the age of 21 be exempt from paying council tax.
- 1.2** It is recognised that young person's transition out of care and into adulthood is extremely difficult as is managing money for the first time without the support of family or other support networks that other young people can rely on.
- 1.3** Care leavers within West Lindsey have been looked after by the Lincolnshire County Council rather than their parents and are amongst the most vulnerable groups of our community.
- 1.4** It is important that care leavers are kept safe and that their experience leaving care and moving into independent living is positive.
- 1.5** This proposed scheme aims to support care leavers who are solely liable to pay Council Tax in their own right and reduce the amount of council tax a care leaver pays to NIL so that council tax does not become a problem debt for them.
- 1.6** Under Section 13A of the Local Government Finance Act 1992 the council has a general discretionary power to reduce liability for council tax in relation to individual cases or class (es) of cases where national discounts and exemptions cannot be applied.
- 1.7** This relief must be awarded by the Council in accordance with the discretionary council tax reduction powers as contained within the Local Government Finance Act 1992.
- 1.8** The care leaver relief awarded by the council will not be reimbursed by the Government and will be funded by West Lindsey District Council.
- 1.9** The process for applying for this relief will be made simple and where care leavers are in receipt of council tax support they will be identified by the Benefits Team to the Revenues Team for immediate action.

2. Guidelines

- 2.1** Ordinarily the Council would expect there would have to be evidence that extreme financial hardship would be caused to justify the reduction. In the case of care leavers under the age of 25 years it is proposed they should complete the simple form (see Appendix B of policy) confirming their eligibility.
- 2.2** The discretionary relief will only be awarded after entitlement to Council Tax Support has been granted.
- 2.3** The discretionary relief will only be awarded after entitlement to other legislative discounts or exemptions have been applied.
- 2.4** The discretionary relief will only be awarded up to the age of 25 years and it is

expected that the care leaver will notify the council when they approach their 25th birthday to ensure the award is cancelled.

3. Care Leavers – Definition

The term 'care leaver' is defined in The Children (Care Leavers) Act 2000 and refers to eligible, relevant and former relevant children.

- Eligible children are young people aged 16-17 who are still in care and have been 'looked after' for a total of 13 weeks from the age of 14 and including their 16th birthday.
- Relevant children are young people aged 16 and 17 who have already left care and who were 'looked after' for at least 13 weeks from the age of 14 and have been 'looked after' at some time while they were 16 or 17.
- Former relevant children are young people aged 18, 19, or 20 who have been eligible and/or relevant.

4. Application Form

The application form will be simple and easy to complete (see Appendix B)

5. Decision Making Process

To enable a request for this relief to be dealt with in a timely manner it is proposed that the Director of Resources is given delegated powers to determine applications.

Awards of up to 100% of the council tax will be granted only after entitlement to Council Tax Support and any other discounts or reliefs have been applied.

6. Notification of Decision

Awards will be made directly by a reduction in liability on the Council Tax account only and notification of the award will be by way of the council tax bill.

Council Tax Section 13A Relief Policy Statement

September 2018



Council Tax Section 13A Relief Policy and Procedures

| | |
|-------------------|--|
| Section 1 | Background Information Nationally Locally |
| Section 2 | Statement of Objectives |
| Section 3 | The Policy Section 13A Scheme Applying for Section 13A Relief Eligibility Criteria Awarding Section 13A Relief Payment of an award Notification Right of Appeal Overpayments Fraud |
| Section 4 | Monitoring |
| Appendix A | Application Form |
| Appendix B | Financial Statement |
| Appendix C | Application Form for Care Leavers |

Section 1

Background Information

Section 13A Relief Background

1.1 Nationally

Section 13A of the Local Government Finance Act 1992 allows the council to reduce the amount of Council Tax payable where national discounts and exemptions cannot be applied. The council has the right to choose whether to use powers on a case by case basis i.e.: on the grounds of exceptional financial hardship or to specify certain classes of use where several taxpayers may fall into a group due to similar circumstances.

1.2 Locally

The council agreed, in February 2014, under Section 13A of the Local Government Finance Act 1992, to introduce a class discount where a dwelling has been affected by external flooding caused by extreme weather conditions and the occupier(s) have had to vacate the property for a period of time. This scheme is only applicable for the impact of flooding caused by extreme weather conditions where water comes into the property; it does not cover events such as flooding caused by burst water pipes etc.

There is a financial implication to awarding discounts under Section 13A as the Council has to fund all awards without any Government support and this therefore has a direct impact on the taxpayers of West Lindsey.

The council has agreed to award relief to care leavers under the age of 25 years. There is a simplified form required to be completed and confirmation of the care leavers' status will be verified with the local authority who provided care.

Section 2

Statement of Objectives

West Lindsey District Council recognises that it must be able to respond flexibly to the needs of its taxpayers and that it wishes to support strong and sustainable local communities.

In order to comply with some of our own priorities we need to ensure that we continue to achieve value for money in the delivery of services and play a key role in addressing issues such as homelessness and health inequalities.

Section 13A awards will be used to help mitigate any unforeseen or exceptional hardship circumstances that threaten taxpayers' ability to pay the council tax or to remain in their homes.

