

Guildhall Gainsborough  
Lincolnshire DN21 2NA  
Tel: 01427 676676 Fax: 01427 675170

This meeting will be held via MS Teams and streamed live to our website  
(address below)

## AGENDA

Prayers will be conducted prior to the start of the meeting.  
Members are welcome to attend.

**Notice** is hereby given that a meeting of the Council will be held in via MS Teams at <https://west-lindsey.public-i.tv/core/portal/home>, on **Monday, 25th January, 2021 at 7.00 pm**, and your attendance at such meeting is hereby requested to transact the following business.

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

1. REGISTER OF ATTENDANCE
  
2. MINUTES OF THE PREVIOUS MEETING  
To confirm as a correct record the Minutes of the previous meeting held on 2 November 2020.  
**(PAGES 6 - 27)**
  
3. MEMBERS' DECLARATIONS OF INTEREST  
Members may make any declarations of interest at this point and may also make them at any point during the meeting.
  
4. MATTERS ARISING  
**(PAGES 28 - 35)**

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

Large Clear Print: Braille: Audio: Native Language

5. ANNOUNCEMENTS
  - i) Chairman of Council
  - ii) Leader of the Council
  - iii) Chief Executive
  
6. PUBLIC QUESTION TIME
  
7. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 9
  
8. MOTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 10  
**Motion 1**

### **Fly Posting**

“Mr Chairman, recently the Circus visited the town of Gainsborough, and despite the current restrictions had a period of putting on shows.

Everyone would expect them to advertise their presence before arrival and display of posters in shops and so on is acceptable.

What is not acceptable is the amount of fly posting that was done by the circus, not only to advertise their coming to Gainsborough; but also as they prepared to leave fly posting as to where their next stop would be.

The fact is that even if an occasional fly post was put up that would not really be acceptable, but what happened was the circus put up three, four or five posters in one single location. Empty shop fronts were targeted and these posters once put up will over time deteriorate and then become litter, to say nothing of the eye-sore they are in situ.

Gainsborough was not the only settlement targeted; other places too had the fly posting and it is not an isolated incident. Other events are known to fly post all over the district. While we want the attractions, they advertise, to come in to the district it is the mess left behind of these fly posts, and where there are multiple posts in one location it causes more and more of an eye sore and eventual litter. Fly posts are rarely if ever taken down after events by those who place them in many locations most of which are not appropriate.

The Liberal Democrat Group collectively, and hopefully joined by other members of the council, as we are all affected by this; would like to move that a more robust stance be taken against any fly posting in the district and while accepting there are some current rules and regulations, we would like to see these firstly

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

Large Clear Print: Braille: Audio: Native Language

enforced, as they clearly are not being at the present; and secondly enhanced and made tougher.

The Council can put in place local by-laws on such matters as these and we would like to see options to do this with a possible ban on fly posting across the district to be explored and then enacted.

The cost of clearing up after these fly posts, which become litter, will be saved and then can be used to bring enforcement of a by-law. Once the knowledge is broadcast, we will substantially reduce this unwarranted and un-necessary wanton street vandalism, for that is what it is.

We therefore move the exploration of enforcement of current laws is looked at and further restrictions or a total ban on fly posting across the district is made subject to a local by-law.

We so move, collectively as a Liberal Democrat Group.”

## **Motion 2**

### **Slow Ways Initiative**

“Chairman, The Slow Ways initiative is mapping and promoting walking routes nationally and in the local area, and needs support to create a comprehensive network of walking routes that connect all of Great Britain’s cities and towns as well as thousands of villages. 700 volunteers completed a first draft mapping of the Slow Ways network during the Spring 2020 lockdown. The organisers are now looking for 10,000 volunteers to help walk, review, record and improve the Slow Ways routes.

A large number of **potential co-benefits** have been identified by volunteers, partners and backers in developing the Slow Ways initiative , I trust Councillors have read the supporting information submitted alongside the Motion.

Following the early success of the initiative, Slow Ways CIC has been established to formalise its status. It is currently being supported by Paths for All, the Pilgrim Trust, Sport England, Urban Good and the Kestrelman Trust. The initiative is working in collaboration with Ordnance Survey and ESRI.

Slow Ways routes and associated information will be made freely available through the Slow Ways website. Versions of the network’s data will be published for other organisations to use, and will also be released through the OS Maps platform.

Given the benefits realised by such initiatives, and the Council’s commitment in the Corporate Plan to the Health and Wellbeing of our residents and to an enhanced environment there would appear to be a real alignment of priorities which would be delivered by supporting this initiative.

I ask that this Council supports the Slow Ways initiative by :-

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

Large Clear Print: Braille: Audio: Native Language

- Passing this formal motion to support Slow Ways, Promoting Slow Ways for local residents to walk, review and use routes
- through its role on the CLJSPC give consideration to Slow Ways within future planning, policies and initiatives and considering where new paths would strengthen the Slow Ways network
- Finally, by way of promotion, Encourage our residents and communities to sign-up personally, to walk and review a Slow Way.

I so move  
Councillor Anne Welburn”

### **Motion 3**

#### **John Coupland Hospital – Gainsborough**

“Chairman

Following the removal of various services over several years at John Coupland Hospital, there is now speculation that Consultant led outpatient services are also to be withdrawn.

I call on the Leader to write to United Lincolnshire Hospital Trust (ULHT) explaining it is extremely concerned to protect services at John Coupland Hospital. Whilst also seeking answers as to if ULHT can confirm if it does intend to withdraw some or all the outpatient services from John Coupland Hospital?

If it does, then can it please provide details of the recovery plan it will put in place to manage the consequential long term impact on the health and wellbeing of Gainsborough residents?

We all appreciate that the Covid-19 Pandemic is stretching NHS services, but the impact of such a withdrawal of services from Gainsborough would have similar far-reaching consequences to both the physical and mental wellbeing of Gainsborough residents as the short-term impact of Covid.

I so move  
Cllr Matt Boles”

**SUPPORTING INFORMATION PROVIDED REF MOTION 1 AND 2  
(PAGES 36 - 41)**

9. REPORTS FOR DETERMINATION

a. Members Allowances for the Civic Year 2021-2022

**(PAGES 42 - 47)**

b. Local Council Tax Support Scheme 2021/22

**(PAGES 48 - 56)**

c. Council Tax Base 21-22

**(PAGES 57 - 65)**

d. Mid Year Treasury Management Report 2020/21

**(PAGES 66 - 85)**

e. Revised Scheme of Officer Delegation following completion of Senior Management Re-Structure

**(PAGES 86 - 139)**

Ian Knowles  
Head of Paid Service  
The Guildhall  
Gainsborough

Friday, 15 January 2021

# Agenda Item 2

West Lindsey District Council - 2 November 2020

## WEST LINDSEY DISTRICT COUNCIL

Minutes of the Meeting of Council held in the <https://west-lindsey.public-i.tv/core/portal/home> on 2 November 2020 at 7.00 pm.

**Present:** Councillor Steve England (Chairman)  
Councillor Mrs Angela Lawrence (Vice-Chairman)

Councillor Owen Bierley	Councillor Matthew Boles
Councillor Mrs Jackie Brockway	Councillor Stephen Bunney
Councillor David Cotton	Councillor Mrs Tracey Coulson
Councillor Christopher Darcel	Councillor Timothy Davies
Councillor Michael Devine	Councillor David Dobbie
Councillor Jane Ellis	Councillor Ian Fleetwood
Councillor Mrs Caralyne Grimble	Councillor Cherie Hill
Councillor Paul Howitt-Cowan	Councillor Mrs Cordelia McCartney
Councillor Giles McNeill	Councillor John McNeill
Councillor Mrs Jessie Milne	Councillor Keith Panter
Councillor Roger Patterson	Councillor Mrs Judy Rainsforth
Councillor Tom Regis	Councillor Mrs Lesley Rollings
Councillor Jim Snee	Councillor Mrs Mandy Snee
Councillor Jeff Summers	Councillor Robert Waller
Councillor Mrs Anne Welburn	Councillor Mrs Angela White

### **In Attendance:**

Ian Knowles	Chief Executive
Alan Robinson	Director of Corporate Services and Monitoring Officer
Nev Brown	Senior Neighbourhood Planning Policy Officer
Katie Storr	Senior Democratic & Civic Officer
Ele Snow	Democratic and Civic Officer

**Also in Attendance:** Mr Richard Armstrong, Normanby resident and public question time participant.

### **Apologies**

Councillor Liz Clews  
Councillor Mrs Diana Rodgers  
Councillor Trevor Young

## **26 REGISTER OF ATTENDANCE**

The Chairman opened the meeting and welcomed all present to the third virtual meeting of Full Council.

The Monitoring Officer was requested to undertake the formal roll-call to confirm all Members were in attendance.

The roll-call for both Members and Officers was undertaken, during which apologies were noted from Councillors Clews, Rodgers and Young.

## **27 MINUTES OF THE PREVIOUS MEETING**

a) Minutes of the Meeting of Full Council held on 7 September 2020

Having being moved and seconded, on being put to the vote it was:

**RESOLVED** that the Minutes of the Meeting of Full Council held on 7 September 2020 be confirmed and signed as a correct record.

## **28 MEMBERS' DECLARATIONS OF INTEREST**

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

## **29 TO ELECT A LEADER OF THE COUNCIL**

It was proposed and seconded that Councillor Owen Bierley be appointed as the Leader of the Council.

Opposition Members sought indication from the newly proposed Leader as to the status of the former Leader in terms of whether he remained a member of the administration and whether he would be present and voting this evening.

The Monitoring Officer, addressed Members advising that Councillor G McNeill remained a serving member of Council, whilst he was suspended from the Conservative Group, he remained a Member of the Administration, hence no adjustment to the political balance was required.

There were no further nominations. On being put to the vote it was:-

**RESOLVED** that Councillor Owen Bierley be elected Leader of the Council for the remainder of the 2020/21 civic year.

Councillor Bierley addressed Council and expressed his thanks at having been appointed and made the following address to Council: -

“Thank you, Council, for your confidence in and support for me.

Although I assume the role of Leader of the Council with great humility, I also do so with firm resolve and a clear vision for the future direction and place of our District.

I'd like to put on record my deep gratitude to my predecessors, Cllrs Giles McNeill and Jeff Summers, for their dedicated, effective and tireless work on behalf of this authority and the whole of West Lindsey.

Chairman, in normal times our success as an organisation would be measured by how well we deliver, improve and innovate the services we provide.

However we are (and will remain for some time to come) in unprecedented circumstances owing to the coronavirus pandemic, with a second national lockdown taking effect on Thursday.

That places an additional duty and expectation on us all, elected representatives and Officers alike, as one Council, to fully support our businesses, communities, individuals and organisations through such a challenging, worrying, time.

We demonstrated how effective we are in doing so during the first lockdown and I firmly believe we can do so again this time.

Thank you again”

### **30 TO ELECT A DEPUTY LEADER OF THE COUNCIL**

It was proposed and seconded that Councillor Paul Howitt-Cowan be appointed as the Deputy Leader of the Council.

There were no further nominations. On being put to the vote it was: -

**RESOLVED** that Councillor Paul Howitt-Cowan be elected Deputy Leader of the Council for the remainder of 2020/21 civic year.

Councillor Howitt-Cowan addressed Council and expressed his thanks at having being appointed.

### **31 MATTERS ARISING**

The Chairman introduced the report advising Members that the report would be taken “as read” unless Members’ had any questions.

With reference to the action entitled “Fireworks Motion” in response to a Member’s request, Officers undertook to again pursue a response from the County Council.

With no requirement for a vote, the Matters Arising were **DULY NOTED**.

### **32 ANNOUNCEMENTS**

The Chairman started his announcements advising that Civic commitments for obvious reasons had been limited, and following the Government announcement on Saturday were likely to remain the same for some time.

He had however had the pleasure and privilege of travelling around the district meeting and



presenting the Community Awards in person to the worthy recipients. Having had to forgo the usual awards ceremony, a different approach had been adopted this year, presenting the awards at the recipient's home or workplace. The Chairman considered, in many ways, it had been ideal, allowing him to spend more time chatting and getting to know the winners than a ceremony would usually allow, making it a far more personal affair.

What had been apparent from these doorstep visits, from all the winners their humility and a desire to "put something back into the community" approach.

In concluding his announcements, the Chairman publicly congratulated the winners again, thanked them for the great work they undertook in in their communities and wished them well for the future, before handing over to the Leader.

## **Leader**

The Leader made the following address to Council: -

"Members will be aware that Lincolnshire was not included as one of the areas to go forward for local government reorganisation this year. I welcome that for a number of reasons, with the need to focus all of the resources we have available, both financial and human, in supporting businesses, communities and individuals through the coronavirus pandemic being foremost among them. However, to be clear, I remain steadfastly supportive of the need for fairer funding for rural areas in general and for Lincolnshire in particular and for the principle of devolved powers and budgets.

I very much welcome the announcement that the John Coupland Hospital now serves as an Urgent Treatment Centre. Already a great asset to Gainsborough and the wider area this is an appropriate and pragmatic development made even more significant by the second national lockdown.

Finally I'm pleased to confirm that West Lindsey District Council's response to the recent consultation on the Planning for the Future White Paper has been submitted. Thank you to all Members and officers who contributed to the process."

## **Chief Executive**

The Chief Executive addressed Council, and started his announcements by providing an update in respect of COVID-19 and the work that would be undertaken in the coming days / weeks, following the Government's announcement of a further national lockdown to take effect, Thursday, this week. He was currently working with the Management team to ensure the authority were in a position to be able to offer appropriate support to businesses and the community over the next four weeks.

Final details on the support being offered were still emerging from the Government and the Chief Executive undertook to include as much detail as possible in his weekly message to Members on Friday.

With regards to National Lockdown Business Grants, again recently announced by the Government, as with previous grant regimes the authority would establish a local grant support programme as soon as it was able to. The headline guidance, was outlined to Members, as follows:

Businesses required to close in England due to local or national restrictions will be eligible for the following:

- For properties with a rateable value of £15k or under, grants to be £1,334 per month, or £667 per two weeks;
- For properties with a rateable value of between £15k-£51k grants to be £2,000 per month, or £1,000 per two weeks;
- For properties with a rateable value of £51k or over grants to be £3,000 per month, or £1,500 per two weeks.

It was anticipated that there would also be a discretionary fund, as with previous rounds. Further guidance was expected either tomorrow or the following day and Management Team were working with colleagues across the county and the LEP to align support and establish a response as quickly as possible.

Moving to Local Government Reorganisation, also referenced by the Leader previously, in October three County areas were invited to submit plans for re-organisation. Lincolnshire was not one of them.

It was clear the White Paper has been postponed until at least next spring, at the earliest, and the Secretary of State Robert Jenrick had publicly stated that it is no longer a current issue and the focus for Local Government should be Covid and Brexit. That said a letter from the Minister for Local Government Luke Hall indicated he was still willing to hear plans from other County areas that have wide support.

