

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Prosperous Communities Committee held in the Council Chamber - The Guildhall on 3 December 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 Christopher Darcel
Councillor Michael Devine
Councillor Mrs Jessie Milne
Councillor Mrs Judy Rainsforth
Councillor Tom Regis
Councillor Jim Snee
Councillor Mrs Mandy Snee
Councillor Robert Waller
Councillor Mrs Anne Welburn
Councillor Trevor Young

In Attendance:
Ian Knowles Executive Director of Resources, Head of Paid Service and
S151 Officer
Alan Robinson Monitoring Officer
Ady Selby Assistant Director Operations
Andy Gray Housing and Enforcement Manager
Katie Coughlan Senior Democratic & Civic Officer

Apologies: There were no apologies

Membership: There were no substitutes appointed for the meeting.

42 CHAIRMAN'S WELCOME

The Chairman welcomed all Members, Officers and members of the public to the meeting. A warm welcome was extended to a new Member of the Committee, Councillor Judy Rainsforth who had replaced Councillor Liz Clews. Thanks were expressed to Councillor Liz Clews for her contribution to the Committee's work since her appointment in May.

43 PUBLIC PARTICIPATION

Dr Richard Harries, attended the meeting, and addressed Committee in respect of the recent Climate Change motion, passed at Council on 4 November 2019.

Dr Harries introduced himself to the Committee and made the following statement: -

“I was encouraged by some of the remarks from councillors at the recent council meeting although it is disappointing that the council has not yet declared a climate emergency. There are three points on which I should like to comment.

Firstly, it seems to me that the majority of council members do not understand the gravity of our situation. Let me summarise:

Rising global temperatures, melting polar ice and glaciers, rising sea levels;
Extreme weather, flooding, drought, unprecedented wildfires;
Disappearing rainforests, diminishing fresh water globally, degradation of topsoil, catastrophic ocean pollution;
Extinction rates beyond anything ever recorded, failing crops, more than 800 million starving.
A global financial system every bit as vulnerable as it was in 2007, political unrest, war.

Individually each of these situations is frightening enough, but imagine two or three happening simultaneously, which is quite possible.

How is that not a world in crisis?

Secondly, the truth of our situation needs to be communicated to the residents of West Lindsey. Without that knowledge any efforts to make the difficult changes which must be made, and soon, will be met with resistance and resentment.

Finally, we need to start talking, not just about mitigating against the challenges I've just mentioned, but also about adaptation. Change is coming whether we like it or not, and we need to understand what we need to change, in our individual lives but also in our communities and more generally across the world, in order to cope with the challenges ahead.

None of us truly knows how the future will unfold but many learned voices are warning that our civilisation is at risk, that society as we know it may collapse, even within the next decade. To take the position that “we don't know” and therefore that we don't need to prepare for the possibility of societal collapse would be irresponsible and failing in our duty to protect the residents of West Lindsey.

We have failed for over 30 years to heed the warnings and we have failed our children and grandchildren. Let us not fail them again.”

Dr Harries had also submitted a written report to Committee, setting out some of the

ways he considered the Council could go about reducing carbon footprint, including key areas he considered this Council should be looking at to ensure all aspects were being covered. Each Committee Member was provided with the information.

The Chairman thanked Dr Harries for his Statement and for his interesting report, which Members would certainly take into consideration in preparing their Strategy as referred to in the Motion. The Chairman requested that the submitted report be circulated to all Members of the Council.

The Chairman also made reference to the pending establishment of the Environment and Sustainability Working Group and possible engagement opportunities for residents.

Dr Harries thanked the Chairman and left the meeting.

44 MINUTES OF PREVIOUS MEETING

(a) Meeting of the Prosperous Communities Committee – 22 October 2019.

RESOLVED that the Minutes of the Meeting of the Prosperous Communities Committee held on 22 October 2019 be confirmed and signed as a correct record.

45 MATTERS ARISING SCHEDULE

Members gave consideration to the Matters Arising Schedule which set out the current position of all previously agreed actions as at 25 November 2019.

It was noted that all outstanding actions were marked as completed within timescale (black). The remaining actions, were still within their timescale for completion (green) with the exception of one, this being the Leisure Centre Client Meeting Feedback. Officers confirmed this was now available and would be circulated to Committee Members post the meeting.

In relation to the black actions entitled “scrutiny enforcement scoping and proposed scope”, the Executive Director of Resources outlined the discussion that had been held at the Chairman’s briefing and the conclusions that had been reached, these were summarised in the Appendix to the Matters Arising. This matter would be re-visited at Chairman’s briefing in May/ June 2020, to which Members indicated their agreement.

A Member made reference to the black action entitled “bird feeding in the market place” and requested the “can monitor the situation comment” be a “will monitor the situation”.