As there is a financial implication when awarding discounts under Section 13A because the Council has to fund all awards from its own funds without any Government support, any such awards must meet certain criteria to ensure they offer value for money to the districts taxpayers.

Section 3

The Policy

3.1 Section 13A Scheme

The council will consider making a Section 13A award to applicants who meet the qualifying criteria, as specified in this policy. All applications will be considered on their individual merits. Council Tax accounts in joint names should make joint applications for Section 13A Relief.

3.2 Applying for Section 13A Relief

Features of the scheme are that:

- it is discretionary
- the applicant does not have a statutory right to a payment
- in the interests of fairness, the council will operate an internal review procedure for appeals.

In order for an application to be considered it should be made in writing using the form at Appendix A and submitted to the Council Tax Section.

3.3 Eligibility Criteria

When determining an application consideration will be made to:

- the applicants personal circumstances
- the applicants evidence of hardship
- the applicants not having access to assets or savings that could be realised to pay the council tax
- any other eligible discounts, reliefs or exemptions that could be awarded
- the council tax account and if it is in arrears the Council must be satisfied that non-payment is not due to wilful refusal or culpable neglect.
- the council will only pay hardship relief in respect of the main home occupied by the council taxpayer (annexes or second homes will not be eligible for relief)

3.4 Awarding Section 13A Relief

In deciding whether to make a Section 13A award we must have regard to the applicants' circumstances and in order to do this reasonable evidence may be requested in support of their application. This may include:

- Income and expenditure statements
- Any sources of credit for example cash cards, credit cards, store cards, overdraft facilities and loan arrangements
- Any help which is likely to be available from other sources
- Any special circumstances of which we are aware

Council taxpayers will be expected to make contact with external agencies for assistance e.g.: Citizens Advice Bureau, Money Advice etc.

The council will decide how much to award based on all the applicants circumstances and will be at the councils discretion.

All decisions will be made by the Section 151 Officer as delegated under delegated powers of the council.

3.5 Payment of an award

All awards will be made by crediting the award value to the council tax account to which it applies. The relief will only be paid to a maximum of the end of the tax period to which it is claimed and will not automatically continue to reduce a future year's liability as it is a short term assistance only and should not be considered a way of reducing the council tax long term.

3.6 Notification

The council will notify the applicant of the outcome of their request within 5 working days of the date that the decision is made. This will be in writing and will detail:

- The amount of the award (if appropriate)
- The period of the award (if appropriate)
- Provide details of how the award will be made (if appropriate)
- The reasons why a decision was made (if unsuccessful)
- The rights of appeal (if appropriate)

3.7 Right of Appeal

Section 13A awards are administered under the Local Government Finance Act 1992 and are subject to a statutory appeals process. However, in the first instance the council will accept a taxpayer's request for a reconsideration of a decision where the council has not awarded a discretionary relief or where the taxpayer feels the award should be increased.

Requests for an appeal should:

- Be made in writing
- Be received within 21 days of receipt of the initial decision notice
- Be signed by the applicant or their representative
- Include full reasons and evidence for the appeal

Decisions on appeals will be made by the Housing Appeals Board and their decision will be final.

The council will notify a taxpayer of its decision on the appeal within 21 days of receiving the request.

3.8 Overpayments

If the council becomes aware that the information contained in an application for Section 13A relief was incorrect or that relevant information was not declared either intentionally or otherwise, the council may seek to recover the value of any award made as a result of that application. The award will be removed from the council tax account and any resulting balance will be subject to the normal methods of collection and recovery applicable to such accounts.

3.9 Fraud

The council is committed to the fight against fraud in all its forms. Any applicant who tries to fraudulently claim a Section 13A relief might have committed an offence under the Fraud Act 2006 and the matter will be investigated and dealt with appropriately. This could lead to criminal proceedings.

Section 4

Monitoring

The council is committed to its responsibility to equality and fairness and will ensure that people are treated fairly and given fair chances. The scheme aims to give the fairest outcomes to everyone regardless of race, gender reassignment, age, disability, religious beliefs, sex or sexual orientation.

This policy will be monitored and reviewed to ensure it has been applied fairly and consistently.

**For further information please contact the Council Tax Section
on 01427 676566**

If you would like a copy of
this in large, clear print, audio,
Braille or in another language,
please telephone

01427 676676

Guildhall, Marshall's Yard
Gainsborough, Lincolnshire DN21 2NA
Tel: 01427 676676 Fax: 01427 675170
DX 27214 Gainsborough



Appendix A



Guildhall
Marshall's Yard
Gainsborough
DN21 2NA
Telephone: (01427) 676676
Fax: (01427) 675173
Web: www.west-lindsey.gov.uk

APPLICATION FOR COUNCIL TAX REDUCTION UNDER SECTION 13A OF THE LOCAL GOVERNMENT FINANCE ACT 1992

Please note that if a joint bill has been issued then the application must also be made in joint names.