Moving on, the Chief Executive was pleased to announce that the final appointment had been made to the Management Team. Nova Roberts would be joining the authority on 7th December as Assistant Director – Regulatory Services and Change Management.

In concluding his announcements, the Chief Executive advised that he had taken the decision to postpone the remaining Ward Visits with a view to rescheduling them from March 2021. He thanked Members for their understanding.

Councillor Cotton, as Chairman of the Joint Staff Consultative Committee, requested that staff receive all the necessary support they required acknowledging the difficult circumstances in which they were continuing to deliver services.

In response, the Chief Executive outlined to all Members the numerous measures which had been taken to ensure staff were both physically and mentally well. All staff had previously been surveyed and this information had been used to further tailor support, on an individual basis if necessary. As circumstances continued to change and absence from the main office continued, a further survey was currently underway to ensure staff continued to be supported and engaged. A further round of virtual Corporate Updates for all staff was also planned for early December.

### 33 PUBLIC QUESTION TIME

The Chairman advised the meeting that one question and one statement had been submitted to the meeting.

The question had been submitted by Mr Richard Armstrong, who was present at the meeting to address Council. The statement had been submitted by Normanby-by-Spital Parish Council, who had been unable to send a representative and as such the Monitoring Officer would read the statement to the meeting.

The Chairman welcomed Mr Armstrong and invited him to put his question to the meeting: -

“How do WLDC expect to respond to the overwhelming comments and feedback received for a Normanby by Spital Single Neighbourhood Plan?

- Will WLDC decide to endorse a single plan and simply note the residents feedback in the consultancy Neighbourhood Plan documents or
- Will they chose to intervene and advise Normanby Parish Council that residents clearly want a joint plan with Owmbly?
- Whilst WLDC may not have the power to overturn the Normanby Parish Council decision, WLDC I feel have a moral duty to act and mediate with Normanby PC over this injustice and lack of respect for the villagers they are meant to represent but simply don't.

#### **Considerations: -**

The situation is about a lack of trust from Normanby Council towards both its residents and Owmbly Parish Council and even West Lindsey District Council and the Localism Act.

Residents overwhelmingly support a Joint Plan and we have collected approximately 100 letters/emails of support all from residents, all within the consultation period and all of which were willing to sign.

Additionally a Petition signed by 138 residents requesting the Parish Council reconsider reinstating the Joint Plan was completely ignored in November 2019 and not even mentioned. How can that be right? Normanby Council may argue that residents have been coerced into signing the petition and neighbourhood plan support letter. I am afraid that is not true. Me and 8 other very honourable residents of this village received those signatures very easily and very willingly from residents of the village. Residents clearly want and demand change and want a joint plan. The Localism Act empowers residents, but Normanby simply don't listen and are stopping democracy working. It feels like the real reason the Joint Plan was voted down was due to long standing personality clashes and a lack of trust in both Owmbly and West Lindsey District Council. This is evidenced in one of the three attachments I have provided – please do read them especially paragraphs 4 and 6 and the reasons to object to the joint plan, as this evidences how a lack of trust, is impacting rational decision making. Another important letter

is the letter I have provided from the Chairman of Owmbly Parish Council.

West Lindsey's Officers recommend that you agree to two separate plans, on the technicality that the village boundaries can be withdrawn. How does this leave 138 villagers and democracy in our village. And finally, please leave this meeting knowing you made the right decision and only decision in support of localism. Please vote for a joint plan and end the charade which is affecting everybody together in Normanby and Owmbly. Together we are better and stronger and please remember the main reason for objecting is simply because Normanby cannot get on with Owmbly and it is not the joint plan which is at question.

Thank you for listening and for your time and support.”

Mr Armstrong had submitted a number of supporting documents which had been provided to Councillors under exempt cover.

The Chairman, as Member Champion for Neighbourhood Planning, responded as follows: -

“All previous applications to prepare neighbourhood plans in the district have been determined under delegated powers. In reaction to, as you note, the overwhelming comments and feedback received for a single plan, The Leader of the Council decided that this should instead be a matter for Full Council to consider and determine at tonight's meeting.

The application is the subject of item 11 for which there is a detailed report for Members' consideration covering: the background to the application, residents' responses, and how the applications should be determined. Accompanying the report is a separate document running to about 130 pages containing all the responses received and noting that the majority oppose the single plan in favour of continuing the joint plan. The Council is therefore taking this matter very seriously and it would be unreasonable to think that they are simply noting resident feedback. It should also be said that Nev Brown cannot recall making such a suggestion.

As previously mentioned the application for a single plan for Normanby is being given special consideration by Full Council on tonight's agenda under item 11. A report is available together with a document containing all residents' responses. Most relevant to the question is that the report sets out how the application for a single plan should be considered and determined. It explains what actions should be taken to ensure that the application is dealt with procedurally in order for this Council to comply with neighbourhood planning legislation.

You are correct in saying that WLDC does not have the power to overturn Normanby Parish Council's decision. This is quite true. Indeed under neighbourhood planning legislation parish councils like Normanby Parish Council have sole power to decide to prepare a neighbourhood plan and also to withdraw from one.

WLDC has played an active advisory role in the preparation of the joint plan and has endeavoured to help resolve the current issue with the single plan application. The Council's Neighbourhood Planning Officer has been in regular

contact with the parish clerks of Normanby and Owmbly PCs and joint plan group members and helped draft a terms of reference for the two parish councils and the steering group to agree governance arrangements that were questioned late last year. I myself (Cllr England) with the Ward Councillor for Normanby parish have been involved in detailed discussions with Normanby Parish Councillors and residents to help resolve the matter. It is considered the Council has done all within its limited duties and powers to help overcome the situation.”

The Chairman thanked Mr Armstrong for his question and advised him and the meeting that he would ensure the same response was sent in writing.

The Chairman then requested the Monitoring Officer read the statement as submitted by Normanby-by-Spital Parish Council, as follows:-

“Our comments relate to the application for a single neighbourhood plan.

We analysed 100 letters: 3 were not named or addressed

72 on template letters  
25 individual letters

Including 8 non residents

Concerns have been raised by certain individuals who felt obliged to sign what was put in front of them and who openly admit to not knowing what it was about. Some are from very vulnerable residents, who were not informed that their details would be placed into the public domain.

Not all households were approached by the “Action Group”.

We would like to thank WLDC for all their help and understanding regarding this matter.”

The Chairman thanked the Parish Council, in their absence and the Chamber noted the comments.

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

The Chairman advised the meeting that three questions pursuant to Council Procedure Rule No.9 had been submitted to the meeting. Unfortunately the first questioner, Councillor Trevor Young, had had to submit his apologies to the meeting. Therefore, at the request of the Chairman, the Monitoring Officer read aloud the question submitted from Councillor Young as follows: -

“Since the start of the Covid Pandemic in March, the local business sector including manufacturing, hospitality and retail have suffered immensely, and we face risks of serious job losses in our area.

Could the Leader of the Council please inform the council if the administration

has carried out an economic impact assessment across the district. If so, could the Leader please share the analysis and what are the main priorities for protecting and supporting businesses in each of the main towns.

Also, could the Leader share the administrations intended strategy of supporting the local business sector and provide some examples of recent activity.

Thank you”

The Leader of the Council, Councillor Owen Bierley, responded as follows: -

“Thank you for your question Councillor Young and whilst the question is relatively short, the answer I wish to provide would take far more time than this question procedure would permit.

In summary, yes, an Economic Impact assessment has been undertaken; weekly summaries are prepared by the Local Enterprise Partnership and West Lindsey is an active partner in that process. This work is discussed and actioned through the Economy Recovery Group and fed into our Management Team Recovery Group.

What these assessments have told us is that the key challenges for WLDC are:

- \* Micro businesses and the lack of resilience
- \* Retail, Hospitality, Leisure, Visitor Economy and manufacturing are fragile
- \* There were high levels of furlough comparable to the rest of the County in Summer 2020
- \* There are high claimant counts, particularly in the 18-24 co-hort.

West Lindsey’s response to date has included:

- \* Business grants totalling £17,747,000 to over 16,000 businesses
- \* Business Lincolnshire Growth Hub established as key point for all business support- new web pages and messages to articulate this.
- \* Think Local Campaign, almost 100 businesses signed up and pages / posts getting high levels of interaction
- \* Launched Kickstart Scheme to offer at least 30 paid work placements in partnership with local businesses
- \* Re-Opening High Streets Safely – focussed campaign on 7 retail areas
- \* FSB Partnership

We are the only district in the County to have brought in the Federation of Small Businesses partnership in recognition of the make-up of our economy being largely focused on micro businesses.

The short-term priorities, which are articulated through the economy recovery plan, are as follows: -

**Business Support (Delivery Measure)**

**Strategic Objective :** to re-purpose existing business support schemes and design new business support schemes that meet the challenges of Covid-19.

**Workforce (Delivery Measure)**

**Strategic Objective :** To take measures to meet the changing employment and training needs of the Greater Lincolnshire workforce in the context of Covid-19.

**Sectors (Delivery Measure)**

**Strategic Objective :** To provide tailored support to Greater Lincolnshire's most important economic sectors so that they can respond to Covid-19.

**Economic Intelligence (Enabling Measure)**

**Strategic Objective :** To ensure that accurate and current business intelligence is available and informs decision making in the Business and Economy Recovery Plan.

**Business Support (Enabling Measure)**

**Strategic Objective :** To use regeneration funding in a strategic way to tackle the current challenges of Covid-19 and to support the Business and Economy Recovery Plan.

Future planned Actions include : -

**Redundancy Toolkit for employers and employees** – priority being worked on by WLDC and the Redundancy Workgroup of the Lincolnshire Resilience Forum.

**Local Restrictions Support Grant** – draft WLDC guidance and process being developed should it be required. Currently awaiting FAQ's from the Government.

**Retail Business Advisor** – Recruited through the Re-Opening High Street Safely Fund, to commence late 2020.

**Improved Footfall Counters** – Following a three year pilot with the Local Data Company for the provision of 10 footfall counting devices from 2017-2020, the Council have agreed a further three year contract for the provision of five new camera devices to collect footfall data across the three market towns . Data will be available from the end of October.

**Medium to Long Term Investment Planning** – Further developing our investment plans for the District, aligned to national and regional funding opportunities and priorities.

**Brexit Planning** – Working to secure support, advice and guidance for local businesses to adapt and make plans.

This is an area I can assure you the Council is working hard at both a county and district level. We have very much been informed by our conversations with hundreds of businesses and our active response to local needs.

Officers have prepared a slide presentation on this subject which provides much more detail and which I am happy to share with all Members.”

Councillor Anne Welburn, Ward Member for the Cherry Willingham Ward, submitted the following question to the Leader of the Council.

“Leader, My question relates to the mandatory and discretionary Test and Trace Support Payments , I understand West Lindsey have been awarded a total of £23,131.35 to fund the scheme. Could the Leader please confirm that West Lindsey District Council will ensure that all qualifying applicants receive support even when the Government funding has been exhausted

Thank you”

The Leader of the Council, Councillor Owen Bierley, responded as follows: -

“Thank you for your question Councillor Mrs Welburn. I believe that it is vital that we support our residents to do the right thing with regard to Test and Trace. It is also clear that the allocation of funding for these cases is relatively small. I will work with Officers to ensure that there is sufficient resource in place both by continuing to lobby our colleagues in Central Government and exploring options for reallocating existing funding streams to meet this essential requirement”

Councillor Anne Welburn, Ward Member for the Cherry Willingham Ward, had also submitted the following question to the Leader of the Council.

“Could the Leader of the Council give Members the assurance that the Districts need for active travel and sustainable infrastructure development, particularly in our rural communities, are being strategically considered and planned for?

I quote as an example: The residents of North Greetwell feel like the forgotten village of Lincolnshire, they have been fighting for many years for a crossing on the A158 so that villagers can cross the road in safety, to use the shop and restaurant and more importantly the bus service to the city. At the moment the traffic is so heavy, 640 cars an hour have been recorded, it is impossible to cross the road and for resident to exit their drives on the north side which results in a detour via Nettleham to get to work, school etc if they are travelling west.

This is totally against all policies of trying to ensure use of public transport where possible and is actually increasing private transport by forcing such a long detour.

You can image their dismay therefore to hear that Wragby some 10 miles further along the same road is to get two new crossings in addition to those already there as the Highways deem they will suffer in coming years from an increase in traffic most of this will have travelled through North Greetwell which also has local traffic as above.

Thank you”

The Leader of the Council, Councillor Owen Bierley, responded as follows: -

“Thank you for your question Councillor Mrs Welburn. I can assure Members



that enabling active travel and the provision of sustainable infrastructure development across the District is a key priority for this Council, and in my role on the Central Lincolnshire Joint Strategic Planning Committee I have championed these matters. We are currently refreshing the Central Lincolnshire Local Plan, and as per the approved Statement of Community Involvement, I would encourage all Members to engage in the next round of public consultation which is due to take place during January and February 2021.”

Having heard the response Councillor Welburn made a supplementary statement.

“It is my understanding that CIL payments were designed to alleviate problems caused by development by supporting infrastructure and I would ask for your support to ensure that North Greetwell, the village affected by development are allowed to use some of this money towards a crossing because they sorely need it.”

The Leader indicated he understood the position undertook to get a full response to Councillor Welburn outside of the meeting.

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

Councillor Stephen Bunney had submitted the following motion

#### **“Combating Litter**

Chairman, I am sure that we will all have spoken to residents over the last few months who have commented on how dramatically litter levels declined during the national lockdown. However, litter is again becoming a common issue despite the hard work of the street cleaners and bin men. Therefore, all of us must play our part in preventing the build up of litter in our community. This motion outlines how we can do this.

West Lindsey District Council notes that:

- The Keep Britain Tidy Campaign offers local councils the opportunity to become members of a Network, which provides access to specialist advice and support.
- The campaign is also promoting a Love Parks campaign and a Charity Bin sponsorship scheme whereby the monies raised from recycling cans is contributed to local charities.
- Several national supermarket chains are now operating trials of reverse vending machines, whose customers are rewarded for returning used cans and bottles for recycling.
- DEFRA has published a voluntary code for local businesses and groups to sign up to and reduce the litter that results from fast food businesses.

West Lindsey District Council recognises that:

- Whilst we are committed to tackling litter in our District and to working for cleaner streets, roads, verges and public spaces across our communities, we cannot do this alone.
- In the battle for cleaner streets and public spaces, we must involve the public

and businesses in a co-operative effort.

- There are community champions and organisations commendably 'doing their bit'.
- In doing their bit, residents and businesses help the Council make the streets, town/villages, parks and public amenities of our District more inviting to residents and visitors.