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

46 MEMBERS' DECLARATIONS OF INTEREST

Councillor Trevor Young declared a pecuniary interest in agenda item 8 i) (Update on Gainsborough Market) due to him having traded on the Market. Councillor Young further indicated he would withdraw from the Chamber prior to consideration of the item.

There were no further declarations at this point in the meeting.

47 SELECTIVE LICENSING - ANNUAL REVIEW

The Committee gave consideration to a report, which sought to provide Members with an annual update in relation to the Selective Licensing Scheme within the Gainsborough South West Ward.

In presenting the report, Officers outlined the current position including the financial position and the approach to Enforcement. The report also contained information on how the scheme was dealing with anti-social behaviour and, how compliance was being ensured. Future timescales associated with the project and the associated work being undertaken to reduce anti-social behaviour and ensure compliance were also shared with Members.

Debate ensued and Councillor Young as Ward Member was first to address the Committee and wished to re-iterate the comments he had made at the Overview and Scrutiny Meeting in November.

Councillor Young had advocated a Licensing Scheme in the area, he outlined the research he had undertaken and the other schemes visited. He considered there were different ways of introducing such Schemes, some being tenant focused, some being housing standards focused. Schemes in other areas, were by Year 2, reporting a difference with positive feedback from both residents and businesses. The South West Ward Scheme was in Year 3 and it did not feel different, if anything he considered the area had further declined. He circulated images from the area. Whilst he acknowledged the housing standards issues the scheme had identified were very important and the results the authority had had were excellent, the Scheme in its current form was lacking in tenant management.

The Scheme did not currently generate any surplus, surplus income could assist in paying for additional staffing resources, so that Officers could work outside of Officers hours as was the case in other areas with such Schemes. The Ward Member considered dedicated resources were needed in the area for this type of enforcement. He was of the view that over the next 12 months the scheme should be re-aligned with a shift from housing standards work to community enforcement.

In response Officers advised the Scheme was not permitted to generate a surplus, the legislation only permitted it to cover the cost of the licensing process. It was accepted that wider work could be looked at. The Executive Director Resources reminded members of the emerging Housing and Well-being agenda noting this work would assist in addressing the issues being raised by the Ward Councillors.

Councillor Rainsforth, as the other Ward Member, concurred with the view that anti-social behaviour within the area was getting worse, decent residents were suffering and we should no longer be accepting this.

Councillors acknowledged the significant amount of work Officers had undertaken and the positive benefits which had been realised. Making use of the local Ward Member knowledge was encouraged and could not be ignored.

Clarification was sought and provided around the intention of recommendation 3.

Members were also mindful that the scheme needed to be considered in the wider regeneration context. There was a need to engender civic pride and all of the issues reported in area were not directly as a result of housing.

Ward Members again addressed Committee and outlined the transient nature of the difficult elements of the community. These residents did not originate from Gainsborough and had usually exhausted all of their housing options. They were permitted to move from one property to the next causing the same issues. Ward Members urged that the Authority start to collect tenant data not just landlord data.

In response to Members' questions, Officers outlined what the review referred to in recommendation (d) would entail, noting the designation was until July 2021 and legislative requirements meant that the lead in time for any further designation was lengthy. Responding to comments regarding tenant management, Officers were clear that from a housing perspective there were limited tools they could use to address the issues. The Scheme to date had allowed for a considerable amount of enforcement action and work to be undertaken. Officers were clear to Members when stating that three quarters less formal enforcement action would have taken place in the absence of the Scheme. Furthermore, it was not the Council who were permitting this repeated behaviour. These properties were private lease properties, not in the management of the Council. The Council therefore had no control over the tenant selection. If landlords continued to let properties, without being licensed, without the relevant references, without bonds etc, this was a business risk they were taking. Ensuring compliance was therefore critical and landlords had to act responsibly.

The Ward Member suggested that schemes in other areas had acted as gate keepers for tenants. Officers indicated they would welcome this information being shared as they were not aware of such Schemes.

The Executive Director of Resources again re-iterated the other projects which were under investigation in the area and would bring about some level of tenant management.

Following much discussion it was **RESOLVED** that:

- (a) the information contained within the report be noted;
- (b) the ongoing work being undertaken by the Selective Licensing Scheme be supported;
- (c) the Committee are assured that the Selective Licensing Scheme is operating effectively and as intended; and
- (d) Officers be commissioned to review the Scheme and consider future options available to the Council in respect of this matter.

Note: Councillor Mandy Snee and Councillor Trevor Young requested their abstention against the above decision be recorded.

Councillor Tom Regis declared a personal interest in the above item of business as he was landlord of a property subject to a licence in another Authority's area.