| | |
|--|--|
| Name of Applicant(s) | Telephone Number |
| Contact Address | Email Address |
| Owners Name(s) | Address of property for which relief is being claimed |
| What is the value of equity in the property? | £ |
| Is the property currently marketed for sale? Yes <input type="checkbox"/> No <input type="checkbox"/> | Please provide details of marketing agent/estate agent for this property |
| Is the property currently marketed for rent? Yes <input type="checkbox"/> No <input type="checkbox"/> | Please provide details of marketing agent/estate agent for this property |

Please provide details of any other properties or land owned by yourself and value of any rental income you are in receipt of

If you have left a property empty to move to more suitable accommodation or to receive or provide care due to old age, disablement, illness, alcohol or drug misuse or mental disorder then please provide details below

Please provide the detailed reasons why you are applying for a reduction in Council Tax. This should fully explain the circumstances that are creating financial difficulty and how long you expect these circumstances to continue

Has an application for Council Tax Reduction been made?

Yes

No

Are you receiving financial assistance from any other source?

Yes

No

Please provide details

Have you approached any organisation to assist with your current financial situation such as Citizen Advice Bureau / Money Advice etc.?

Yes

No

Please provide details

Please provide details of any stocks/shares/savings/ money you may have or money you are owed

Please provide any additional information you may wish to provide in support of your application

Your application will not be processed unless the enclosed financial information sheet is completed and returned.

All applicants must provide documentary evidence in support of their claim. At a minimum these should include the following:

- Confirmation of all income received
- Bank statements
- Any additional information to support the application
- Written details of any savings/stocks/shares

I declare that the information I have given on this form is complete and accurate, to the best of my knowledge.

I understand that a copy of this form may also be sent to Lincs2Advice who may be able to offer me further advice and assistance.

I also understand that whilst this application for relief is pending I am not entitled to withhold payment of the council tax due to the council.

Signature: _____ Date: _____

Full Name (please print): _____

West Lindsey District Council Privacy Notice

To find out more about why we need your information, what we will do with it and how to contact us if you have any concerns or questions please read our 'privacy notice'

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

For Revenues specific concerns or questions please read our Revenues Privacy Notice

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

If you require a written copy of either of these statements please contact the Customer Service team on 01427 676676

**Please return your completed form to
West Lindsey District Council, Guildhall, Marshall's Yard, Gainsborough, Lincs.
DN21 2NA
Page 43**



Guildhall
 Marshall's Yard
 Gainsborough
 DN21 2NA
 Telephone: (01427) 676676
 Fax: (01427) 675173
 Web: www.west-
 lindsey.gov.uk

Council Tax – Financial Statement for Section 13A Application

Account Reference Number:

Name of Applicant:

Address:

| Income | Amount | Weekly/Monthly |
|----------------------------|--------|----------------|
| Wages | £ | |
| JSA/Income Support | £ | |
| Working Tax Credit | £ | |
| Disabled Tax Credit | £ | |
| Child Tax Credit | £ | |
| Retirement Pension | £ | |
| Works Pension | £ | |
| Guaranteed Pension Credit | £ | |
| Savings Credit | £ | |
| Child Benefit | £ | |
| Incapacity Benefit/ESA | £ | |
| Maintenance | £ | |
| Non Dependant Contribution | £ | |
| DLA | £ | |
| Any other Income | £ | |
| | | |
| | | |
| | | |
| Total Income | £ | |
| Expenditure | Amount | Weekly/Monthly |
| Rent/Mortgage | £ | |

| | | |
|------------------------------------|---|--|
| Council Tax | £ | |
| Water Rates | £ | |
| House Insurance | £ | |
| Gas/Electricity/Fuel | £ | |
| Housekeeping | £ | |
| Telephone/Mobile | £ | |
| TV Rental | £ | |
| TV Licence | £ | |
| Travel Expenses | £ | |
| Car Running Costs (Petrol, Oil) | £ | |
| Car insurance | £ | |
| Car Tax | £ | |
| Car Repayments | £ | |
| Catalogues | £ | |
| Loans | | |
| Credit Card/Store Cards | £ | |
| Hire Purchase | £ | |
| Fines | £ | |
| Child Care | £ | |
| Clothing | £ | |
| Other Expenses (please detail) | £ | |
| | | |
| | | |
| | | |
| Total Expenditure | £ | |

WARNING: Deliberately giving false information could lead to prosecution.

Declaration

I declare that the information I have given on this form is complete and accurate, to the best of my knowledge and belief.

I understand that failure to supply or giving false information is an offence for which a penalty may be imposed. I also understand that I must inform the Council Tax Section as soon as there is any change in my circumstances.

Signed

Dated



Guildhall
 Marshall's Yard
 Gainsborough
 DN21 2NA
 Telephone: (01427) 676676
 Fax: (01427) 675173
 Web: www.west-lindsey.gov.uk

**APPLICATION FOR COUNCIL TAX CARE LEAVERS – DISCRETIONARY
 REDUCTION UNDER SECTION 13A OF THE LOCAL GOVERNMENT
 FINANCE ACT 1992**

In order to be considered for a discretionary reduction the person must be a care leaver under the age of 25 years who is paying Council Tax. To apply, either the care leaver or liable person must complete the details below and return to us via email or post. Our contact details are shown above.

| | |
|--|--|
| Title | |
| First Name | |
| Middle Name | |
| Last Name | |
| Date of Birth | |
| Address and Postcode of the address you will be moving to or are living at | |
| Date moved in | |
| If you have moved please provide the previous address | |
| Email Address | |
| Telephone Number | |
| Local authority that looked after you | |
| Name of Support Worker | |
| Contact details of Support Worker | |

Declaration

I declare that the information I have given on this form is complete and accurate, to the best of my knowledge and belief.

