

## WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Prosperous Communities Committee held in the Council Chamber - The Guildhall on 22 October 2019 commencing at 6.30 pm.

**Present:** Councillor Owen Bierley (Chairman)  
Councillor Paul Howitt-Cowan (Vice-Chairman) and  
Councillor John McNeill (Vice-Chairman)

Councillor Stephen Bunney  
Councillor Mrs Tracey Coulson  
Councillor Michael Devine  
Councillor Mrs Jessie Milne  
Councillor Tom Regis  
Councillor Jim Snee  
Councillor Mrs Mandy Snee  
Councillor Mrs Anne Welburn  
Councillor Trevor Young

**In Attendance:**

Ian Knowles	Executive Director of Resources, Head of Paid Service and S151 Officer
Eve Fawcett-Moralee	Executive Director of Economic and Commercial Growth
Diane Krochmal	Housing Strategy & Supply Manager
Grant White	Enterprising Communities Manager
Elaine Poon	Local Development Order and Major Projects Officer
Sue Leversedge	Business Support Team Leader
Ellen King	Senior Performance Officer
Katie Coughlan	Senior Democratic & Civic Officer

**Also Present** Councillor Lesley Rollings

**Apologies:** Councillor Liz Clews  
Councillor Robert Waller

**Membership:** No substitutes were appointed

### 30 PUBLIC PARTICIPATION

There was no public participation.

### 31 MINUTES OF PREVIOUS MEETING

(a) Meeting of the Prosperous Communities Committee – 10 September 2019.

**RESOLVED** that the Minutes of the Meeting of the Prosperous Communities

Committee held on 10 September 2019 be confirmed and signed as a correct record.

### **32 MATTERS ARISING SCHEDULE**

Members gave consideration to the Matters Arising Schedule which set out the current position of all previously agreed actions as at 14 October 2019.

It was noted that all outstanding actions were marked as completed, with the exception of one, which related to an additional report being added to the Forward Plan. Assurance was provided that this matter would remain on Matters Arising until such time as the report was added.

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

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

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

### **34 PROGRESS AND DELIVERY REPORT - PERIOD 2 2019/20**

Members gave consideration to a report which assessed the performance of the Council's services through agreed performance measures, as at the end of Period 2 for the 2019/2020 year. Members were asked to review performance and recommend areas where improvements should be made, having regard to any remedial measures already included within the report.

The report summary was structured to highlight those areas that were performing above expectations, and those areas where there was a risk to either performance or delivery.

Table two identified measures where performance was outside agreed tolerance for two periods or more. Measures where additional improvement actions had been requested by Management Team had also been highlighted, these primarily related to the Home Choices Function.

Markets had been a continuing area of concern for the Committee and Members noted that there would be a paper dedicated to the Markets at the next meeting.

Debate ensued and in response to Members' comments Officers confirmed the correct target figure for rental income – Car Parks was £190,700.

Concerns were raised regarding the cleanliness of the Leisure Centre, with Members reporting receiving personal complaints direct to them. Assurance was also sought that the Authority was capturing all complaints made, considering some of these were likely being made direct to the Centre itself.

Officers gave assurances that they were fully aware of the ongoing concerns. Client meetings were being held on a monthly basis and these matters were being regularly raised. Default notices would be served where appropriate. The contract was being managed tightly, and in fact unannounced spot checks had commenced. In response to Members' requests Officers undertook to provide feedback from the client meeting.

Members enquired as to how and who measured the success of the Market events and were advised that individual analysis for each event was undertaken comprising satisfaction surveys, footfall counts and attendance figures.

All such data was available and would form part of the report referred to earlier in the debate, due for consideration at the next meeting.

On that basis it was **RESOLVED** that: -

having critically appraised the performance of the Council's services through agreed performance measures, and having had regard to the remedial measures suggested in the report, and the information provided in response to Member questions, no further remedial actions be requested at this stage.

### **35 PROPOSED FEES AND CHARGES 2020/21**

Members gave consideration to a report which detailed proposed fees and charges for service areas and functions, within its purview, to take effect from 1 April 2019.

It was also noted that the new proposed planning fees would take effect from 1 January 2020 if approved, and the crematorium fees would apply on opening.

In presenting the report the Fees and Charges policy and process was summarised to Members.

Section 3 of the report summarised the main increases, it was noted that of the 579 fees and charges reviewed 39% were statutory and 61% non-statutory.

Of the 224 statutory fees and charges set by Central Government 80% had experienced no change in the level of fees with 19% seeing an increase. One new statutory fee for larger home extensions had been introduced.