West Lindsey District Council resolves to:

- Promote participation in litter prevention activities to members of the public, community, faith and youth groups, through our social media, website and existing emails-outs to partners.
- To examine the merits of becoming a local authority member of the Keep Britain Tidy Network, and identify which of the campaign's including Love Parks and Charity Bins, could be introduced in the District.
- Ask the Leader and Chief Executive to write to national supermarket chains with stores in this district asking them to install a reverse vending machine.
- Promote take up of the DEFRA voluntary code amongst our fast food businesses and local business partnerships and seek their sponsorship for the introduction of a Charity Bin scheme and for public education programme.

I so move.

Councillor Stephen Bunney”

The Leader of the Council made an initial response to the motion: -

“I would whole-heartedly support this motion and its intention. Tackling litter in our District and working for cleaner streets, roads, verges and public spaces across our communities, has always been a priority for this Council. It is also fully recognised (and I support your view) that the battle for cleaner streets and a more inviting District for residents and visitors alike is something the Council must work in partnership to deliver.

I also believe some of the actions and activities proposed by this Motion support the Council's already agreed commitment to sustainability and are to be welcomed.

We have a collective responsibility as a whole community, elected representatives, residents, businesses, everyone, to address both these matters.

I will, should Council require me to, write to the national supermarket chains regarding reverse vending machines.

I think the additional promotion proposed is to be welcomed and again would support the motion and activity suggested, the emphasis being on collective responsibility.

I think it would be remiss to not examine the merits of becoming a LA member of the Keep Britain Tidy Network and would support that such examination is undertaken by a report to the Prosperous Communities Committee.

Whilst I am aware of the DEFRA Voluntary Code, given the current ongoing national situation relating to Covid-19, it is unclear whether the DEFRA code is now aligned with the Covid secure guidance, which favours disposable items for infection control purposes. I am also conscious the final element of this motion has resource and capacity implications, which would firstly need to be assessed

I am therefore happy to second the motion subject to the final element of the motion being further explored by way of a report to the Prosperous Communities Committee for a formal decision.”

At the request of a Member, the Monitoring Officer advised, with the indicated agreement of the original mover, Members would not be required to vote on the amendment. The original mover of the motion did indicate his agreement to the Leader’s proposed amendments.

Members wished to take the opportunity to again thank all of the refuse and street cleaning team for their continued hard work.

On being put to the vote, it was **RESOLVED** that the motion as amended, be **ACCEPTED** and as such the Council commits to : -

- (a) promoting participation in litter prevention activities to members of the public, community, faith and youth groups, through our social media, website and existing emails outs to partners;
- (b) by way of **report to Prosperous Communities Committee**, examine the merits of becoming a local authority member of the Keep Britain Tidy Network, and identify which of the campaign’s including Love Parks and Charity Bins, could be introduced in the District;
- (c) the Leader and Chief Executive writing to national supermarket chains with stores in this district asking them to install a reverse vending machine.
- (d) by way of **report to Prosperous Communities Committee**, investigate whether promoting take-up of the DEFRA voluntary code amongst our fast food businesses and local business partnerships is appropriate and investigate the resource and capacity implications, of seeking their sponsorship for the introduction of a Charity Bin scheme and for a public education programme. Prosperous Communities Committee are charged with making a formal decision in respect of this aspect of the motion.

Councillor Stephen Bunney had also submitted the following motion to the meeting: -

“Chairman, it is widely accepted that the £20 per week uplift to Universal Credit and Working Tax Credit along with the provision of vouchers to those families eligible for Free School Meals has been a lifeline for families during the coronavirus storm.

The ending of the Universal Credit uplift in April 2021 will see families, representing around 16 million individuals, overnight lose £1040 per year.

Inevitably this will hit those on the lowest incomes and families with children. The Joseph Rowntree Foundation estimate that this will pull 700,000 more people into poverty. This at a time when the Government is continually promising to protect living standards and level up the economic and regional divides in our country.

The impact of the cut will be multiplied in the future as job losses, brought about by the pandemic, occur over the next few months. There is serious concern among social economists that this will plunge a further 500,000 individuals into deep poverty – 50% below the poverty line.

No region, let alone West Lindsey, is immune from these devastating problems and so urgent action is required.

West Lindsey District Council require The Chief Executive and Leader of The Administration to write to The Chancellor of The Exchequer, The Rt Hon Rishi Sunak MP, supporting both;

- the open letter, written at the end of September, from at least 50 leading welfare charities, calling for the permanent £20 uplift to Universal Credit and Working Tax Credit; and
- Marcus Rashford MBE's call for the Government to provide food vouchers during all holidays for those families with young people entitled to free school meals.

I so move and commend this motion to the Council.

Councillor Stephen Bunney”

The Leader of Council made an initial response as follows: -

“Thank you for bringing this motion forward Cllr Bunney. With regard to your proposal I do, of course, acknowledge the value of the extra funding that Government has already provided to help alleviate the real and increasing financial pressure people face in such challenging times and especially as we approach the second lockdown of the pandemic.

However, I believe the provision of meal vouchers for pupils during school holidays to be a simple and targeted measure that is valuable not only for qualifying pupils, their parents and carers, but also for the reassurance it would provide to the wider community.

Accordingly, whilst I personally support your motion and am happy to second its content, I leave it entirely to other Members to form their own view and reach a consensus.

Debate ensued with a number of Members from across the political parties speaking in support of the motion. Food poverty was an issue across the District and the ongoing work undertaken by voluntary organisations should be acknowledged.

On being put to the vote it was **RESOLVED** that the motion as submitted, be **ACCEPTED** and as such Full Council requests The Chief Executive and Leader of The Administration to write to The Chancellor of The Exchequer, The Rt Hon Rishi Sunak MP, in line with the motion.

**Note:** Councillor John McNeill declared a personal interest in the above matter as lay Vice-Chairman of the Lincoln Cathedral Community Association and Chairman of the Executive Committee of the same body, both organisations which had provided in recent years a substantial amount of money to the charity currently supported as the Chairman's Charity – FISH (Food in School Holidays).

### **36 LGA PEER CHALLENGE OUTCOME AND UPDATE**

The Chief Executive introduced the report, advising that in January 2020, West Lindsey District Council had received a visit from a Peer Team provided by the Local Government Association.

The final report was expected to be presented to the Annual Council in May 2020, however due to the impact of Covid-19, that meeting had been cancelled.

The report sought to provide an update on progress against the recommendations arising from the Peer Review

The full report was available at Appendix 1 to the report. The overall message from the Peer Group was very positive and they had been particularly complimentary about the passion and commitment of both elected Members and Officers.

The final report had made ten recommendations. These had previously been shared with Members and were set out at Section 2 of the report.

The presentation attached at Appendix 2 provided an update on progress against the recommendations and this was summarised to the meeting, noting good progress had been made, in particular, in implementing the Senior Structure and simplifying Customer First.

The Chairman of the Governance and Audit Committee assured Members that the Action Plan would be monitored by his Committee and would remain a priority for the Council.

Debate ensued and the Chairman of the Overview and Scrutiny Committee shared with the meeting her experience of the review process, which she considered had been unfairly led and the questioner negatively influenced by previous comments. Objectivity she felt had been lacking, and she felt the criticisms levied against the Scrutiny Committee, which she felt was in its infancy under her leadership, had been given undue prominence within the report.

Councillor Rollings believed there was a greater conflict between community services/ well-being role of the Authority and the income generation ethos of the Council, which the report failed to highlight but needed to be investigated.

Noting the recommendation, the Council should develop a Cultural Strategy, she urged that

culture be considered in the widest sense, personal development, well-being and mental health. There was a real need to improve Sporting activities and participation rates across the District and to seek a view from the community.

Acknowledging all the great work the Council and Officers undertook, Councillor Rollings indicated she could not support the report, due mainly to her concerns around the process which had been undertaken, its impartiality and fairness.

In response, the Chief Executive confirmed that the Cultural Strategy would be developed in the widest sense, encompassing, arts heritage and leisure in a single strategy. Regarding the process, it was imperative that all involved felt it was inclusive, and such Councillor Rollings comments would be fed back to the LGA.

In response to further comments, and concerns regarding how the current Pandemic may affect performance particularly financially and the need to improve community outreach and improve stakeholder communication the Chief Executive advised the Peer Review had concluded the Council was in a good financial position. Acknowledging Councillors' concerns, the planned half year review of the Medium Term Financial Plan would set out any adjustments needed in response to the Pandemic. With regards to community outreach and the Cultural Strategy the purpose was to capture current activity, where it was being delivered and where the Council might do more to support parishes and communities, as such this part of the action plan would entail stakeholder consultation and communication.

The Action Plan would be developed and progressed using existing tools such as the MTFP, the Annual Governance Statement and the Corporate Plan, for example, as opposed to creating a separate line of activity to monitor. As previously advised this would be monitored by the Governance and Audit Committee and should any areas of the Action Plan not be addressed by one of these key documents then separate work would be undertaken.

In response to earlier comments, the Leader shared his experience of the Peer Review, which he considered had been very different. He acknowledged that a number of circumstances had considerably changed since the review. Whilst the lockdown had brought challenges it had also brought with it some added benefits around increased activity rates, cycling and walking which needed to be harnessed. He considered there was a real opportunity to improve the offer and moved the recommendations.

With reference to succession planning, as Chairman of the Joint Staff Consultative Committee, this area had been a concern for a while. The Council, did have an ageing workforce and lots of "single" jobs with individuals holding considerable knowledge and he considered there was real need for a risk based succession planning approach. There were a number of good examples where proper succession planning had been really successful and vital and this needed to be replicated across the board.

The Director of Corporate Services advised that this was something that was done as part of work force planning, but due to the size of the organisation, it was developed on a risk based approach and timing appropriate. Such matters were also captured in Service Plans, including personal development and identified individuals for progression to help with not only personal development but succession planning across the Council. At the time of the peer review, there had been a number of interim contracts in place, whilst structures were being determined, this had now been resolved.

Some considered the effectiveness of the Overview and Scrutiny Committee and had been questioned previously and were of the view that the Peer Review had confirmed that this continued to be the case. Attendance was poor and outcomes lacking

This view was strongly refuted, and the current Scrutiny Chairman outlined how the Committee had changed its approach, how it was calling external agencies to account and of the recent training undertaking specifically designed to improve effectiveness. As previously outlined to the meeting she did not consider the process had been a fair and balanced one.

The Monitoring Officer outlined some of the work he had undertaken to support the Committee since January. The Chairman of the Governance and Audit Committee gave assurance that the effectiveness of all Committees was under review, including his own, and that an effectiveness review was something which all Committees would be subjected to at some point as part of good governance practices. This would be very much a collaborative approach.

Having being moved and seconded it was **RESOLVED** that: -

- (a) the final report of the Peer Challenge Group be accepted;
- (b) the report be published on the Council website; and
- (c) the progress made against the recommendations be welcomed.

**Note:** The meeting adjourned, following consideration of the above item at 9.09 pm and re-convened at 9.14pm.

At the request of the Chairman, the Monitoring Officer repeated the roll-call to ensure all Members had returned to the meeting.

Each Member re-affirmed their attendance.

### **37 NORMANBY BY SPITAL AND OWMBY BY SPITAL PARISH COUNCILS - APPLICATIONS FOR NEIGHBOURHOOD PLANS**

The Chairman of Council, in his role as Member Champion for Neighbourhood Planning presented the report to Members. The report requested Members to determine separate applications received from Normanby by Spital and Owmbly by Spital Parish Councils to prepare their own neighbourhood plans for their parish areas only.

It was noted that such applications were normally dealt with under delegated powers but due to the level of public response from consultations on the applications it was agreed that this should instead be a matter for Full Council.

Normanby by Spital and Owmbly by Spital Parish Councils had been working together on a joint neighbourhood plan covering both parishes. Although evidence base work had been

undertaken, a first version of the joint NP had not been prepared.

Late last year the Council had become aware that the joint NP was having governance difficulties, and in May this year the Council received notification from Normanby by Spital Parish Council (PC) that it had decided to formally withdraw from sharing the joint neighbourhood plan with Owmbly by Spital PC. Instead, it had applied to the Council to prepare its own neighbourhood plan for Normanby by Spital parish only. Owmbly by Spital subsequently did the same.

Public consultations on both applications had been completed. The Council was very much aware that the majority of comments were not in favour of the separate applications and that those residents would like to see work on the joint NP continue.

However, it was stressed to the Chamber that in determining such applications the Council legally could only take into consideration the appropriateness of the areas put forward. Both applications were for parish areas which were considered logical and appropriate areas to select in terms of the legislation.

Normanby Parish Council's decision to withdraw from the joint NP meant that it could not continue. The report recommended that both Neighbourhood Plan applications be approved and confirmation of the joint plan's withdrawal be publicised on the Council's website.

Debate ensued and the Ward Councillor for both parishes addressed the meeting. He considered the situation both disappointing and frustrating. A joint plan made perfect sense considering the jointly shared assets across the two communities. Working together should always be encouraged and usually brought about improved outcomes. He outlined the work that had been done jointly across the Parishes resulting in a community space and children's play area. That being said, he recognised and had to accept the rules of Neighbourhood Planning legislation and reluctantly moved the recommendation as he considered both parties needed to move past the current difficulties. He placed on record his sadness that the community had not been heard and that their views were being disregarded. Parish Councils had a duty to respond to the community wishes, so long as they did not conflict with the law, this had sadly not been the case for these residents.

Numerous Councillors spoke in similar vein, expressing concern at the lack of representation, and of the democracy deficit. West Lindsey took no pleasure in passing such a recommendation but had an extremely limited role at this stage in the Neighbourhood Planning process. Councillors took reassurance from the fact that for any Neighbourhood Plan to become effective it needed to be passed by a local referendum. Every Member of the community would ultimately get to vote on any proposed plan. For this reason, some commented the current approach was not only unrepresentative and undemocratic but a waste of time and money if it lacked public support.

Regardless of District Councillors' views, it was clear that the authority had no powers to prevent the application for two plans. The Neighbourhood Planning Officer outlined clearly what the District Council could and could not do and was clear that only the Parish Council could make such a determination at this stage.

The recommendation was seconded with regret. Councillors across the Chamber urged the two communities to re-think their position, the decision this evening would not prevent the



parishes from deciding to work together as they once had in the future.

In response to concerns around Parish Council's who failed to represent their communities, the Chairman of the Governance and Audit Committee reminded Members of the planned fourth tier governance review and undertook to include concerns regarding this area forward.

Before moving to the vote several Members again expressed their dissatisfaction and concern at the lack of democracy in action but acknowledged the limited powers the District Council had in respect of such matters.

It was **RESOLVED** that : -

- (a) the applications by Normanby by Spital and Owmbly by Spital Parish Councils, to have their respective parishes designated as separate neighbourhood plan areas for the purposes of producing their own independent neighbourhood plans be approved; and
- (b) the withdrawal of the designated neighbourhood plan area for the joint Normanby by Spital and Owmbly by Spital Neighbourhood Plan be noted and advertised on the website.