I understand that failure to supply or giving false information is an offence for which a penalty may be imposed. I also understand that I must inform the Council Tax Section as soon as there is any change in my circumstances.

Signature: _____ Date: _____

Full Name (please print): _____

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**Please return your completed form to
West Lindsey District Council, Guildhall, Marshall's Yard, Gainsborough, Lincs.
DN21 2NA**

Agenda Item 6c



**Corporate Property and
Resources Committee**

20 September 2018

Subject: Living Over the Shop (LOTS) Grant

Report by:

Eve Fawcett-Moralee
Executive Director of Economic and Commercial
Growth
01427 676535
eve.fawcett-moralee@west-lindsey.gov.uk

Contact Officer:

Elaine Poon
Major Projects Officer
01427 676583
elaine.poon@west-lindsey.gov.uk

Purpose / Summary:

West Lindsey was successful in bidding for £4 million funds from the Greater Lincolnshire Local Enterprise Partnership (GLLEP) Single Growth Fund Round 3, for the 'Gainsborough Growth Programme'. The Living Over the Shop Grant forms part of this programme and will deliver the creation/reinstatement of residential properties within the Gainsborough Town Centre.

RECOMMENDATION(S):

- (1) Members approve that the Capital Budget is increased to £200k;**
- (2) Members agree to the Council acting as the Accountable Body for the purpose of administering the Greater Lincolnshire Local Enterprise Partnership (GLLEP) Grant for the purpose of delivering a Living over the Shop scheme.**
- (3) Members approve the launch of the grant scheme subject to a Grant Funding Agreement offer from the Greater Lincolnshire Local Enterprise Partnership.**
- (4) That Members note the award of Living Over the Shop (LOTS) Grants will be delegated to the S151 Officer (Executive Director of Resources) supported by the recommendation of an Officer Panel.**

IMPLICATIONS

Legal:

Once a Grant Funding Agreement has been offered, West Lindsey District Council will act as the Accountable Body and enter into a contract with the GLLEP to deliver the specified outcomes (8 units) in order to draw down the funding.

State Aid advice from both DWF and Legal Services Lincolnshire both confirmed that due to the grant amount, it will operate under de minimis regulations and therefore, there will be no State Aid Implications.

Financial : FIN/92/19/TJB

A capital budget of £130k was approved in 2017/18 for the purpose of introducing a pilot scheme for Living over the Shop. A proposed budget of £150k for full role out of the scheme was included within the 2018/19 Capital Programme subject to grant funding from the GLLEP

After the success of the pilot a further scheme is proposed and a bid has been made to the GLLEP for £200k of grant support to fund the Living over the Shops scheme.

The Capital Budget increase of £50k will result in an overall budget of £200k. Approval is required to incur expenditure on the basis that a Grant Funding Agreement is in place. It is anticipated that grants between £10k and £25k will be made to deliver the objectives of this scheme

The Council will be the accountable body for this grant funding and therefore be responsible and accountable for the spending of grant monies and delivery of planned outcomes in accordance with the Grant Funding Agreement.

It is expected that the Council will cashflow the scheme and drawdown the GLLEP funding based on actual expenditure made on grant awards.

Staffing :

The delivery and administration of the funding will be primarily carried out by existing staff within the Growth Team.

Equality and Diversity including Human Rights :

The LOTS Grant will be open to freeholders/ long leaseholders of properties located within the following Gainsborough town centre location:

- Lord Street
- Market Place
- Market Street
- North Street
- Silver Street

As long as the applicant has had no past or outstanding housing or planning enforcement action taken against them. It is considered this criteria will not have any equality or diversity (including human rights) implications.

Risk Assessment :*Unable to attract external funding*

Officers will continue to engage the GLLEP during the due diligence process to ensure any queries raised will be addressed in a satisfactory manner. In addition, it is also proposed that the grant is not launched until a Grant Funding Agreement has been offered by GLLEP to reduce Council's exposure.

Unable to deliver contracted outcomes

Through the Townscape Heritage Initiative work, officers have identified a number of properties which may be appropriate for this programme, officers will seek to engage with the potential applicants to encourage take up.

Climate Related Risks and Opportunities :

The Gainsborough Town Centre is mostly within Flood Zone 3, benefitting from Flood Defence. Any creation of new dwellings will require a planning permission which will assess any impact of climate change on flood risks.

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

Draft Living Over the Shop Grant Policy – available at the Guildhall, Gainsborough.