The increases in fees and charges for statutory services sat primarily within Environmental Services and related to charges set by DEFRA. An announcement regarding any changes to these fees was expected in February 2020 and the schedule would be updated to reflect any amendments once known.

Of the 355 non statutory fees and charges (charges set locally) 41% had experienced no change with 46% having increases proposed and 1% decreases.

41 new non-statutory fees and charges had been introduced, these were detailed at section 3.4 with the majority relating to the Crematorium.

Debate ensued and a Member enquired why a 4% increase was being proposed in respect of burials. Officers advised historically this service had been undercharged for and over recent years attempts had been made to resolve this situation, with considerable increases approved in previous years. With the 4% increase the Authority would still be charging less than neighbouring authorities.

There was considerable discussion regarding the new fee in respect of the planning service. Some Members were of the view that this level of service should not be something that was charged for but rather something which should be expected. Councillors also posed a number of scenarios and sought indication as to in which scenarios the fee would apply. Some also questioned whether the cost of charging for this service (raising of the invoice etc) would cost more than the monies generated.

In response Officers advised, the fee was not about income generation but about cost recovery. Officers currently received a huge demand for this type of advice and ultimately this was aimed at saving the customer money in the long run. Simple enquiries would still be free of charge and a duty planner was available 3 days of the week. The charge would be applied if people requested informal advice in writing. Payment methods were already in place, with payments being taken by the phone / over the website as opposed to invoicing, which did have costs associated to it.

After much debate it was **RESOLVED** that: -

- (a) having considered the proposed fees and charges, as detailed in Appendix A - N of the report, they be **RECOMMENDED** to the Corporate Policy and Resources Committee for approval;
- (b) The charges for the Crematorium be **RECOMMENDED** to the Corporate Policy and Resources Committee for approval and applied upon opening; and
- (c) Managers keep fees and charges under review throughout the year and report to Corporate Policy and Resources Committee any changes during the year.

### **36 LEA FIELDS CREMATORIUM REGULATIONS**

Members gave consideration to a report which sought agreement to the proposed regulations to effectively manage Lea Fields Crematorium.

An amendment was proposed and seconded with regards to smoking at the facility.

On that basis it was: -

**RESOLVED** that the Lea Field Crematorium Regulations be approved, subject to the inclusion of the following amendment: -

“Smoking is prohibited in all Crematorium buildings and grounds, this includes the use of electronic cigarettes (ecigarettes)” as opposed to “Smoking is prohibited in

any Council buildings or in the immediate vicinity this includes the use of electronic cigarettes (ecigarettes)”

### **37 PUBLIC REALM RECOMMENDATIONS**

During 2018 the Challenge and Improvement Committee had established a member Task and Finish Group to scrutinise the effectiveness of services offered in maintaining rural public realm.

A delivery plan was approved and the work of the task and finish group resulted in a number of recommendations

Members gave consideration to a report which sought to update the Committee on progress of completed actions and on-going work to date following the approval of Public Realm Recommendations by the Committee on 29 January 2019.

Debate ensued and with reference to recommendation 2, namely “Establish a scheme or clear suite of tools/support that WLDC can provide to parish/town councils to support local action on dog fouling, fly-tipping and littering.”, the Committee as a whole expressed concern at the levels of litter across the District, and sought indication of what enforcement powers were being used to tackle this issue.

In response, Officers advised that enforcement in respect of littering was particularly challenging, the Council did have resources allocated to concentrate on fly-tipping, considered a more serious offence, and outlined the tactics used to apprehend perpetrators. Enforcement in respect of littering was more challenging particularly in the rural areas, as CCTV coverage was much more limited, so gathering evidence was difficult. Educating residents in respect of littering was considered the more favoured approach.

Members questioned whether dash-cam footage could be used, noting that the police were now making use of evidence captured via such devices. Did these devices create an opportunity for the Authority to gather evidence and use?

In response, Officers indicated of the need to be proportionate, whilst dash cams would maybe provide evidence in image form there would still be an amount of investigative work to identify the individual and resource and time required.

Whilst Members concurred that enforcement was a tool which could be used others were more supportive of the need to engender civic pride in communities, to educate and to support local litter pick groups, many of which had been established across the District.

It was suggested that a further action point should be to develop an effective enforcement procedure for Anti-Social Behaviour, including dog fouling, flytipping, littering, and inappropriate parking, which the parishes could make use of. It was also raised as to whether residents or parish councillors could be trained to undertake enforcement action at a local level, and given powers to issue penalties. Communities needed to feel like they had more power especially as they were people turning out every six to eight weeks picking up litter only to face the same situation within months. Communities felt like perpetrators were getting away with it.