48 TO ESTABLISH AN ENVIRONMENT AND SUSTAINABILITY WORKING GROUP

Following a motion to Full Council on 4 November 2019, Members gave consideration to a report which sought to establish an Environment and Sustainability Working Group. The report further sought the Committee's approval of the Working Group's terms of reference and requested that six Members (including the Member Champion for Environment and Climate Change) be appointed to serve thereon.

Debate ensued and all Members were in agreement that the subject matter was very much a debatable one and therefore it was important the Working Group stayed focused, did not drift and had an action plan.

It was suggested that as the Chairman of the Working Group was a sitting member of the Committee she should be permitted to update the Committee at each of its future meetings, if necessary.

There was also a suggestion that the Working Group's Terms of Reference should be amended to include provision for the Group to invite resident groups professions etc to its meetings if required. This had been alluded to during public participation, but did not appear to be allowed for in the terms of reference. In response, Officers apologised for the oversight as it had been intended to include such a provision.

There was some discussion regarding the name of the Working Group, with some Members being of the view it was important Climate change was referenced. Officers outlined the rationale for the proposed name, advising they considered it reflected the tangibles and the things the Council could directly affect. Climate change as a whole was a much bigger issue and not one that any one single organisation could impact. The Group's initial purpose was to develop a Strategy and this would clearly reflect the climate change element.

With the reference to the earlier suggestion that the Working Group's Terms of Reference should be amended, the following suggested amendment was tabled: -

“3.7 The working group may commission the services of experts, residents, and partners as it considers necessary. Such attendees will not be voting Members of the Working Group but will be present on an information sharing/ gathering basis.”

Having being proposed and seconded, on being put to the vote the amendment was carried.

Debate turned to the proposed Membership of the Group. Some Members of the Committee suggested that nominations should be made outside of the meeting to ensure the most appropriate Councillors were appointed and to ensure any Councillors appointed could commit to the additional workload.

Others Members suggested this approach created unnecessary delay and considered that there had been ample opportunity to consult Members regarding their interest and availability. Without being constituted, the Group would be unable to meet.

Prosperous Communities Committee- 3 December 2019
Subject to Call-in. Call-in will expire at 5pm on

The Vice-Chairman sought procedural advice from the Monitoring Officer regarding the appointments and the suggestions which had been made throughout the meeting.

In response the Committee were advised that the Group did need to be formally constituted. Appointments could not be made outside of the meeting therefore any such appointment would need ratification at Council or a future Committee meeting if not made that evening.

The terms of reference provided that Councillor Coulson would serve on the Group as the Member Champion, nominations for Councillors Rollings, Bunney and Howitt-Cowan were also tabled.

It was suggested that the Monitoring Officer could be delegated the function to appoint to the remaining two seats, in consultation with the Chairman of the Committee.

In light of the advice provided, the following amendment to recommendation 2 was tabled: -

“ that Committee appoints four Members, including the Member Champion for Environment and Climate Change and delegates authority to the Monitoring Officer, in consultation with the Chairman of the Prosperous Communities Committee to appoint the remaining members.”

Having being proposed and seconded, on being put to the vote the amendment was carried.

Members were keen that such appointments were made as a matter of urgency to ensure the Group could be established and therefore requested that nominations were received from Groups by Friday (6th December) to the Monitoring Officer.

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

- (a) an Environment and Sustainability Working Group be established and its draft Terms of References as detailed in Appendix A of the report be approved, subject to the following inclusion: -

“3.7 The working group may commission the services of experts, residents, and partners as it considers necessary. Such attendees will not be voting Members of the Working Group but will be present on an information sharing/ gathering basis.”; and

- (b) the Committee appoints four Members to serve on the Working Group, including the Member Champion for Environment and Climate Change, namely: -

Councillor Tracey Coulson
Councillor Lesley Rollings
Councillor Stephen Bunney
Councillor Paul Howitt-Cowan

and delegates authority to the Monitoring Officer, in consultation with the Chairman of the Prosperous Communities Committee to appoint the remaining members (2).”

49 DRAFT WEST LINDSEY PARISH CHARTER - FOR CONSULTATION

Members gave consideration to a report which set out a draft Parish Charter for consultation purposes with the Parish and Town Councils across the District.

The old Charter was approved back in 2006 and was significantly out of date. The introduction of a new Charter provided the opportunity to ensure it reflected the current needs and aspirations of both West Lindsey and the Parish and Town Councils.

Section 2 and 3 of the report outlined the research which had been conducted and the internal engagement which had taken place.

The draft Charter itself was attached at Appendix 2 of the report. The draft parish Charter would include a link to a new web landing page listing all current support schemes available to the parishes. This would allow the webpage to be kept up to date as new schemes launched or existing schemes changed without the need to keep updating the Charter.