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

Executive Summary

Following the success of the Living Over the Shop Pilot carried out by Market Street Renewal, Officers recommend the scheme to be rolled out as a grant to encourage more residential dwellings and footfall within the Gainsborough Town Centre, especially outside of core shopping hours. The funding will be reclaimed from the GLLEP as part of the Council's successful £4 million. Single Local Growth Fund bid and is expected to deliver a minimum 8 dwellings.

1 Background

- 1.1 Gainsborough's historic town centre has a large proportion of vacant upper floors and poorly maintained buildings. It is evident that direct intervention is required to regenerate the historic town centre.
- 1.2 An ambitious programme has been planned for the Gainsborough Town Centre to transform it into an attractive and thriving core which will entice potential residents to relocate to Gainsborough. The town centre place making programme includes:
 - A shopfront refurbishment grant scheme (administered as part of the Gainsborough Growth Fund) to restore/ reinstate shopfronts to a historically sympathetic façade;
 - A special purpose vehicle with Dransfield Properties Limited to deliver a hotel within the town centre;
 - Setting up Market Street Renewal to convert derelict shops with flats above;
 - Delivery of a cinema and restaurant complex to boost the town's night time economy offer through a development partnership with Muse;
 - A Stage 2 Townscape Heritage Initiative (THI) bid with the Heritage Lottery Fund to restore historic buildings within the 'historic heart' of Gainsborough.
- 1.3 The conversion of shops and creation of flats by Market Street Renewal has been proven to be successful. The physical regeneration of the building has uplifted Market Street and completely transformed dilapidated buildings in a sympathetic way. It is understood that there is substantial interest in leasing the shop and the sale of the property on second floor.
- 1.4 It is therefore proposed that the Council launches a Grant scheme which will incentivise freeholders/ long leaseholders to create/ reinstate residential dwellings within the Town Centre.
- 1.5 Presence of residential uses within town centres is important to its vitality and vibrancy, as it increases the footfall within the town centre, especially outside of core shopping hours. The importance of residential uses within town centres is increasingly being recognised, including in the recently published (July 2018) Revised National Planning Policy Framework (NPPF).

- 1.6 The Council's approach to town centre regeneration has been endorsed by the newly published Grimsey Review 2 which is an industry review to revitalising High Streets in the country and explores the principles for a thriving town centre.
- 1.7 The outcome sought (creation of dwellings within the Town Centre) aligns with the outcome of the successful £4 million Single Local Growth Fund. Therefore Officers has put the LOTS Grant as part of the Growth Programme Phase 1 draw down package to the Greater Lincolnshire Local Enterprise Partnership (GLLEP). Officers have submitted Phase 1 draw down of the fund to include £200,000 for the LOTS Grant, leading to the creation of a minimum 8 dwellings, and the GLLEP is currently going through its due diligence process.

2 Living Over the Shop Grant Roll Out

- 2.1 From the background heritage assessment work prepared for Stage 1 of the THI bid, it is clear that there are several buildings which presents an opportunity for conversion/ reinstatement of upper storeys for residential uses.
- 2.2 The draft Policy of the Grant is attached to the report, which details the criteria of which the grant. A summary of the grant is as below.
- 2.3 It is proposed that the LOTS Grant is available to freeholder or leaseholder (minimum lease term of 10 years) within the following town centre location (same location targeted as shop front grant):
 - Lord Street
 - Market Place
 - Market Street
 - North Street
 - Silver Street
 - Church Street
- 2.4 Qualifying scheme must result in the creation of a new dwelling or reinstatement of disused dwelling.
- 2.5 The grant value is between £10,001 and £25,000 with a maximum intervention rate of 50%.

3 Governance of Grant

- 3.1 It is proposed that any application of grant is assessed by an officer panel from Building Control, Housing and Growth, recommending Grant decisions to the S151 Officer (Director of Resources). The maximum grant amount per dwelling created is £25,000, which falls within the Executive Director's delegated powers.
- 3.2 As the funding will come from an external source, it is proposed that the Grant is launched once the Council has received a Grant Funding Offer from GLLEP.

Agenda Item 6d



**Corporate Policy &
Resources Committee**

20 September 2018

Subject: 5-7 Market Place - Conversion

Report by:

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Executive Director of Economic and Commercial
Growth
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Contact Officer:

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Purpose / Summary:

To seek approval to proceed with the conversion of 5-7 Market Place into 3 x flats and a ground floor commercial unit.

RECOMMENDATION(S):

a) Members agree to approve the Capital Budget of £387,300k and expenditure to obtain a finalised design, statutory approvals and carry out the associated construction works to convert the current 5-7 Market Place into three flats and a ground floor commercial unit with a view to sell the flats and retain the commercial unit as an ongoing rental stream. This scheme to be funded from Capital Receipts net of any grant awards received.

IMPLICATIONS

Legal:

Legal Services Lincolnshire have been consulted and have advised that upon completion of the works that 4 leases would require drafting, 3 for the flats and 1 for the commercial unit. Legal services would draft the leases and carry out the conveyancing works associated for the sales of the flats.

Planning permission would be required for the finalised proposals relating to change of use from category B1 to a mixture of A2 and C3. The process is envisaged to take 8 weeks as a standard application.