In response the Chairman outlined the priority fly-tipping was being given by both the Lincolnshire Waste Partnership and the Police and Crime Commissioner.

With reference to the local enforcement of dog fouling West Lindsey did have in place a PSPO to enable enforcement action and in the past Officers from within the enforcement team had provided training to local residents in order that they could be certified to issue fixed penalties. The number of tickets issued by such persons however was very limited because although they had received training catching the culprit in the act still remained a challenge. This was something Officers were prepared to take away and see if further training could be offered as it had been previously and if there was desire and need in the community

In respect of parking Officers concurred this was an issue, Lincolnshire County Council had responsibility for parking enforcement activity, this was not within the enforcement capability of the District Council, nor was it generally within the enforcement remit of Lincolnshire Police.

Officers undertook to prepare a guidance and information pack for Parish Councils covering some of the top issues affecting a number of parishes, explaining how to report certain issues and the options available to them. This was welcomed.

The issue of bird feeding was also raised by Councillors, who questioned why, if we know who was doing this, and we had images of the offence, no action was being taken and the situation was continuing. The Council had invested heavily in CCTV and this should be being used effectively. The town centre required more signage highlighting the offence and penalties.

Officers advised this matter had been raised with enforcement and Officers undertook to provide an update to Committee of the action taken to date

It was suggested that maybe a Member Champ role needed to be created for this area and the leading group undertook to give further consideration to this

In response to Members' questions as to which Committee was responsible for Enforcement overall, Officers advised it was this Committee. Members suggested that enforcement was an area that was weak and could be beefed up and therefore requested a report that would allow them to scrutinise enforcement, understand the resource that had been applied to the service and assess whether more resources should be allocated.

Officers reaffirmed the Committee was responsible for enforcement and did receive performance information through the performance and delivery reports, outlining where the service was either performing well or not so well (below target). At the last meeting it had been agreed that an additional paper would be submitted to the Committee in respect of private sector housing enforcement in May 2020. Officers advised that one of the challenges was that enforcement was such a large area covering a number of functions. It would need to be broken down into the smaller work streams to understand the range of activities and the individual services provided under the umbrella of enforcement.

The lead Director for the Committee undertook to take the matter back to a Chairs Briefing initially to consider how the request may be responded to and how such a report may be

structured.

Members referenced that an Enforcement Audit had been undertaken recently and it was requested that the Monitoring Officer confirm when such an audit last occurred.

The Chairman of the Overview and Scrutiny Committee was present and suggested this was something that Committee could look at. The Chairman welcomed the offer.

In response to Members' comments and frustrations regarding the performance of enforcement, previous audit recommendations, and previous complaints from Scrutiny Committee, Officers confirmed that staffing levels have been increased over the summer, furthermore the Director was working directly with the Team Manager as to how to structure the team in order to deliver services better. It was again stressed that each enforcement stream needed to be looked at individually, it was not possible to take them as a collective. As referred to earlier this was something that could be further discussed at Chairs Brief, before bringing a proposal back to this Committee as to how the work may be approached with potentially then requesting the Overview Scrutiny Committee to further investigate based on the approach agreed by Prosperous Communities.

Again in response to comments made, Officers gave assurance the Authority had moved on in respect of enforcement and progress was being made. Members had no evidence before them that suggested otherwise. It was also confirmed that the worst performing work streams of enforcement would be looked at in the first instance.

Following much discussion on that basis it was **RESOLVED** that: -

- (a) the actions completed and currently in progress for Public Realm Recommendations 1, 2 and 4 be acknowledged;
- (b) the planned actions in respect of Public Realm Recommendation 3 be approved;
- (c) the proposed changes to the Community Grants Programme arising from Public Realm recommendation 5 be approved;
- (d) the request to scrutinise enforcement be further discussed at the next Chairs Briefing, with a view to defining a scope and remit for this piece of work, taking on board the comments expressed during the debate, before bringing a proposal back to this Committee as to how the work may be approached.

### **38 VIABLE HOUSING SOLUTION: ADDRESSING VULNERABLE COMMUNITIES**

Consideration was given to a report which sought to update Members on work to-date investigating the principle of establishing a Social Lettings Agency.

The paper was both welcomed but questioned. Reference was made to the properties owned by the Authority in the South West Ward, and the level of investment which had been made, however the current condition was considered unacceptable. The current arrangement was considered embarrassing.