### **38 LICENSING POLICY REVIEW - APPROVAL**

Councillor Jessie Milne as Chairman of the Licensing Committee, presented the report to Council and advised that Section 5 of the Licensing Act 2003 required each Licensing Authority to prepare, consult on and determine a Statement of Licensing Policy, which must be kept under review on an ongoing basis and consulted upon and reviewed every 5 years.

This five year review had recently been undertaken and Councillor Milne was pleased to present to Council the updated Licensing Policy, approved and recommended to Council for adoption by the Council's Licensing Committee after consultation with licence holders.

The policy aimed at ensuring the effective and safe operation of licensed premises across the District and ensured that they were adhering to a regulatory framework, which had become ever more important over the last 12 months and would enable the Council to continue to deliver its statutory obligations in relation to licensing.

Full Council were asked to accept the recommendation from its Licensing Committee and approve the revised policy for implementation.

Thanks were expressed to the Licensing and Enforcement Officers for their work throughout the pandemic.

Having being moved and seconded it was:-

**RESOLVED** that the recommendation from the Licensing Committee be accepted and the Revised Licensing Policy be adopted and approved for implementation.

### 39 APPOINTMENTS ON SUB-COMMITTEES, BOARDS AND OTHER BODIES (INCLUDING OUTSIDE BODIES) AND THE RE-ALIGNMENT OF COMMITTEE CHAIRMANSHIPS

The Chairman presented the report to Council which sought to realign a number of previously made appointments on sub-committees, boards and other bodies (including outside bodies).

The report also sought to amend some Committee Chairmanships / Vice Chairmanships, arising from the change in Leadership and at the request of the Administration.

Having been moved and seconded it was **RESOLVED** that:-

- (a) the positions which automatically transfer to the new Leader, on taking up Office, as set out in Section 2.1 of the report be noted; namely: -

Type of Appointment	Name of Body
Outside Body	District Councils Network
Outside Body	East Midlands Council
Outside Body	LGA General Assembly
Outside Body	Central Lincolnshire Joint Strategic Planning Committee (full member)
Working Group	Scampton Local Infrastructure Group

- (b) that the persons named in section 3.3 of the report be appointed to the positions stated, namely: -

Chairman of Corporate Policy and Resources Committee	Councillor Anne Welburn
Vice-Chairman of Corporate Policy and Resources Committee	Councillor Paul Howitt-Cowan
Vice-Chairman of Chief Officer Employment Committee	Councillor Owen Bierley

- (c) that Membership on the APSE National Council (Lincolnshire Representative) be approved as a formal outside body and be aligned to the Office of Leader.

The meeting concluded at 10.08 pm.

Chairman

**Purpose:**

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

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

**Matters arising Schedule**

Meeting	Full Council				
Status	Title	Action Required	Comments	Due Date	Allocated To
Black	<a href="#">motion to council - sale of fireworks - lobby LCC</a>	<p>extract from mins 20/01/20</p> <p>suppliers of Fireworks across the District will be encouraged and required to separate and label quieter fireworks from louder ones, allowing customers to choose their purchases with animal and people safety in mind. In addition to help with the responsible use and possession of fireworks all retailers are required to apply challenge 25 legislation to the sale of fireworks, as would be the case with alcohol".</p> <p>He further indicated that should Councillor Bunney wish to further amend his amendment to make it incumbent on the Leader to write to County Council regarding the recommendations he had earlier stated, he would be supportive of such action.</p> <p>Councillor Bunney indicated he was happy with the proposal that the Leader write to the County Council to lobby for the changes his early amendment had stipulated and the revised amendment was seconded.</p>	<p><b>Leader to prepare and send a letter to the county council in line with Cllr Bunney's amendment.</b></p> <p><b>Letter sent .</b></p> <p><b>Holding response received, leader indicated he would update council as he receives further information</b></p> <p><b>Further update has been sought and response now received which has been circulated to all Members and will be published as part of next matters arising report to Council in Jan 2021.</b></p> <p><b>RESPONSE ATTACHED AS APPENIDX A</b></p>	31/12/20	Carolyn Lancaster
Black	<a href="#">Public Question time - response in writing</a>	<p>Extract from mins of meeting 2/11/20:</p> <p>The Chairman thanked Mr Armstrong for his question and advised him and the meeting that he would ensure the same response was sent in writing.</p>	<b>response given verbally on the evening has been sent in writing to Mr Armstrong</b>	10/11/20	Katie Storr

Black	<b>Rule 9 question relating to business support during the Pandemic</b>	Extract from mins of meeting 2/11/20 : - Officers have prepared a slide presentation on this subject which provides much more detail and which I am happy to share with all Members."	<b>All Members have been provided with the presentation</b>	30/11/20	Katie Storr
Black	<b>motion to council - combating litter - letter to supermarkets</b>	extract from mins of mtg 2/11/20  RESOLVED that the motion as amended, be ACCEPTED and as such the Council commits to : -  the Leader and Chief Executive writing to national supermarket chains with stores in this district asking them to install a reverse vending machine.	<b>Required letter has been issued and a copy will be appended to the next matters arising report to Council in January 2021.</b>  <b>LETTER SENT ATTACHED AS APPENDIX B</b>	30/11/20	Ian Knowles
Black	<b>motion to Council - combating litter</b>	extract from mins of mtg held on 2/11/20 RESOLVED that the motion as amended, be ACCEPTED and as such the Council commits to : -  (b) by way of report to Prosperous Communities Committee, examine the merits of becoming a local authority member of the Keep Britain Tidy Network, and identify which of the campaign's including Love Parks and Charity Bins, could be introduced in the District;  (d) by way of report to Prosperous Communities Committee, investigate whether promoting take-up of the DEFRA voluntary code amongst our fast food businesses and local business partnerships is appropriate and investigate the resource and capacity implications, of seeking their sponsorship for the introduction of a Charity Bin scheme and for a public education programme. Prosperous Communities Committee are charged with making a formal decision in respect of this aspect of the motion.	<b>added to pc work plan for its march meeting</b>	15/12/20	Ady Selby

<b>Black</b>	<b>motion to council - universal credit and extended free school meals</b>	Extract from Minutes of meeting held on 2/11/20  RESOLVED that the motion as submitted, be ACCEPTED and as such Full Council requests The Chief Executive and Leader of The Administration to write to The Chancellor of The Exchequer, The Rt Hon Rishi Sunak MP, in line with the motion.	<b>requested letter has been sent and a copy will be attached to the next matters arising report to council in January for members information</b>  <b>LETTER SENT ATTACHED AS APPENDIX C</b>	30/11/20	Ian Knowles
<b>Black</b>	<b>peer challenge report publication</b>	extract from mins of mtg 2/11/20 the report (Peer Review) be published on the Council website;	<b>can you work with Ian and comms to make sure this get published on the website as agreed</b>  <b>23/12/20 Peer Challenge report now added onto website. See link : <a href="https://www.west-lindsey.gov.uk/my-council/contacts-facts-and-figures/council-performance/">https://www.west-lindsey.gov.uk/my-council/contacts-facts-and-figures/council-performance/</a></b>	03/12/20	Carolyn Lancaster
<b>Black</b>	<b>appointment on sub cttees outside bodies / chairmanship etc</b>	all membership lists, website etc be updated. and any necessary admin actions arising from these changes be undertaken in accordance with the resolution made	<b>completed</b>	05/11/20	Katie Storr
<b>Black</b>	<b>LGA Peer Review Process</b>	Extract from Mins 2/11/20 Regarding the process, it was imperative that all involved felt it was inclusive, and such Councillor Rollings comments would be fed back to the LGA.	<b>please feed back as advised to the meeting - completed.</b>	15/01/20	Ian Knowles
<b>Green</b>	<b>Anti-semitism in constitution</b>	extract from mins 20/1/20  • The Leader had been in correspondence with the Secretary of State for Housing, Communities and Local Government about Anti-Semitism and he had asked that Mr. Robinson and Councillor J. McNeill look at ways to incorporate this into our Constitution and procedures	<b>this will be considered as part of the annual review of the constitution .</b>  <b>Report has been considered by G and A Cttee awaiting annual council for approval</b>	11/05/21	Alan Robinson

Green	<p><b>promoting participation in litter prevention activities</b></p>	<p>extract from mins of meeting 2/11/20 - be ACCEPTED and as such the Council commits to : -</p> <p>(a) promoting participation in litter prevention activities to members of the public, community, faith and youth groups, through our social media, website and existing emails-outs to partners;</p>	<p><b>This activity was formally accepted by Motion to Council please can you work with responsible officers, to consider steps to be taken to honour this commitment. Please feed back activities being undertaken through this matters arising</b></p>	31/01/20	Julie Heath
-------	---	--	--	----------	-------------

Cllr Giles McNeill  
Leader, West Lindsey District Council  
Guildhall  
Marshall's Yard  
Gainsborough  
DN21 2NA  
[carolyn.lancaster@west-lindsey.gov.uk](mailto:carolyn.lancaster@west-lindsey.gov.uk)

Cllr Martin Hill  
County Offices  
Newland  
Lincoln  
LN1 1YL

Email: [cllrm.hill@lincolnshire.gov.uk](mailto:cllrm.hill@lincolnshire.gov.uk)

**Email**

06 November 2020

Dear Giles

**Re: Sale of Fireworks - Committee Outcome/Decision**

Thank you for your recent email. I can confirm the following decision was taken on 2 June 2020:

'That the proposed position statement attached at Appendix A to the report, to ban the release of sky lanterns and balloons from all Lincolnshire County Council owned land and property be approved'.

The decision notice and decision report can be found via the link below:

<https://lincolnshire.moderngov.co.uk/ieDecisionDetails.aspx?ID=608>

The sale of fireworks is highly controlled by national legislation as laid out in paragraph 6 of the attached report, which was considered by the Public Protection and Communities Scrutiny Committee on 17 March 2020. There are no options to amend this locally.

It is worth noting that Trading Standards conduct inspections of firework sellers every year as part of the licensing procedure. They also respond to complaints of the illegal sale of fireworks. This includes illegal sales to children which may include carrying out test purchases by undercover young people, unlicensed sales and the supply of unsafe products. The service works very closely with the Fire Service on these matters and we carry out public information campaigns regarding the restrictions every year.

Yours sincerely,



**Councillor Martin Hill OBE, Leader of the Council**



Recipients Address

Your contact for this matter is:

Name: Ian Knowles

Email: [ian.knowles@west-lindsey.gov.uk](mailto:ian.knowles@west-lindsey.gov.uk)

Tel: 01427 675183

Date: 01 December 2020

Dear Regional Manager

### **Combatting Litter and Trials of reverse vending machines**

Here are West Lindsey District Council we are committed to tackling litter in our District and to working for cleaner streets, roads, verges and public spaces across our communities.

At a recent meeting of West Lindsey District Council's Full Council, held on 2 November, our Elected Members received and considered a motion relating to combating litter across the District.

It was recognised that in the "battle" for cleaner streets and public spaces, we must involve the public and businesses in a co-operative effort.

The motion was unanimously supported and as a result my Council have committed to the following actions: -

- Promoting participation in litter prevention activities to members of the public, community, faith and youth groups, through our social media, website and existing emails-outs to partners.
- To examine the merits of becoming a local authority member of the Keep Britain Tidy Network, and identify which of the campaigns including Love Parks and Charity Bins, could be introduced in the District.
- Investigate the merits of the DEFRA voluntary code and determine whether this should be promoted amongst our fast food businesses and local business partnerships. To also investigate the possibility of seeking businesses sponsorship for the introduction of a Charity Bin scheme and for public education programmes.

The Motion also requested that in our capacities of Leader and Chief Executive, we write to national supermarket chains, with stores in West Lindsey, asking them to install a reverse vending machine.

Several national supermarket chains are now operating trials of reverse vending machines, whose customers are rewarded for returning used cans and bottles for recycling. I believe some of your own stores may even have such trials in operation in other areas of the country.

We also believe some of the actions and activities proposed by this Motion support the Council's already agreed commitment to sustainability and are to be welcomed.

Preventing the build-up of litter in our communities, will only be achieved by co-operative efforts and incentivised schemes. We do hope that you will consider the use of such vending machines within your stores located across our District and help us in the battle for cleaner streets and a sustainable future.

Yours faithfully



Ian Knowles  
Chief Executive

Owen Bierley  
Leader of the Council

Rt Hon. Rishi Sunak MP  
House of Commons  
London  
SW1A 0AA

Your contact for this matter is:  
Name: Ian Knowles  
Email: [ian.knowles@west-lindsey.gov.uk](mailto:ian.knowles@west-lindsey.gov.uk)  
Tel: 01427 675183

Date: 01 December 2020

Letter sent via email to: [rishi.sunak.mp@parliament.uk](mailto:rishi.sunak.mp@parliament.uk)

Dear Rt. Hon. Rishi Sunak MP

Following a recent resolution by a Meeting of our Full Council, in our capacities as Chief Executive and Leader, we write on behalf of all Elected Members of West Lindsey District Council stating our upmost support for both;

- the open letter, written at the end of September 2020, from over 50 leading welfare charities, calling for the permanent £20 uplift to Universal Credit and Working Tax Credit; and
- Marcus Rashford MBE's call for the Government to provide food vouchers during all holidays for those families with young people entitled to free school meals.

The ending of the Universal Credit uplift in April 2021 will see families, representing around 16 million individuals, overnight lose £1040 per year. Inevitably, this will hit those on the lowest incomes and families with children.

The impact of the cut will be multiplied in the future as job losses, brought about by the pandemic, occur over the next few months.

No region is immune from these devastating problems and urgent action is required.

Yours faithfully



Ian Knowles  
Chief Executive

# Agenda Item 8

Images supplied in support of motion 1









## **ADDITIONAL INFORMATION SUPPLIED IN SUPPORT OF THE SLOW WAYS MOTION.**

Each Slow Way route connects two neighbouring settlements; routes can be combined for longer journeys. As far as possible routes are direct, off-road, safe, accessible, easily navigable and pass through settlements with services and public transport hubs. The Slow Ways network – through its unique approach to plotting, mapping and recording routes – aims to make it easier for people to see, plan, enjoy and share walks between places.

Slow Ways will be used for both recreational and functional purposes, aiming to offer reasonably direct walking options backed by trusted route information. This will include walking to visit friends and family, travelling to meetings, going to shops, pilgrimages, charity fundraisers, or travelling to school or work.

The average Slow Way route in England and Wales is 12km while in Scotland it is closer to 20km. Hundreds of routes in urban areas are under 5km.