Building control will be required to approve the final layouts and the ongoing works throughout the construction process.

Fees associated with all regulatory aspects of the project have been included within the professional and legal fees and/or the design and statutory approvals fees.

Financial : FIN Ref: FIN/99/19

Budget approval is required for capital expenditure totalling £387,300 to support the proposed scheme.

This will be funded from Capital Receipts.

However, grants for the conversion of the property into flats will be subject to the appropriate applications being completed to the WLDC living over the shop scheme and successful awarding of the claimed amounts. Should the grants be secured the level of capital receipts required will reduce.

It is proposed that once completed the shops will be sold, generating capital receipts for future capital investment projects.

There is a risk that the flats may not sell and therefore, the option to rent the flats has been explored. After management costs and set aside for ongoing maintenance and taking into account estimated void periods the resulting net annual rental income for the 3 properties is circa £6,300.

In respect of other revenue impacts the renovation of the building will save £400 per year in maintenance costs and due to the current state of the building, there would be a need to expend £19,000 on structural repair works for safety purposes if this redevelopment does not go ahead.

The ground floor commercial premise will be leased at market rates.

A schedule of works, and drawings has been collated by the Capital Projects Officer using previous works information and tenders. Estimated prices have been developed using this information.

The scheme is expected to generate a net return of £55,727 over a 20 year life, with a payback period of 14 years. This return assumes that grants are forthcoming as set out in the appendix.

Without grant funding this project would not make a return over a 20 year life, however the strategic case and the links to the heritage led development concept are sufficient to justify this project at breakeven or net deficit.

It is noted that should contingencies not be fully required that the payback period will decrease and a return on the investment will be seen earlier.

Due to the commercial nature of this project, detailed financial information is available in the confidential Business Case appended. The Proper Officer has determined in preparing this report that paragraph 3 should apply to the appendices in this report. The view on the public interest test was that while he was mindful of the need to ensure the transparency and accountability of public authority for decisions taken by them in relation to the spending of public money, disclosure of the information would give an unfair advantage to tenderers for commercial contracts.

This information is not affected by any other statutory provision which requires the information to be publicly registered.

On that basis it was felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Members are asked to consider this factor when excluding the public from the meeting.



Staffing :

To get the project to a stage where the works are able to commence resourcing will comprise the Capital Projects Officer and Senior Property Strategy and Projects Office and Capital Projects Officer as required and who will provide project management and oversight of the construction phase.

Equality and Diversity including Human Rights :

The newly created ground floor commercial unit will be designed with a level access and will integrate an accessible WC into the ground floor to enable use for all.

The flats, because of their very nature, will not be accessible to all due to the stairs and the inability to make the designs work whilst integrating both stairs and a lift. This is not unusual in this type of building.

Risk Assessment :

If this building is not renovated it will fall into further disrepair, this will cause harm to the historic market place but also threaten any future grant opportunities for the WLDC including the potential £1.8m from HLF for townscape heritage.

It is acknowledged that the project is relatively high risk in terms of both viability and financial outlook due to the nature of it being a renovation project and therefore many unknowns have to be considered. A contingency of circa 8% of the overall budget has been allowed for to mitigate some of the risk.

A heritage architect has been appointed to agree a suitable solution for renovation which will satisfy our own in house conservation officer. The contractor to be used to carry out the works will be selected based on their ability to deliver a project of this nature and complexity.

If the properties fail to sell on the open market then they will be rented.

Climate Related Risks and Opportunities :

The renovation of 5-7 Market Place will incorporate energy efficient LED lighting and energy efficient heating systems. It will not be possible to increase building U values and the like due to its nature however improvements carried out will improve the overall energy rating of the building.

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

x

Key Decision:

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

Yes

No

x

1 Introduction

- 1.1 5-7 Market Place was purchased by WLDC in 2013 with a view to carry out alterations required to either sell, convert to flats, convert to a training centre or sell on in the current condition with the aim of making a commercial return.
- 1.2 To date there has been various levels of interest / offers made on the building, however due to the level of structural works required and conservation challenges; none of the interest has resulted in a sale. As a result the building remains empty and is slowly deteriorating.
- 1.3 There is the opportunity to regenerate the building to provide an economically viable solution. The building is situated within a Conservation Area and has listed status. There are a variety of regeneration options available for the building however the procurement of a Heritage Architect will enable a realistic solution to be provided. This solution will then inform the final solution for the building.
- 1.4 The development of this building is a vital element of our forthcoming finding bid to The Heritage Lottery for building restoration. In addition it provides a demonstration of the Council's commitment to heritage-led regeneration as outlined in the Heritage Masterplan 2017. This project will form a crucial component of a major programme of economic regeneration, helping to secure the 'historic heart' of Gainsborough at the centre of the town's future.