The Charter represented core values and standards on the how District and Parishes would work together. Consultation on this updated version was therefore essential to allow full open participation in developing and agreeing the final version for adoption.

As part of the draft Charter the Authority was seeking to renew its commitment to holding Parish Liaison Meetings. A key matter for the consultation will be the format and delivery of such meetings ensuring both parties see such meetings as valuable and meaningful.

Results of the consultation would be incorporated into the Charter with a final version presented to Members in May for adoption.

Debate ensued with the Committee whole-heartedly supporting the report, commenting that such a Charter was long over-due.

Members considered it would be useful if the services of the County Council could be engaged too, particularly at the Parish Liaison Meetings.

Some Members were of a view that there was frustration within the parishes and the recent flooding incident had brought these to the forefront. One Member shared his recent experiences as an example. The Executive Directors of Resources urged any Members who had feedback on the response to the recent flooding to send this direct to himself. A full de-briefing was planned and such feedback would be useful to consider at that meeting.

In response to a Member's comment, it was noted the intention was to review the Charter once every four years.

Members considered they had a role to play in preparing Parish Councils for the consultation and promoting the Charters development and benefits. They urged one another to raise this matter when attending Parish Council meetings within their respective wards over the coming weeks and months.

RESOLVED that:

- (a) both the review of the new Parish Charter and the draft West Lindsey Parish Charter be welcomed;
- (b) Officers be authorised to undertake consultation on the content of the draft Parish Charter with all parish and town councils across the district; and
- (c) a report detailing the outcome of the consultation and the proposed final parish charter for approval, be submitted to the Committee in May 2020.

50 WORKPLAN

Members gave consideration to the Committee Work Plan.

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

51 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.

Note: Councillor Young left the Chamber prior to consideration of the following item of business and did not return to the meeting.

52 UPDATE ON GAINSBOROUGH MARKET

Members gave consideration to a report which sought to update Members on the performance of Gainsborough Market and which recommended a strategy for future delivery.

Debate ensued and in opening Members were encouraged by the data. Thanks were expressed personally to the Markets Manager for his continued efforts. Some were of the view that the data demonstrated that if the market place had something on offer people would come. Data on recent Xmas events would have been welcomed and Officers advised that as the event had only happened the weekend before, the final report was awaited from Marshall's Yard. This would be shared with Members when received.

Whilst the contract had produced results for specific events, it did not appear to have had the same impact on the normal Tuesday and Saturday events. A Member questioned whether these markets would continue to be promoted and it was confirmed that such a requirement was part of the agreement.

In response to Members' comments, and scenarios posed, Officers confirmed that over the years a range of options had been considered including those cited. This was the route Committee had previously agreed to. The level of promotion being undertaken was much greater and much farther reaching than the authority had previously undertaken or had the capacity to undertake.

There was a general discussion regarding the state of local markets, issues with the business model and other possible solutions, with one suggestion being having a period of free trading. Officers outlined the incentives which were already afforded and the potential financial impact such an offer would have on the Council.

Officers confirmed the incomes levels quoted were based on previous years without events. The financial position was also clarified noting this was deemed a pressure as the agreement had only been budgeted for an initial one year period. It was noted that historically a budget of £12k had been sought for events, this would no longer be required and therefore real term cost was £12k less than quoted.

In response to suggestions whether there was a risk adverse approach to market operations, Officers confirmed very few markets had been cancelled in the period.

The work of the Market Officer and the Team was again praised.

RESOLVED that:-

- (a) Officers be commissioned to secure a two-year deal with Marshalls Yard for continued delivery of the monthly Farmers Market in Market Street, deliver a three-day market event during the summer and a three-day Christmas market event including event planning, promotion and marketing of the same and continue to supply marketing support for the twice weekly general market for the duration of the agreement. This should be at a cost not greater than that figure stated in the report per annum subject to negotiation with a 15% tolerance to be agreed by Chairs of Prosperous Communities and Corporate Policy and Resources Committees;
- (b) Officers be commissioned to secure funding from Gainsborough Town Council to support the two annual events for the duration of the contract.
- (c) The following be added to the rules and regulations under Section 3,

'(h) Where traders apply to trade on the market selling similar goods to existing traders, the Market Officer will make a decision about whether the trader will be allowed based on operational conditions at the time of application. If necessary, this decision can be reviewed by the Interim Assistant Director of Operations or equivalent.
- (d) all references to the Market and Town Centre Officer in the Rules and Regulations be removed and replaced with Market Officer.

- (e) any further minor changes (house-keeping amendments) to the Rules and Regulations be delegated to the Market Officer in consultation with Director of Resources or equivalent and the Chairman of the Prosperous Communities Committee.

The meeting concluded at 8.36 pm.

Chairman