### **Health benefits**

- improving health and wellbeing by encouraging physical activity for short trips and longer journeys
- helping to mitigate the causes and effects of Covid-19, being part of recovery plans, and offering public transport alternatives
- creating opportunities for people to connect with friends, family and colleagues

### **Environmental benefits**

- reducing pollution and emissions through active travel options as an alternative to carbon-based transport
- contributing to the decarbonisation of local and national transport systems and helping to address the climate emergency
- connecting people to 'nearby nature', heritage, places and communities

### **Transport benefits**

- encouraging modal shift – supporting more people to walk more of the time, for more purposes
- providing safe, direct and enjoyable routes between neighbouring towns and cities
- linking active travel to public transport hubs
- promoting greater use of existing paths, trails, networks, and the connections between them

### **Economic benefits**

- saving people money by encouraging an inexpensive form of travels



- spreading economic activity by inspiring visits to, and stays in, more places

### **Community benefits**

- sharing a positive, empowering, rewarding and inclusive project at a time of national crisis and recovery
- offering a source of community engagement, focus, identity and pride
- boosting the equity of use of path networks
- increasing the use of currently under-used paths – thereby keeping them open and valued

### **References**

- **Ledbury Town Council** was the first to [officially support](#) Slow Ways. 20 July 2020 [Report](#), with Recommendation “that Ledbury Town Council promote the Slow Ways Project within Ledbury in the hope that groups and individuals will get involved with the project”.
- [The Clerk magazine](#) ‘for Local Council professionals’: ‘Creating a new national walking network’, November 2020, page 61.
- [BBC News](#), **16 Oct 2020** – Slow Ways “seeks to elevate the position of walking in our national conversation, to be seen not just as a worthy, healthy hobby but part of our national transport infrastructure” – and [ITV News](#), 16 Oct 2020.

### **Further Information**

Web – [slowways.uk](http://slowways.uk)    FAQ – [Frequently Asked Questions](#)    Newsletter  
– [slowways.uk](http://slowways.uk)  
Twitter – [@SlowWays](#), [#SlowWays](#)  
Contact – [hello@slowways.uk](mailto:hello@slowways.uk)

# Agenda Item 9a



Council

25 January 2021

## MEMBERS' ALLOWANCES FOR CIVIC YEAR 2021-2022

Report by:

Monitoring Officer

Contact Officer:

Alan Robinson  
Monitoring Officer  
01427 676509  
Alan.robinson@west-lindsey.gov.uk

Purpose / Summary:

To review and consider the recommendations made by the Independent Remuneration Panel with regard to Members' allowances for 2021-2022 civic year.

### RECOMMENDATION(S):

(1) That Members approve the new rates as shown within this Report (Appendix 1), with regard to Members' allowances for the Civic Year 2021–2022:

- A proposed increase of 1% to the individual Basic Allowance and Special Responsibility Allowances (SRA's).

## IMPLICATIONS

**Legal: None**

### Financial : FIN/118/21/JA

Pending approval from Full Council in January the proposed changes will result in a total saving of £4,035 in year compared to the 2021/22 MTFP budget.

	<b>Proposed Allowance (£)</b>	<b>2021/22 MTFP (£)</b>	<b>Saving in 2021/22 (£)</b>
Basic Allowances	223,632	225,200	(1,568)
Special Responsibility Allowances	60,433	62,900	(2,467)
<b>Total</b>	<b>284,065</b>	<b>288,100</b>	<b>(4,035)</b>

**Staffing : None**

**Equality and Diversity including Human Rights : None**

**Risk Assessment : None**

**Climate Related Risks and Opportunities : None**

**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

## **1. Background**

- 1.1 West Lindsey District Council's Independent Remuneration Panel (IRP), has carried out its annual review of the Council's Scheme of Members' Allowances.
- 1.2 To inform the review, the Panel has considered a number of factors. These include the financial and budgeting situation the Council faces, including a pay award increase for Officers at 2.75% (for 20/21); a comparison of allowance rates payable at comparable Councils; the rates of increase in Member allowances over the recent past (RPI rate 0.5% in September 2020); and the role allowances play in attracting prospective Councillors and upholding democratic processes. The Panel were cognisant of the fact that at the last local elections in May 2019, four Members (almost 10% of the total) were returned unopposed.
- 1.3 The Panel consulted with all Members, providing the opportunity to make comments via email and also offered the opportunity for meeting with the Panel remotely via MS Teams. On 18 September 2020, five Members met independently with the Panel to give their views. Three further Members offered their comments in writing to the Panel.
- 1.4 The comments received by the Panel from Members have been taken into account when arriving at the final Recommendations within this report.
- 1.5 The Panel would like to record its thanks to those Members and Officers who made themselves available to speak with them.

## **2. Members' Allowances**

- 2.1 Taking all factors into account, the Panel have recommended an increase across the board of 1% to Members' basic allowance and Special Responsibility Allowances (SRA's).
- 2.2 This increases the Members' basic allowance to £6212 p.a. for the year 2021/22, and equates to an extra amount of £1.19 per week per Member.

## **3. Mileage and Subsistence Allowances**

- 3.1 No change to mileage allowances. The Panel noted and commented that mileage allowances are currently in line with the tax efficient rate authorised by the Inland Revenue.
- 3.2 No change to subsistence allowances as set out below. Receipts must be provided for subsistence claimed and attached to the claim form.
  - a. Absence of more than four hours but no more than eight hours – only the cost of one meal can be reimbursed up to a maximum of £15.
  - b. Absence of more than eight hours but no more than 12 hours – only the cost of two meals can be reimbursed up to a maximum of £25.

- c. Absence of more than 12 hours but no more than 16 hours – only the cost of three meals can be reimbursed up to a maximum of £33.
- d. Absence of more than 16 hours but not including an overnight stay – only the cost of four meals can be reimbursed up to a maximum of £40.
- e. Overnight – No Change - £83
- f. Overnight (London or LGA) – No Change - £208

#### **4. Financial Impact**

- 4.1 The financial impact depending on whether Members are minded to accept the recommendation for the 1% increase to basic allowance/SRA's, amounts to a saving of £4,035 compared to the 2021/22 MTFP budget.
- 4.2 The revised schedule of proposed allowances is set out in Appendix One.

#### **5. Recommendation**

- 5.1 The Panel recommends an increase of 1% to the basic allowance and Special Responsibility Allowances (SRA's) for 2021/22.

## **Appendix One: Special Responsibility Allowances (SRA): Recommended Rates**

<b>Allowance</b>	<b>Rate 2020/21</b>	<b>Rate 2021/22</b>
Basic Allowance	£6,150	£6,212
SRA – Leader of Council	£12,425	£12,549
SRA – Deputy Leader/s (in the event of two or more being nominated, the payment to be shared)	£4,505	£4,550
SRA – Chair of Council	£3,980	£4,020
SRA – Vice-Chair of Council	£1,370	£1,384
SRA – Committee Chairs (excluding Licensing Cttee and Regulatory Cttee)	£3,105	£3,136
SRA – Regulatory Chair	£1,555	£1,570
SRA – Licensing Chair	£1,555	£1,570
SRA – Committee Vice-Chairs (excluding Licensing Cttee and Regulatory Cttee)	£1,470	£1,485
SRA – Regulatory Vice-Chair	£735	£742
SRA – Licensing Vice-Chair	£735	£742
SRA – Leader of the Opposition (in the event of the Council being a ‘hung’ Council, the Leaders of the two largest groups be paid the same special responsibility allowance as for the Leader of the Opposition)	£4,505	£4,550
SRA – Deputy Leader of the Opposition	£820	£828

SRA – Minority Group Leaders (per group member, and including the Group Leader)	£100	£101
Independent Members: Governance & Audit and Standards Committees – A payment of £60.00 for the first four hours of attendance at a meeting/event and a second payment for attendance in excess of four hours. The first four hours would commence from the start time of the meeting (To be paid when not chairing a meeting).	£60	No change
Dependent Carer’s Allowance	£10	No Change

# Agenda Item 9b



**Full Council**

**Monday 25 January 2021**

**Subject: Local Council Tax Support Scheme 2021/22**

Report by:	Assistant Director of Operational and Commercial Services
Contact Officer:	Alison McCulloch Revenues Manager  alison.mcculloch@west-lindsey.gov.uk
Purpose / Summary:	To adopt a Local Council Tax Support Scheme for 2021/22 as recommended by Corporate Policy and Resources Committee.

## **RECOMMENDATION(S):**

**That Council Accepts the Recommendation from the Corporate Policy and Resources Committee and Adopts Option 1 of the report for the Local Council Tax Support Scheme for West Lindsey District Council for 2021/22.**

## **IMPLICATIONS**

### **Legal:**

The Council has to determine a local scheme for council tax reduction by 31 January 2021.



**Financial : FIN/73/21/CC**

The cost of the Local Council Tax Support scheme (LCTS) is shared between Lincolnshire County Council (75%), West Lindsey District Council (WLDC) (12.5%) and Lincolnshire Police (12.5%).

- If Option 1 is approved, no additional costs are forecast for the LCTS scheme for 2021/22. This does not take into account any adjustments such as new legislation affecting the default/pension age scheme and the uprated non-dependent deductions, applicable amounts and allowances as per the Department for Works and Pensions annual 'Up-ratings'
- To comply with the Council budget guiding principles, a scheme has to be designed that aims to fit the level of available government grant. How the funding is now provided to the Council, it is no longer possible to identify the funding which directly relates to this area, it is therefore desirable that the financial impact is cost neutral or can demonstrate financial savings
- The scheme that is chosen by the Council will need to be monitored to ensure the level of council tax collection remains comparable with previous years.

**Staffing :**

The changes are minimal and therefore should not impact on staff.

**Equality and Diversity including Human Rights :**

None arising from this report.

**Data Protection Implications :**

None arising from this report.

**Climate Related Risks and Opportunities :**

None arising from this report.

**Section 17 Crime and Disorder Considerations :**

None arising from this report.

**Health Implications:**

None arising from this report.

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

Local Government Finance Act 2012 -  
<https://www.legislation.gov.uk/ukpga/2012/17/contents/enacted>

Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018  
<https://www.legislation.gov.uk/ukpga/2018/25/enacted>

**Risk Assessment :**

- a. If Council Tax Support caseloads rise or fall then WLDC and the other major precepting authorities will have to absorb those expenditure variations through the Collection Fund. It is therefore vital that the financial implications of the scheme decisions made are realistic in terms of bridging the funding gap.
- b. If there is a downturn in the local economy, or where there has been major redundancies if a major company ceases trading, Council Tax Support caseloads could rise significantly.
- c. Each Council must approve their local Council Tax Support scheme by 31<sup>st</sup> January otherwise a default scheme similar to the current Council Tax Support default scheme applied to customers of pension age. Applying a similar scheme to all working age customers would increase the annual expenditure on Council Tax Support.
- d. The amount of council tax support awarded last year was just over £6 million however at the end of August 2020 this had increased to £6.8 million.

**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**

Council Tax Benefit was a national scheme providing means-tested financial help to households to pay their Council Tax liability. This was abolished on 31 March 2013 and every Local Authority was tasked with designing a local scheme of financial support to replace Council Tax Benefit.

West Lindsey District Council consulted with the residents of the district and the precepting authorities and adopted a local scheme approved by full Council in January 2013.

This scheme was re-adopted for 2014/15 and for 2015/16 and, following further consultations in 2015, minor amendments to the scheme were agreed for 2016/17. No changes were made to the scheme in 2017/18 but amendments were made in 2018/19 in anticipation of Universal Credit implementation. Further re-modelling of the scheme took place in 2019/20 and 2020/21 with minor changes being made to the scheme.

Due to the health and economic impacts Covid-19 has had on the residents of West Lindsey during 2020/21, Members may wish to consider the appropriateness of imposing a further financial burden during 2021-22 on those already experiencing hardship. In addition this could have a negative impact on the collection rate and reduce the yield over the year.

The finalised local council tax support scheme must be approved and adopted by Full Council by 31<sup>st</sup> January 2021 at the very latest.

This matter was considered by the Corporate Policy and Resources Committee, at its meeting on 10 December 2020, when it was **RESOLVED to Recommend to Full Council** the adoption of option 1 of the report for the Local Council Tax Support Scheme for West Lindsey District Council for 2021/2022.

Council are asked to adopt the Local Council Tax Support Scheme for 2021/22 as recommended by Corporate Policy and Resources Committee

## 1 Introduction

- 1.1 The Local Government Finance Act 2012 replaced Council Tax Benefit with a Council Tax support scheme. Unlike Council Tax Benefit (CTB) which is set by Central Government, the new Council Tax support scheme must be defined by individual Local Authorities (albeit with much central prescription).
- 1.2 Pensioners are protected by Government which means 'local schemes' must give the same pre-2013 level of assistance to pensioners. West Lindsey District Council also made the decision in 2013/14 to protect those in receipt of a War Pension and those claimants receiving a Disability Benefit.

## 2. Options

Three options have been considered for the 2021/22 scheme being:

### 2.1 Option 1

To make no change to the current scheme for another 12 months but to apply any new legislative requirements and the uprating of the non-dependent charges, applicable amounts and household allowances and deductions, used in the calculation of the reduction in accordance with the Department for Works and Pensions (DWP) annual 'Upratings'.

Costs/Savings

There would be no direct saving to the council under this option.

Advantages	Disadvantages
The financial modelling shows that West Lindsey District Council can still bridge the funding by continuing with the current scheme for a further year	Very small saving to the council
There has been a slight increase in the number of households claiming LCTS due to the 'furlough' scheme and the economic effects of Covid-19 which has increased the costs of the scheme temporarily. This increase has proved temporary as the cases are gradually reducing as more customers continue to return to work.	

Collection rates are being maintained under the current scheme	
This option ensures the LCTS rules stay consistent with the DWP rules which avoids confusion for claimants.	

## 2.2 Option 2

To make no changes to the current scheme for 2021/22 ie: do not apply the up-rate household allowances and deductions

Costs/Savings

There would be no direct saving to the council under this option.

Advantages	Disadvantages
	The Council would have three sets of rules to apply for families applying for financial help, this would cause confusion for the claimants, will lead to increased modification to IT and training for the Benefits Team and an additional set of regulations.

## 2.3 Option 3

To reduce the cap on liability from 90% to 70%.

Costs/Savings

This would provide a saving to West Lindsey District Council of £11,864 based on a collection rate of 25%.

Advantages	Disadvantages
This option would provide the greatest saving to WLDC.	Since the introduction of the LCTS scheme the Revenues team have taken significantly more enforcement action in order to maintain collection rates.  In 2019/20 10,615 reminder notices and 4,402 summonses were issued. This resulted in the

	Lincoln Magistrates granting 2,432 liability orders.
	It is unlikely that council tax support claimants will be able to afford to pay 30% of the council tax which is approximately £360 per annum on a Band A property.
	There is a risk that the overall collection rate will reduce as a less generous local council tax support scheme could put pressure on general collection rates which outweighs the savings from the benefit reductions.
	This option may be in conflict to the council's vision of West Lindsey being a place where people want to live, work, invest and visit as its reputation could suffer if a considerably less generous scheme was adopted.