2 Background

- 2.1 In 2016, building works commenced which had been informed by a structural report. During the period of works it was found that the frontage of the building was pulling away forcing the contractor to abandon works and the contract be settled. At that time design proposals were obtained to tie the front elevation back to the main building however a decision was made not to carry out any further works due to spiralling costs and to test the market for either rental or sale.
- 2.2 The property has received interest from various potential tenants and purchasers. Unfortunately all interest has been withdrawn due to the extensive structural costs and conversion limitations due to its listed building status. The property has fallen further into disrepair and it will not be developed without this intervention.
- 2.3 Currently the property costs us £400 per annum to retain plus any urgent repair works on an ad hoc basis however the longer it is left in its existing state the further the costs will increase.

- 2.4 It should be noted that the structural repairs to tie back the front elevation will be required under any circumstances at a cost of £19,000. This is to make the building safe.
- 2.5 The timing of this project is crucial, as it will be undertaken in conjunction with a transformational programme of economic regeneration within Gainsborough town centre.
- Including:
- Market Street Renewal Limited
 - New Hotel / restaurant
 - Townscape Heritage Initiative – Development Phase
 - Mayflower trail
 - Wayfinding strategy
 - New mixed use leisure facility on the Riverside
- 2.6 Development of this building will strengthen the success of the above projects and complement the Council's commitment to heritage-led regeneration as outlined in the Heritage Masterplan 2017
- 2.7 Improvement proposals for the building are through a mixture of building works required for structural and maintenance purposes in addition to costs associated with conversion into flats and refurb of the ground floor premises. There will also be works required to the shop front to bring this up to an acceptable and attractive standard suitable for the historic market place located in the Town Centre Conservation Area.

3. The proposal

- 3.1 The property has been on the market for two years at a value of £175,000 however a sale has not yet been secured. Numerous property investors have visited the property and made offers with the most recent being £50,000 minus the structural works (£19,000) and therefore circa £30,000 however none have come to fruition due to the level of structural works required and challenges of its listed building status.
- 3.2 As the property falls further into disrepair the costs for the building works are growing in addition to the empty commercial unit being contrary to the town centre regeneration strategy. It is vital for the regeneration of the Market Place that the property is renovated as soon as possible and brought back into use.
- 3.3 It has become evident through the interest received in the property thus far that conversion into six flats is the preferred option (by investors not WLDC) to increase commercial viability ,however this option is not possible due to the listed building status and the protection of the open plan internal spaces. As a result; it is unlikely a private investor will be able to make the development commercially viable.

- 3.4 Using the scope of the remaining works not previously undertaken and, in addition to the structural repair proposals, a firm of chartered estimators have estimated the building works required to be £161,000 without design fees and excluding costs associated with conversion of the flats. As a total conversion project and prior to any grants being received a decent and compliant conversion into flats and a new shop front would cost £387,300. These figures indicate commercial viability is challenging, which is leading to a lack of private sector interest.
- 3.5 It should be noted that options have been considered for both the use of a Joint Venture Partner and the auction of the property as it stands. Both options have been ruled out due to the extensive constraints, minimal returns and the direct impact of the Town Heritage Initiative funding. Full analysis of all options has been included within the project documentation appended to this report.

4. Benefits of the proposal

4.1 General Benefits

- Demonstration of the council's commitment to heritage-led regeneration which will support HLF funding bid (£1.8m)
- Improve the visual appearance of the building (new shopfront) and wider Market Place making the area more appealing
- The building will be fully renovated and will complement / support the wider town centre regeneration projects
- Increase footfall in the historic town centre at different times of the day / (24hr economy in the Market Place.
- In alignment with WLDC's Corporate Plan, Economic Growth Strategy 2014-2034 and Gainsborough Town Centre Heritage Masterplan.
- The renovation works will be completed to a high standard
- Works will be completed within an agreed timeframe
- Timeframes, design, specification etc. can be aligned with the wider town centre Regeneration Strategy
- Development of high quality unique dwellings in the town centre
- Ground floor commercial premises brought back into use.
- Provide high quality commercial premise in prime town centre location
- Provides new business opportunity within the Market Place widening the existing town centre offer

5 Constraints of the proposal

5.1 General Constraints

- Contractor interest could be low due to the complex nature of the scheme.
- Design solutions may not be as expected due to heritage constraints making flats and commercial unit less appealing than hoped.

5.2 Financial Constraints

- Project is high risk due to refurbishment elements therefore contingency amounts can only be assumed.
- Listed building constraints may mean the project is not financially viable, this will be confirmed by the results of the heritage architects findings.
- If a tenant can't be found for the commercial unit the payback will not be achieved.
- Sales of the flats do not achieve the required sale value damaging the profit and lengthening the payback period.
- Sale of the flats does not occur. If the flats remain unsold we will look at the option to rent out the flats to cover the expenditure.

6 Project Dependencies

- 6.1 Townscape Heritage Development Phase - The Heritage Lottery Fund will be looking for evidence that we can deliver on our Heritage-Led Regeneration aspirations for the town centre. Failure to provide this evidence could threaten future funding bids.

It is the vision that 5 – 7 Market place will be used as an exemplar project to the HLF to demonstrate our ability to deliver high quality historic building renovation projects that complement the forthcoming funding bid and demonstrate to the residents of West Lindsey we are committed to the redevelopment and of that area.