Whilst the Ward Member was not against the principle and aspirations the likely outcomes were questioned. It was suggested the Authority had actually added to the problem, moving in unacceptable tenants, tenants who had not previously lived in West Lindsey, and tenants who had exhausted all other housing options in other districts. Tenants in these properties were subject of numerous complaints and these were properties the Authority was directly involved in. It was also suggested the project should be wider than the South West Ward.

In response, Officers advised whilst the Council owned the properties the tenants referred to were not the Council's tenants, and this was a matter that the Authority wanted to address with the revised approach. The Authority had evidence that properties were being advertised widely. The higher levels of local housing allowance and absent landlords was creating a transient population. The aim of the project would be to bring the properties under a Social Landlord / Partner to address the issues which had been identified.

In response to concerns, Officers advised that market forces were really driving the issues. Whilst ever there was an oversupply of that type of housing and whilst rents remained high due to higher levels of local housing allowance the area would continue to attract the type of person referred to. The social infrastructure of the town could not cope. The proposal was for the Council to take enter into some sort of Joint Venture, taking some ownership and real control. Budgets were limited and therefore a focussed approach was considered the best option. Evidence collection had therefore focussed in the South West Ward and Officers had gathered enough evidence to demonstrate the need. The Partner would have experience of running tenancies for people with complex needs and the Council would be part owner of any stock.

The Authority was also making a bid to the Access Foundation which would assist in improving the Social Infrastructure in the town.

Members were clear that West Lindsey properties needed to be for West Lindsey residents. It was questioned whether the Authority could influence local housing allowances and get the rate reduced in Gainsborough.

In response to Members comments Officers urged due to limited budgets, the scale of the issue etc that a focussed approach be taken in order to try and have an impact. Market intervention was been undertaken in the North Ward but using other methods, creating Social Housing. The Authority had also intervened in the market to enable the urban extensions to progress.

Officers urged Members to be realistic regarding the Authority's capacity. Evidence gathered suggested the tenancy support was something really lacking. At this stage it was unclear whether the landlord and support services would be undertaken by the same Partner.

Officers undertook to arrange a Worksop for all Members in order that they thoroughly understand the analysis undertaken in support of any future decision.

**RESOLVED** that: -

- (a) the progress made in developing a viable housing solution (initially for



Gainsborough South West Ward) that responds to the housing need of our vulnerable communities in line with Corporate Plan objectives, be supported;

- (b) the objectives (set out at 4.1 of the report) for the potential solution be endorsed; and
- (c) a report detailing the preferred option be submitted to the Committee no later than February 2020

**Note:** Councillor Tom Regis declared a personal interest in the above agenda item as he was a landlord.

### **39 WORKPLAN**

Members gave consideration to the Committee Work Plan.

**RESOLVED** that the workplan as set out in the report be received and noted.

### **40 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 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 12 A of the Act.

### **41 COMPULSORY PURCHASE OF RIVERSIDE GATEWAY**

Members gave consideration to a report which sought approval to commit resources to prepare a case for Compulsory Purchase of land on a key site in the South-West Ward of Gainsborough, subject to final approval of the Orders by the Corporate Policy and Resources Committee.

Debate ensued and Officers advised that the CPO would be the action of last resort, negotiations would continue.

It was questioned why this power was not used to secure more sites, particularly those which were unsightly, in response Officers outlined the evidence the Council must produce, the costs and work involved and the fact that the power could only be used when all other measures had failed.

In response to Members' questions, assurance was given that the Council did have the resource to pursue the matter.

There was general discussion regarding the future use of some of the buildings surrounding the site but no firm plan had been agreed.

On that basis it was **RESOLVED TO RECOMMEND** to the **Corporate Policy and Resources Committee** that: -

- (a) the Council prepare the case in principle for a Compulsory Purchase Order under Section 226(1)(a) of the Town and Country Planning Act 1990, for the acquisition of the site concerned as shown edged in red on the plans attached at Appendix 1, and specifically excluding the 'marina land';
- (b) a capital budget of up to £1.450m to acquire this site, be approved; and
- (c) the Executive Director of Economic and Commercial Growth and the Executive Director of Resources, in consultation with the Chairs of Prosperous Communities and Corporate Policy and Resource Committee, with the requisite legal representation be authorised to:
  - 1. Acquire interests in the property by agreement;
  - 2. Liaise with Homes England and any funders to pursue any funding mechanism to deliver the scheme;
  - 3. To liaise with Muse as the Council's Development Partner to carry forward with the development of a residential scheme;
  - 4. To procure an alternative developer/contractor to carry forward the development of a residential scheme;
  - 5. Take all necessary actions to give effect to these recommendations;
  - 6. Approval of a capital budget to acquire the land

The meeting concluded at 8.37 pm.

Chairman