### 3. Recommendations

**It is recommended that Council accepts the Recommendation from the Corporate Policy and Resources Committee and Adopts Option 1 of the report for the Local Council Tax Support Scheme for West Lindsey District Council for 2021/22.**

### 4. Local Council Tax Support Scheme 2021/22

It is recognised that whatever decision is reached this would only be a scheme for 2021/22. A review of the scheme is undertaken annually when more knowledge of the impact of that year's scheme and collection rates are available. Monitoring will also take place to analyse the impact and any unintended consequences it has had on council taxpayers and benefit recipients

## Appendix B – Local Council Tax Support Scheme 2021/22 - EQUALITY IMPACT ASSESSMENT

<p><b>Name, brief description and objectives of policy, procedure, function?</b></p>	<p>For Council to agree the Local Council Tax Support Scheme for West Lindsey DC for 2021/22.</p> <p>To ensure that all council tax payers are treated fairly under the local scheme.</p> <p>To ensure that council tax support is payable to the most vulnerable residents of the district.</p>
<p><b>Have you consulted on the policy, procedure, function and if so, what were the outcomes?</b></p>	<p>No consultation has taken place as the recommendations are to continue with the current scheme except for applying any new legislative requirements and the uprating of the non-dependent charges, applicable amounts and household allowances and deductions, used in the calculation of the reduction in accordance with the Department for Works and Pensions (DWP) annual upratings.</p>
<p><b>What barriers may these individuals or groups face, and how can you promote equality (where possible)</b></p>	
<p><b>Gender</b></p>	<p>There is no evidence that this policy would impact on people in any way because of this characteristic.</p>
<p><b>Age</b> age 55</p>	<p>Working age claimants of Council Tax Support may receive a reduced level of assistance as compared with the former Council Tax Benefit Scheme. This scheme aims to redistribute support and be more generous to those applicants on the lowest incomes;</p> <p>The government has stated that council tax support for older people will not be reduced as a result of the introduction of the council tax reduction scheme reform. This is because the government wants to ensure that low income pensioners, who would struggle to pay council tax without additional support, and whom the government does not expect to work to increase their income, will continue to receive support for their council tax.</p> <p>Pensioner protection will be achieved by keeping in place national rules which broadly replicate the former council tax benefit scheme.</p>
<p><b>Disability</b></p>	<p>There is no evidence that this scheme would impact on people in any way because of this characteristic except in the case of War Pension and those claimants receiving a Disability Benefit who are protected by the Government.</p>
<p><b>Race</b></p>	<p>There is no evidence that this policy would impact on people in any way because of this characteristic.</p>
<p><b>Religion or Belief</b></p>	<p>There is no evidence that this policy would impact on people in any way because of this characteristic.</p>
<p><b>Sexual Orientation</b></p>	<p>There is no evidence that this policy would impact on people in any way because of this characteristic.</p>

<b>Gender Reassignment</b>	There is no evidence that this policy would impact on people in any way because of this characteristic.
<b>Pregnancy, maternity or paternity</b>	There is no evidence that this policy would impact on people in any way because of this characteristic.
<b>Marriage and Civil Partnership</b>	There is no evidence that this policy would impact on people in any way because of this characteristic.
<b>Rural Isolation</b>	There is no evidence that this policy would impact on people in any way because of this characteristic.
<b>Socio-economic factors</b>	There is no evidence that this scheme would impact on people in any way because of this characteristic. However any person unable to complete the application form will be offered assistance from the Benefits Teams in completing the application form and also be signposted to outside agencies such as Citizens Advice and Money Advice Service
<b>Other (eg: those with dependants/caring responsibilities, asylum seeker and refugee communities, children in the care system etc)</b>	There is no evidence that this scheme would impact on people in any way because of this characteristic. However any person unable to complete the local council tax support application form will be offered assistance from the Benefits Team in completing the form and also be signposted to outside agencies such as Citizens Advice and Money Advice Service
<b>Is there any evidence or research that demonstrates why some individuals or groups are, or are not, affected?</b>	There is no evidence or research available. This policy is based on nationally applicable legislation and it covers all applicants who must all meet a set of standards and criteria intended to ensure that evidence of hardship justifies a reduction in council tax liability.
<b>If there is a potential adverse impact, please state why and whether this is justifiable.</b>	There is no potential adverse impact from this policy.
<b>Outcome of EIA</b>	<b>No major change needed</b> <input checked="" type="checkbox"/> <b>Adverse impact but continue</b> <input type="checkbox"/> <b>Adjust the policy /proposal</b> <input type="checkbox"/> <b>Stop and remove the policy/proposal</b> <input type="checkbox"/>
<b>How will you monitor your policy, procedure, function to ensure there is no adverse effect on the protected characteristics (eg: gender, age, etc) in the future?</b>	Due to the nature of the reductions in the level of support, all working age claimants have the potential to have reductions in their support, however, they can be considered for further assistance under the exceptional hardship policy.





Council

Monday 25 January 2021

**Subject: Collection Fund – Council Tax Surplus 2020/21 & Council Tax Base 2021-22**

Report by:

Assistant Director of Finance and Property Services and Section 151 Officer

Contact Officer:

Caroline Bird  
Principal Corporate Accountant

Caroline.Bird@west-lindsey.gov.uk

Purpose / Summary:

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 2021 and how it is shared amongst the constituent precepting bodies.

It also sets out the Council tax base calculation for 2021/22. The tax base is a key component in calculating both the budget requirement and the council tax charge

## **RECOMMENDATION(S):**

- 1) That Members accept that the estimated surplus of £167,500 be declared as accruing in the Council's Collection Fund at 31 March 2021 relating to an estimated Council Tax surplus.**
- 2) That the Council uses its element of the Collection Fund surplus/deficit in calculating the level of Council Tax in 2021/22.**
- 3) That the calculations of the Council's tax base for 2021/22 as set out in Appendix 1 be approved, and that in accordance with the Local Authorities' (Calculation of Council Tax Base) Regulations 1993 (as amended), the tax base for each part of the Authority's area shall be as set out also in Appendix 1.**



## IMPLICATIONS

**Legal:** It is a requirement under the Local Government Finance Act 1992 that the Council calculates the tax base for council tax purposes. This must be done before 15 January prior to the financial year to which the tax base relates. It is also a requirement that the resolution determining the calculation be notified to the County Council between 1 December 2020 and 31 January 2021.

It is a requirement under the Local Government Finance Act 1992 that any estimated surplus on the previous year's Collection Fund shall be shared amongst the major precepting bodies.

**(N.B.) Where there are legal implications the report MUST be seen by the MO**

### **Financial : FIN/114/21/CB**

The estimated surplus in Council tax totals £1,089,000 to be shared as follows:-

Lincolnshire County Council £775,700

Police and Crime Commissioner, Lincolnshire £145,800

West Lindsey District Council £167,500

West Lindsey District Council will include its surplus share within its budget 2021/22 and take into account for Council Tax setting. The surplus share of £167,500 represents a decrease of £47,936 against the 2020/21 budgeted surplus of £215,436.

**Staffing :** None directly arising as a result of this report

**Equality and Diversity including Human Rights :** None directly arising as a result of this report.

**Data Protection Implications :** None arising as a result of this report

**Climate Related Risks and Opportunities** : None arising as a result of this report.

**Section 17 Crime and Disorder Considerations** : None arising as a result of this report.

**Health Implications:** None arising as a result of this report.

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

Wherever possible please provide a hyperlink to the background paper/s  
If a document is confidential and not for public viewing it should not be listed.

**Risk Assessment** : The Council is bound by legislation undertake the necessary work to determine the Council Tax Base and to distribute the estimated surplus on the Collection Fund. Failure to do so would mean that the Council would be acting illegally and would be prone to appropriate sanctions

**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 Collection Fund Surplus for 2020/21

#### 1 Introduction

- 1.1 The Council is required to declare an estimate of the surplus or deficit that will occur on the Collection Fund at the end of each year. The Collection Fund records the amount of income collected from Council Tax, together with precept payments to principal authorities. These elements will generate a surplus or a deficit which should be taken into account when determining the Council Tax for the following year.

- 1.2 Any surplus or deficit generated through the Collection fund in relation to Council Tax is shared between the County Council, the Lincolnshire Police Authority and this Council in the same proportion as the amount of their precepts for 2020/21
- 1.3 A surplus or deficit may occur in the Collection Fund if the Council tax base is larger or smaller than originally anticipated or collection rates are higher or lower than expected.

## **2 Estimated Council Tax Surplus for 2020/21**

- 2.1 The amount calculated as available from the Collection Fund for distribution during 2021/22 has been calculated as £1,089,000
- 2.2 This amount will be shared amongst the precepting authorities as follows:

	£
Lincolnshire County Council	775,700
Police and Crime Commissioner	145,800
West Lindsey District Council	167,500
	-----
	£1,089,000
	-----

- 2.3 This Council must take its share of the surplus, being £167,500 into account when it sets its element of the Council Tax for 2021/22.

## **3 The Council's Tax base for 2021/22**

- 3.1 The tax base is an important factor in determining the level of Council Tax for the next year. It is expressed as the equivalent of the number of dwellings in Band D.
- 3.2 The calculation takes into account the following factors:-
  - 3.2.1 The number of chargeable dwellings in each valuation band in each Parish on 30 November 2020.
  - 3.2.2 The number of discounts available to single and other eligible persons and for vacant dwellings.
  - 3.2.3 The number of premiums effective at the relevant date.
  - 3.2.4 The number of valuation band reductions for dwellings adapted for the disabled.
  - 3.2.5 The number of dwellings exempt from liability.
  - 3.2.6 The total amount estimated to be applied for the Council Tax Support Scheme.

- 3.2.7 The estimated amount of Council Tax collection in the financial year.
- 3.2.7 The proportion which dwellings in each band bear to Band D, on a full year basis.
- 3.3 The Council Tax Support scheme was introduced in April 2013 enabling actual information to be used as a basis for the estimation in calculating the impact of the reductions on the tax base. These are detailed within Appendix A.
- 3.4 The number of chargeable dwellings in each valuation band has been taken from the valuation list supplied by the Valuation Office on 31 October 2020 and updated by the Council tax department on 30 November 2020. A summary of the calculation and adjustments taken into account is shown at Appendix 1. The overall tax base for 2021/22 is estimated to be 30,128.37 (29,986.98 2020/21) Band D equivalent properties.
- 3.5 The number of properties exempt from Council Tax, including Ministry of Defence buildings, has been deducted from the initial tax base. Direct payments in lieu are received from the Ministry of Defence and these are included later in the tax base calculation.
- 3.6 A loss on collection results in a collection rate from Council Tax of 97.54% (National Average 97%, decrease from 19/20 which was 98.3%) which has been taken into account, reflecting current levels of collection, increased allowance for council tax support due to the current Covid 19 pandemic and assumed collection rates for the changes proposed.
- 3.7 The Council levies additional amounts for the precepts of Local Councils, and separate tax bases are required for those areas. These are also shown at Appendix 1.

## Appendix 1

### COUNCIL TAX BASE

Band	Z	A	B	C	D	E	F	G	H	TOTAL
Number of dwellings	0.00	16,564.00	8,197.00	7,775.00	5,895.00	3,590.00	1,505.00	530.00	67.00	44,123.00
Exempt properties	0.00	(422.00)	(155.00)	(123.00)	(50.00)	(24.00)	(14.00)	(3.00)	(5.00)	(796.00)
<b>No of Chargeable dwellings</b>	0.00	16,142.00	8,042.00	7,652.00	5,845.00	3,566.00	1,491.00	527.00	62.00	43,327.00
Disablement relief	36.00	(9.00)	40.00	(28.00)	(7.00)	(18.00)	(6.00)	0.00	(8.00)	0.00
<b>Adjusted Chargeable dwellings</b>	36.00	16,133.00	8,082.00	7,624.00	5,838.00	3,548.00	1,485.00	527.00	54.00	43,327.00
Discounts on relevant day	(1.50)	(1,968.25)	(734.80)	(565.00)	(313.70)	(153.65)	(58.35)	(28.95)	(6.10)	(3,830.30)
Premiums	0.00	114.00	20.00	22.00	8.00	5.00	2.00	1.00	2.00	174.00
<b>Total Discounts</b>	(1.50)	(1,854.25)	(714.80)	(543.00)	(305.70)	(148.65)	(56.35)	(27.95)	(4.10)	(3,656.30)
<b>Adjusted Total Dwellings</b>	34.50	14,278.75	7,367.20	7,081.00	5,532.3	3,399.35	1,428.65	499.05	49.90	39,670.70
<b>Reduction in tax base due to CTS</b>	8.66	3,718.80	647.03	330.47	123.37	52.69	11.15	5.07	.36	<b>4,897.60</b>
<b>Equivalent after reduction due to CTS</b>	<b>25.84</b>	<b>10,559.95</b>	<b>6,720.17</b>	<b>6,750.53</b>	<b>5,408.93</b>	<b>3,346.66</b>	<b>1,417.50</b>	<b>493.98</b>	<b>49.54</b>	<b>34,773.10</b>
Ratio to band D	5/9 5.00	6/9 6.00	7/9 7.00	8/9 8.00	9/9 9.00	11/9 11.00	13/9 13.00	15/9 15.00	18/9 18.00	
<b>Total No of Band D equivalents</b>	<b>14.40</b>	<b>7,040.33</b>	<b>5,226.82</b>	<b>6,000.42</b>	<b>5,408.93</b>	<b>4,090.37</b>	<b>2,047.60</b>	<b>823.36</b>	<b>99.08</b>	<b>30,751.31</b>
<b>Band D contributions in lieu (MOD)</b>	<b>0</b>	<b>51.33</b>	<b>38.09</b>	<b>34.68</b>	<b>6</b>	<b>0</b>	<b>1.44</b>	<b>0</b>	<b>2</b>	<b>133.54</b>
	<b>14.40</b>	<b>7,091.66</b>	<b>5,264.9</b>	<b>6,035.10</b>	<b>5,414.93</b>	<b>4,090.37</b>	<b>2,049.04</b>	<b>823.36</b>	<b>101.08</b>	<b>30,884.84</b>
<b>Adjusted for Collection rate 97.54%**</b>	<b>14.05</b>	<b>6918.47</b>	<b>5136.33</b>	<b>5887.49</b>	<b>5281.86</b>	<b>3989.75</b>	<b>1998.67</b>	<b>803.11</b>	<b>98.64</b>	<b>30128.37</b>

\* The total number of Band D equivalents has been calculated at a parish level.

\*\* Total No Band D Equivalent x Collection Rate + Band D contributions in Lieu.