Corporate Policy & Resources Committee Work Plan

Purpose:

This report provides a summary of reports that are due on the Forward Plan over the next 12 months for the Corporate Policy & Resources Committee.

Recommendation:

1. That members note the schedule of reports.

| Date | Title | Lead Officer | Purpose of the report |
|------------|---|-------------------------|--|
| 08/11/2018 | GAINSBOROUGH TOWN CENTRE TOWNSCAPE HERITAGE APPLIC | Wendy Osgodby | To provide an update on the application to the Heritage Lottery Fund for Townscape Heritage funding for Gainsborough Town Centre, thereby obtaining formal commitment and financial support. |
| | FEZ | Marina Di Salvatore | to confirm SPV financing arrangements and delivery strategy in order to progress with Due Diligence Appraisal for drawdown of GLLEP grant (£2m) |
| | Review of Career Break Scheme | Emma Redwood | To review the Career Break Scheme |
| | Market Rasen Car Parking Charges - 12month Review | Eve Fawcett- Moralee | To review the car parking charges in Market Rasen to come into effect April 2019, as resolved by Prosperous Communities in October 2017 |

| | | | |
|--|---|-------------------|---|
| | Councillor Initiative Fund | Grant White | To present Members with an update on the Councillor Initiative Fund and give options for it's continued delivery after March 2019. |
| | Business Plan update for Market St Renewal | Tracey Bircumshaw | Approval of Business Plan |
| | Budget and Treasury Monitoring 2 | Tracey Bircumshaw | To set out the revenue, capital and treasury management activity from Period 2 |
| | Committee Timetable 19/20 and beyond | James Welbourn | To look at dates for committee for 2019/20, and 2020/21. |
| | Health & Safety Policy Review | Emma Redwood | To update the council's Health and Safety Policy |
| | Caistor Southdale Development | Karen Whitfield | To agree development of Caistor Southdale site to include new GP surgery and homes in conjunction with Lace Housing |
| | Fees and Charges 2019-20 | Tracey Bircumshaw | To recommend to Council the Fees and Charges 2019-20 |
| | Saxilby Workshops and Industrial Space | Elaine Poon | The Council has been invited to submit a full bid for Phase 1 and 2 of the Saxilby Workshops and Industrial Space. The total ERDF funding ask of £800k will be matched by West Lindsey's investment. Committee approval is required to submit the bid and to confirm the availability of match funding. |

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|-------------------|--|---------------------|---|
| | Mid-Year Financial Plan Update | Tracey Bircumshaw | To provide Members with a progress update on the MTFP |
| | Proposed Fees and Charges | Tracey Bircumshaw | Fees and Charges from April 2019 |
| 13/12/2018 | Write Offs | Alison McCulloch | This report details debts which are irrecoverable |
| | Review of Discipline at Work Procedure | Emma Redwood | To review and update the discipline at work procedure |
| | Garden Waste Review | Ady Selby | A report on the first year of charging for Garden waste, as requested by CPR committee in December 2017. To also include information as requested by C&I cttee in Feb 2018. See comments below. |
| | Council Tax Support Scheme | Alison McCulloch | For Council to agree the Local Council Tax Support Scheme for West Lindsey DC for 2019/20. |
| | P&D Period 2 Report 2018/19 | Mark Sturgess | To consider the Progress and Delivery report for period 2 2018/19 |
| | ICT and Digital Strategy - 6 monthly update | Michelle Carrington | At their meeting on 14 June 2018, members requested a half yearly update on the ICT and Digital Strategy. |

| | | | |
|------------|---|-------------------|--|
| 10/01/2019 | Council Tax Surplus and Council Tax Base 2019/20 | Tracey Bircumshaw | The report sets out the declaration of the estimated surplus on the Council's Collection Fund relating to Council Tax at the end of March 2019 and how it is shared amongst the constituent precepting bodies. It also sets out the Council tax base calculation for 2019/20. The tax base is a key component in calculating both the budget requirement and the council tax charge. |
| 07/02/2019 | Review of Recruitment & Selection Policy | Emma Redwood | Review of the recruitment and selection policy |
| | Budget and Treasury Monitoring 3 | Tracey Bircumshaw | To set out the revenue, capital and treasury management activity from Period 3 |
| | Base Budget 19/20 | Tracey Bircumshaw | To set the budget for 2019/20 |
| | Medium Term Financial Plan/Executive Business Plan | Tracey Bircumshaw | The MTFP for 19/20 and Executive Business Plan |
| 11/04/2019 | Budget and Treasury Monitoring 4 | Tracey Bircumshaw | To set out the revenue, capital and treasury management activity from Period 4 |
| | P&D Period 3 Report 2018/19 | Mark Sturgess | To consider the Progress and Delivery report for period 3 of 2018/19 |

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|-------------------------|---|-------------------------|--|
| Being scoped | Joint Working with ACIS - Japan Road | Eve Fawcett- Moralee | Recommendation 3 of the Japan Road paper that went to committee on 06/02/18 stated that a further report would be brought to the Committee in April with a proposed Business Plan of the JVCo and the financial investment implications for West Lindsey District Council. |
|-------------------------|---|-------------------------|--|

Agenda Item 8a

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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