## Parish Tax Base

Parish	2020/21 Tax Base
Aisthorpe	39.45
Bardney - Apley - Stainfield	723.39
Bigby	168.64
Bishop Norton	132.03
Blyborough	32.89
Blyton	384.04
Brampton	32.04
Brattleby	50.54
Broadholme	36.32
Brocklesby	34.36
Brookenby	160.16
Broxholme	30.14
Bullington	11.74
Burton	415.88
Buslingthorpe	18.59
Cabourne	27.80
Caenby	25.28
Caistor	975.06
Cammeringham	47.19
Cherry Willingham	1,355.80
Claxby	67.78
Corringham	159.83
Dunholme	714.93
East Ferry	40.66
East Stockwith	69.84
Faldingworth	187.18
Fenton	149.58
Fillingham	83.99
Fiskerton	364.62
Friesthorpe	10.58
Fulnetby	4.77
Gainsborough	4,649.71
Glenthams	168.09
Glentworth	113.51
Golto	29.41
Grange de Lings	10.36
Grasby	183.85
Grayingham	59.87
Great Limber	78.61
Greetwell	295.65
Hackthorn - Cold Hanworth	84.03
Hardwick	17.54
Harpwell	22.49
Heapham	40.47
Hemswell	118.94

Parish	2020/21 Tax Base
Hemswell Cliff	160.90
Holton Beckering	44.97
Holton le Moor	60.87
Ingham	330.31
Keelby	680.99
Kettlethorpe	162.16
Kexby	115.93
Kirmond le Mire	13.94
Knaith	123.22
Langworth - Barlings - Newball	220.52
Laughton	149.01
Lea	375.92
Legsby	79.56
Linwood	38.52
Lissington	52.57
Market Rasen	1,236.48
Marion - Gate Burton	241.94
Middle Rasen	712.03
Morton	431.19
Nettleham	1,514.02
Nettleton	227.54
Newton-On-Trent	136.06
Normanby-By-Spital	139.58
Normanby le Wold	18.21
North Carlton	89.89
North Kelsey	341.52
North Willingham	48.49
Northorpe	49.95
Osgodby	210.41
Owersby	89.44
Owmy-By-Spital	111.60
Pilham	26.74
Rand	18.05
Reepham	326.35
Riby	45.14
Riseholme	116.76
Rothwell	62.04
Saxby	16.49
Saxilby - Ingleby	1,418.87
Scampton	378.38
Scothern	354.94
Scotter	1,155.08
Scotton	217.38
Searby cum Owmy	81.36
Sixhills	14.39



<b>Parish</b>	<b>2020/21 Tax Base</b>
Snarford	15.00
Snelland	29.59
Snitterby	88.83
Somerby	24.66
South Carlton	35.89
South Kelsey	205.75
Spidlington	91.17
Springthorpe	57.47
Stainton le Vale	36.32
Stow	124.98
Sturton-By-Stow	499.32
Sudbrooke	692.44
Swallow	88.67
Swinhope	51.17
Tealby	264.64
Thonock	9.16
Thoresway	38.41
Thorganby	11.73
Thorpe le Fallows	6.26
Toft Newton	128.50
Torksey	282.73
Upton	163.17
Waddingham	212.58
Walesby	106.06
Walkerith	25.51
Welton	1,514.42
West Firsby	10.83
West Rasen	32.71
Wickenby	81.02
Wildsworth	27.24
Willingham	195.05
Willoughton	109.75
<b>Total</b>	<b>30,128.37</b>

# Agenda Item 9d



**Council**

**Tuesday, 25 January 2021**

**Subject: Mid Year Treasury Management Report 2020/21**

Report by:

Assistant Director of Finance and Property Services and Section 151 Officer

Contact Officer:

Caroline Capon  
Corporate Finance Team Leader

[caroline.capon@west-lindsey.gov.uk](mailto:caroline.capon@west-lindsey.gov.uk)

Purpose / Summary:

This report provides the Mid-Year update for Treasury Management Indicators in accordance with the Local Government Act 2003

## **RECOMMENDATION(S):**

**As recommended by the Corporate Policy and Resources Committee**

- 1. To approve the Mid-Year Treasury Management Report**
- 2. To approve the changes to Prudential Indicators**

## IMPLICATIONS

This report complies with the requirement of the Local Government Act 2003

### **Financial : FIN/82/21B**

There are no financial implications as a direct result of this report

### **Staffing :**

None from this report

### **Equality and Diversity including Human Rights :**

None from this report

### **Data Protection Implications :**

None from this report

### **Climate Related Risks and Opportunities:**

None from this report

### **Section 17 Crime and Disorder Considerations:**

None from this report

### **Health Implications:**

None from this report

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

CIPFA Code of Treasury Management Practice 2017

CIPFA The Prudential Code

Local Government Act 2003

Located in the Finance Department

**Risk Assessment :**

The Mid Year Treasury Management Report reviews our assessment of Treasury Risks

**Call in and Urgency:**

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

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

**Yes**

**No**

**Key Decision:**

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

**Yes**

**No**

## **1. Executive Summary**

This mid-year report has been prepared in compliance with the Chartered Institute of Public Finance and Accountancy's (CIPFA's) Code of Practice on Treasury Management, and covers the following:

- An economic update for the first part of the 2020/21 financial year;
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
- The Council's capital expenditure, as set out in the Capital Strategy, and prudential indicators;
- A review of the Council's investment portfolio for 2020/21;
- A review of the Council's borrowing strategy for 2020/21;
- A review of compliance with Treasury and Prudential Limits for 2020/21.

- 1.1 Covid-19 continues to have an adverse effect on the economy. The Bank Base rate has remained at 0.1%.
- 1.2 There have been no changes to the Treasury Management Strategy Statement and Annual Investment Strategy.
- 1.3 The forecast out-turn for Capital Expenditure is £14.023m against a current budget of £16.771m. The budget was revised to £14.023m at Corporate Policy and Resources Committee 5 November 2020 with a request of net movement of £1.941m to be re-phased over future financial years.
- 1.4 The Council is projected to have £14.726m invested by the year end having generated £0.144m in investment Interest. The return is significantly lower than in previous years due to the impact of Covid-19 on the economy.
- 1.5 It is anticipated that total external borrowing will be £23.004m by the year end.
- 1.6 This report was presented to the Corporate Policy and Resources Committee at its meeting on 5 November 2020 for scrutiny and monitoring purposes.

## **2. Background**

### **2.1 Capital Strategy**

In December 2017, CIPFA issued revised Prudential and Treasury Management Codes. As from 2020/21, all local authorities have been required to prepare a Capital Strategy which is to provide the following:

- a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services;
- an overview of how the associated risk is managed;
- the implications for future financial sustainability.

## 2.2 Treasury Management

The Council operates a balanced budget, which broadly means cash raised during the year will meet its cash expenditure. Part of the treasury management operations ensure this cash flow is adequately planned, with surplus monies being invested in low risk counterparties, providing adequate liquidity initially before considering optimising investment return.

The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure the Council can meet its capital spending operations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses, and on occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.

Accordingly, treasury management is defined as:

"The management of the local authority's borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.

## 2.3 Key Changes to the Treasury and Capital Strategies

There are no changes to report to this committee

## 3. Economics and Interest Rates

As expected, the Bank of England's Monetary Policy Committee kept Bank Rate unchanged on 6<sup>th</sup> August. It also kept unchanged the level of quantitative easing at £745bn. Its forecasts were optimistic in terms of three areas:

- The fall in **GDP** in the first half of 2020 was revised from 28% to 23% (subsequently revised to -21.8%). This is still one of the largest falls in output of any developed nation. However, it is only to be expected as the UK economy is heavily skewed towards consumer-facing services – an area which was particularly vulnerable to being damaged by lockdown.
- The peak in the **unemployment rate** was revised down from 9% in Q2 to 7½% by Q4 2020.
- It forecast that there would be excess demand in the economy by Q3 2022 causing CPI **inflation** to rise above the 2% target in Q3 2022, (based on market interest rate expectations for a further loosening in policy). Nevertheless, even if the Bank were to leave policy unchanged, inflation was still projected to be above 2% in 2023.

It also squashed any idea of using **negative interest rates**, at least in the next six months or so. It suggested that while negative rates can work in some

circumstances, it would be “less effective as a tool to stimulate the economy” at this time when banks are worried about future loan losses. It also has “other instruments available”, including QE and the use of forward guidance.

The MPC expected the £300bn of **quantitative easing** purchases announced between its March and June meetings to continue until the “turn of the year”. This implies that the pace of purchases will slow further to about £4bn a week, down from £14bn a week at the height of the crisis and £7bn more recently.

In conclusion, this would indicate that the Bank could now just sit on its hands as the economy was recovering better than expected. However, the MPC acknowledged that the “medium-term projections were a less informative guide than usual” and the minutes had multiple references to **downside risks**, which were judged to persist both in the short and medium term. One has only to look at the way in which second waves of the virus are now impacting many countries including Britain, to see the dangers. However, rather than a national lockdown, as in March, any spikes in virus infections are now likely to be dealt with by localised measures and this should limit the amount of economic damage caused. In addition, Brexit uncertainties ahead of the year-end deadline are likely to be a drag on recovery. The wind down of the initial generous furlough scheme through to the end of October is another development that could cause the Bank to review the need for more support for the economy later in the year. Admittedly, the Chancellor announced in late September a second six month package from 1 November of government support for jobs whereby it will pay up to 22% of the costs of retaining an employee working a minimum of one third of their normal hours. There was further help for the self-employed, freelancers and the hospitality industry. However, this is a much less generous scheme than the furlough package and will inevitably mean there will be further job losses.

Overall, **the pace of recovery** is not expected to be in the form of a rapid V shape, but a more elongated and prolonged one after a sharp recovery in late June through to August. The last three months of 2020 are now likely to show no growth as consumers will probably remain cautious in spending and uncertainty over the outcome of the UK/EU trade negotiations concluding at the end of the year will also be a headwind. If the Bank felt it did need to provide further support to recovery, then it is likely that the tool of choice would be more QE.

There will be some **painful longer term adjustments** as e.g. office space and travel by planes, trains and buses may not recover to their previous level of use for several years, or possibly ever. There is also likely to be a reversal of globalisation as this crisis has shown up how vulnerable long-distance supply chains are. On the other hand, digital services is one area that has already seen huge growth.

One key addition to **the Bank’s forward guidance** was a new phrase in the policy statement, namely that “it does not intend to tighten monetary policy until there is clear evidence that significant progress is being made in eliminating spare capacity and achieving the 2% target sustainably”. That seems designed to say, in effect, that even if inflation rises to 2% in a couple of years’ time, do not expect any action from the MPC to raise Bank Rate –

until they can clearly see that level of inflation is going to be persistently above target if it takes no action to raise Bank Rate.

The **Financial Policy Committee** (FPC) report on 6 August revised down their expected credit losses for the banking sector to “somewhat less than £80bn”. It stated that in its assessment “banks have buffers of capital more than sufficient to absorb the losses that are likely to arise under the MPC’s central projection”. The FPC stated that for real stress in the sector, the economic output would need to be twice as bad as the MPC’s projection, with unemployment rising to above 15%.

The full economic report is attached at Appendix A and includes information on world economies.

### 3.1 Interest Rate Forecasts

The Council’s treasury advisor, Link Asset Services, has provided the current following forecasts on 11 August 2020.

Link Group Interest Rate View 11.8.20											
	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23
Bank Rate View	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
3 Month average earnings	0.10	0.10	0.10	0.10	0.10	0.10	0.10	-	-	-	-
6 Month LIBID	0.10	0.10	0.10	0.10	0.10	0.10	0.10	-	-	-	-
12 Month LIBID	0.20	0.20	0.20	0.20	0.20	0.20	0.20	-	-	-	-
5yr PWLB Rate	1.90	1.90	2.00	2.00	2.00	2.00	2.00	2.10	2.10	2.10	2.10
10yr PWLB Rate	2.10	2.10	2.10	2.10	2.10	2.20	2.20	2.20	2.30	2.30	2.30
25yr PWLB Rate	2.50	2.50	2.50	2.50	2.60	2.60	2.60	2.70	2.70	2.70	2.70
50yr PWLB Rate	2.30	2.30	2.30	2.30	2.40	2.40	2.40	2.50	2.50	2.50	2.50

Additional notes by Link on this forecast table: -

- As LIBOR rates will cease from the end of 2021, there are no LIBID forecasts for 2022/23. Link will be continuing to look at market developments in this area and will monitor these with a view to communicating with clients when full financial market agreement is reached on how to replace LIBOR. This is likely to be an iteration of the overnight SONIA rate and the use of compounded rates and Overnight Index Swap (OIS) rates for forecasting purposes.
- Please note that we have made a slight change to our interest rate forecasts table above. Traditionally, we have used 3m LIBID forecasts, with the rate calculated using market convention of 1/8th (0.125%) taken off the LIBOR figure. Given that 3m LIBOR is currently running below 10bps, that would give a figure of around 0% to somewhere modestly into negative territory. However, the liquidity premium that is still in evidence at the short end of the curve means that 3m rates actually being achieved by local authority investors are still modestly in positive territory. While there are differences between counterparty offer rates, our analysis would suggest that an average rate of around 10bps should be achievable. *(Please note that the graph of investment rates in appendix 2 is based on*



*market rates, i.e. actual LIBOR-related rates, not rates actually being achieved by local authorities.)*

The coronavirus outbreak has done huge economic damage to the UK and around the world. After the Bank of England took emergency action in March to cut Bank Rate to first 0.25%, and then to 0.10%, it left Bank Rate unchanged at its last meeting on 6 August, although some forecasters had suggested that a cut into negative territory could happen. However, the Governor of the Bank of England has made it clear that he currently thinks that such a move would do more damage than good and that more quantitative easing is the favoured tool if further action becomes necessary. As shown in the forecast table above, no increase in Bank Rate is expected within the forecast horizon ending on 31 March 2023 as economic recovery is expected to be only gradual and, therefore, prolonged.

**GILT YIELDS / PWLB RATES.** There was much speculation during the second half of 2019 that bond markets were in a bubble which was driving bond prices up and yields down to historically very low levels. The context for that was heightened expectations that the US could have been heading for a recession in 2020. In addition, there were growing expectations of a downturn in world economic growth, especially due to fears around the impact of the trade war between the US and China, together with inflation generally at low levels in most countries and expected to remain subdued. Combined, these conditions were conducive to very low bond yields. While inflation targeting by the major central banks has been successful over the last 30 years in lowering inflation expectations, the real equilibrium rate for central rates has fallen considerably due to the high level of borrowing by consumers. This means that central banks do not need to raise rates as much now to have a major impact on consumer spending, inflation, etc. The consequence of this has been the gradual lowering of the overall level of interest rates and bond yields in financial markets over the last 30 years. Over the year prior to the coronavirus crisis, this has seen many bond yields up to 10 years turn negative in the Eurozone. In addition, there has, at times, been an inversion of bond yields in the US whereby 10 year yields have fallen below shorter term yields. In the past, this has been a precursor of a recession. The other side of this coin is that bond prices are elevated as investors would be expected to be moving out of riskier assets i.e. shares, in anticipation of a downturn in corporate earnings and so selling out of equities.

Gilt yields had therefore already been on a generally falling trend up until the coronavirus crisis hit western economies during March. After gilt yields spiked up during the financial crisis in March, we have seen these yields fall sharply to unprecedented lows as investors panicked during March in selling shares in anticipation of impending recessions in western economies, and moved cash into safe haven assets i.e. government bonds. However, major western central banks took rapid action to deal with excessive stress in financial markets during March, and started massive quantitative easing purchases of government bonds: this also acted to put downward pressure on government bond yields at a time when there has been a huge and quick expansion of government expenditure financed by issuing government bonds. Such unprecedented levels of issuance in “normal” times would have caused bond yields to rise sharply. At the close of the day on 30 September August, all gilt

yields from 1 to 6 years were in negative territory, while even 25-year yields were at only 0.76% and 50 year at 0.60%.

From the local authority borrowing perspective, HM Treasury imposed **two changes of margins over gilt yields for PWLB rates** in 2019-20 without any prior warning. The first took place on 9 October 2019, adding an additional 1% margin over gilts to all PWLB period rates. That increase was then at least partially reversed for some forms of borrowing on 11 March 2020, but not for mainstream General Fund capital schemes, at the same time as the Government announced in the Budget a programme of increased infrastructure expenditure. It also announced that there would be a consultation with local authorities on possibly further amending these margins; this was to end on 4<sup>th</sup> June, but that date was subsequently put back to 31 July. It is clear that the Treasury will no longer allow local authorities to borrow money from the PWLB to purchase commercial property if the aim is solely to generate an income stream (assets for yield).

Following the changes on 11 March 2020 in margins over gilt yields, the current situation is as follows: -

- **PWLB Standard Rate** is gilt plus 200 basis points (G+200bps)
- **PWLB Certainty Rate** is gilt plus 180 basis points (G+180bps)
- **PWLB HRA Standard Rate** is gilt plus 100 basis points (G+100bps)
- **PWLB HRA Certainty Rate** is gilt plus 80bps (G+80bps)
- **Local Infrastructure Rate** is gilt plus 60bps (G+60bps)

It is possible that the non-HRA Certainty Rate will be subject to revision downwards after the conclusion of the PWLB consultation; however, the timing of such a change is currently an unknown, although it would be likely to be within the current financial year.

As the interest forecast table for PWLB certainty rates, (gilts plus 180bps), above shows, there is likely to be little upward movement in PWLB rates over the next two years as it will take economies, including the UK, a prolonged period to recover all the momentum they have lost in the sharp recession caused during the coronavirus shut down period. Inflation is also likely to be very low during this period and could even turn negative in some major western economies during 2020/21.

#### **The balance of risks to the UK**

- The overall balance of risks to economic growth in the UK is probably relatively even, but is subject to major uncertainty due to the virus.
- There is relatively little UK domestic risk of increases or decreases in Bank Rate and significant changes in shorter term PWLB rates. The Bank of England has effectively ruled out the use of negative interest rates in the near term and increases in Bank Rate are likely to be some years away given the underlying economic expectations. However, it is always

possible that safe haven flows, due to unexpected domestic developments and those in other major economies, could impact gilt yields, (and so PWLB rates), in the UK.

**Downside risks to current forecasts for UK gilt yields and PWLB rates currently include:**

- **UK** - second nationwide wave of virus infections requiring a national lockdown
- **UK / EU trade negotiations** – if it were to cause significant economic disruption and a fresh major downturn in the rate of growth.
- **UK - Bank of England** takes action too quickly, or too far, over the next three years to raise Bank Rate and causes UK economic growth, and increases in inflation, to be weaker than we currently anticipate.
- A resurgence of the **Eurozone sovereign debt crisis**. The ECB has taken monetary policy action to support the bonds of EU states, with the positive impact most likely for “weaker” countries. In addition, the EU recently agreed a €750bn fiscal support package. These actions will help shield weaker economic regions for the next year or so. However, in the case of Italy, the cost of the virus crisis has added to its already huge debt mountain and its slow economic growth will leave it vulnerable to markets returning to taking the view that its level of debt is unsupportable. There remains a sharp divide between northern EU countries favouring low debt to GDP and annual balanced budgets and southern countries who want to see jointly issued Eurobonds to finance economic recovery. This divide could undermine the unity of the EU in time to come.
- Weak capitalisation of some **European banks**, which could be undermined further depending on extent of credit losses resultant of the pandemic.
- **German minority government & general election in 2021**. In the German general election of September 2017, Angela Merkel’s CDU party was left in a vulnerable minority position dependent on the fractious support of the SPD party, as a result of the rise in popularity of the anti-immigration AfD party. The CDU has done badly in subsequent state elections but the SPD has done particularly badly. Angela Merkel has stepped down from being the CDU party leader but she intends to remain as Chancellor until the general election in 2021. This then leaves a major question mark over who will be the major guiding hand and driver of EU unity when she steps down.
- **Other minority EU governments**. Austria, Sweden, Spain, Portugal, Netherlands, Ireland and Belgium also have vulnerable minority governments dependent on coalitions which could prove fragile.
- **Austria, the Czech Republic, Poland and Hungary** now form a strongly anti-immigration bloc within the EU. There has also been rising anti-immigration sentiment in Germany and France.

- **Geopolitical risks**, for example in China, Iran or North Korea, but also in Europe and other Middle Eastern countries, which could lead to increasing safe haven flows.
- **US – the Presidential election in 2020:** this could have repercussions for the US economy and SINO-US trade relations.

#### **Upside risks to current forecasts for UK gilt yields and PWLB rates**

- **UK** - stronger than currently expected recovery in UK economy.
- **Post-Brexit** – if an agreement was reached that removed the majority of threats of economic disruption between the EU and the UK.
- The **Bank of England is too slow** in its pace and strength of increases in Bank Rate and, therefore, allows inflationary pressures to build up too strongly within the UK economy, which then necessitates a later rapid series of increases in Bank Rate faster than we currently expect.

### **3.4 Treasury Management Strategy Statement and Annual Investment Strategy update**

The Treasury Management Strategy Statement (TMSS) for 2020/21, which includes the Annual Investment Strategy, was approved by the Council on 2 March 2020.

The underlying TMSS approved previously requires revision in the light of economic and operational movements during the year. The proposed changes and supporting detail for the changes are set out below:

<b>Prudential Indicator 2020/21</b>	<b>Original £'000</b>	<b>Revised Prudential Indicator £'000</b>
Authorised Limit	55,307	55,307
Operational Boundary	38,189	25,004
External Debt	38,189	23,004
Investments	(13,321)	(14,726)
<b>Net Borrowing</b>	<b>24,868</b>	<b>8,278</b>
Capital Financing Requirement	50,307	40,146

### **4. The Council's Capital Position (Prudential Indicators)**

This part of the report is structured to update:

- The Council's capital expenditure plans;
- How these plans are being financed;

- The impact of the changes in the capital expenditure plans on the prudential indicators and the underlying need to borrow;
- Compliance with the limits in place for borrowing activity.

#### 4.1 Prudential Indicator for Capital Expenditure

This Table shows the revised estimates for capital expenditure and the changes since the capital programme was agreed at the budget. It draws together the main strategy elements of the capital expenditure plans, highlighting the original supported and unsupported elements of the capital programme, and the expected financing arrangements of this capital expenditure. The borrowing element of the table increases the underlying indebtedness of the Council by way of the Capital Financing Requirement (CFR), although this will be reduced in part by revenue charges for the repayment of debt (the Minimum Revenue Provision). This direct borrowing may also be supplemented by maturing debt and other treasury requirements.

Capital Expenditure by Cluster £'000	2020/21 Original Estimate £'000	2020/21 Revised Estimate £'000
Our People	1,301	2,796
Our Places	14,991	10,394
Our Council	826	833
Commercial Investment Properties	7,000	0
<b>Total capital expenditure</b>	<b>24,118</b>	<b>14,023</b>
Financed by:		
Capital receipts	2,152	2,565
Capital grants	5,728	6,124
Revenue	5,538	1,902
S106	500	928
<b>Total Financing</b>	<b>13,918</b>	<b>11,519</b>
<b>Borrowing need</b>	<b>10,200</b>	<b>2,504</b>

#### 4.2 Changes to the Prudential Indicators for the Capital Financing Requirement

The table below shows the CFR, which is the underlying external need to incur borrowing for a capital purpose. It also shows the expected debt position over the period, which is termed the Operational Boundary.

During the half year ended 30 September 2020, the Council has operated within the treasury and prudential indicators set out in the Council's Treasury Management Strategy. The Assistant Director, Finance, Business Support and Property Services (S151) reports that no difficulties are envisaged for the current or future years in complying with prudential indicators.

	<b>2020/21 Original Estimate £'000</b>	<b>2020/21 Revised Estimate £'000</b>
<b>Prudential Indicators</b>		
<b>Capital Expenditure</b>	24,118	14,023
Capital Financing Requirement (CFR)	<b>50,307</b>	<b>40,146</b>
Of Which Commercial Property	30,000	21,666
<b>Annual Change in CFR</b>	<b>9,937</b>	<b>2,240</b>
<b>In year Borrowing Requirement</b>	<b>38,189</b>	<b>23,004</b>
<b>Under/(Over) Borrowing</b>	<b>12,118</b>	<b>17,142</b>
<b>Ratio of financing costs to net revenue stream</b>	<b>8.89%</b>	<b>3.74%</b>
<b>Incremental impact of capital investment decisions</b>		
<b>Increase/ Reduction(-) in Council Tax (band change per annum)</b>	<b>£1.25</b>	<b>£0.13</b>

### 4.3 Limits to Borrowing Activity

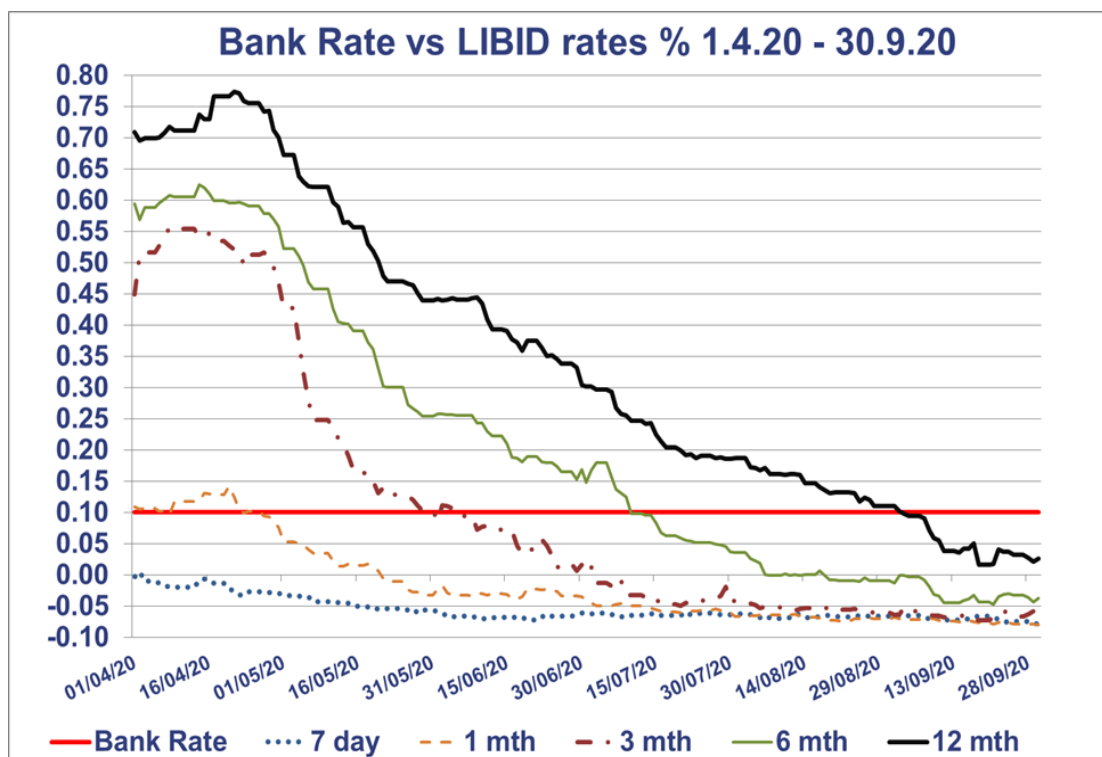
The first key control over the treasury activity is a prudential indicator to ensure that over the medium term, net borrowing (borrowings less investments) will only be for a capital purpose. Gross external borrowing should not, except in the short term, exceed the total of CFR in the preceding year plus the estimates of any additional CFR for 2020/21 and next two financial years. This allows some flexibility for limited early borrowing for future years. The Council has approved a policy for borrowing in advance of need which will be adhered to if this proves prudent.

A further prudential indicator controls the overall level of borrowing. This is the Authorised Limit which represents the limit beyond which borrowing is prohibited, and needs to be set and revised by Members. It reflects the level of borrowing which, while not desired, could be afforded in the short term, but is not sustainable in the longer term. It is the expected maximum borrowing need with some headroom for unexpected movements. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003.

## 5. Investment Portfolio 2020/21

In accordance with the CIPFA Treasury Management Code of Practice, it is the Council's priority to ensure security of capital and liquidity, and to obtain an appropriate level of return which is consistent with the Council's risk appetite. As shown by the forecasts in section 3.1, it is now impossible to earn the level of interest rates commonly seen in previous decades as all investment rates up to 12 months are either negative or barely above zero now that Bank Rate is at 0.10%. Given this risk environment and the fact that increases in Bank Rate are unlikely to occur before the end of the current forecast horizon of 31<sup>st</sup> March 2023, investment returns are expected to remain low.

The Council held £19.122m of investments as at 30 September 2020 (£11.670m at 31 March 2020) The annualised investment rate for the first six months of the year is 0.934% against a benchmark 7 day libid of -0.06%. The weighted average interest rate is 0.944%. The yield reflects the £3m investment in the Local Authority Property Fund.



The Council's budgeted investment return for 2020/21 is £0.211m, and performance for the year is forecast to be £0.066m below budget.

The Assistant Director, Finance, Business Support and Property Services (S151) confirms that the approved limits within the Annual Investment Strategy were not breached during the first six months of 2020/21. However, on the 30 March 2020 an urgent Delegated Decision was signed off to increase our Treasury Counterparty limits:

- Upper investment limits with AAA rated Money Market Funds to be raised, £7.5m from £5m
- Lloyds Bank, our bankers, raised to £2m current account, £7.5m deposit account (increased from £1m and £5m respectively)

These changes were required for effective cash management due to receiving circa £20m in Grants from Government in relation to Covid-19 initiatives.

### 5.1 Investment Counterparty criteria

The current investment counterparty criteria selection approved in the TMSS along with the additional delegated decision as mentioned in section 5, is meeting the requirement of the treasury management function.

Treasury Officers continue to mitigate investment risk in accordance with Treasury Management Practices.

## 6. Borrowing

The Council's capital financing requirement (CFR) for 2020/21 is £40.146m. The CFR denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (external borrowing) or from internal balances on a temporary basis (internal borrowing). The balance of external and internal borrowing is generally driven by market conditions.

This is a prudent and cost effective approach in the current economic climate but will require ongoing monitoring in the event that upside risk to gilt yields prevails.

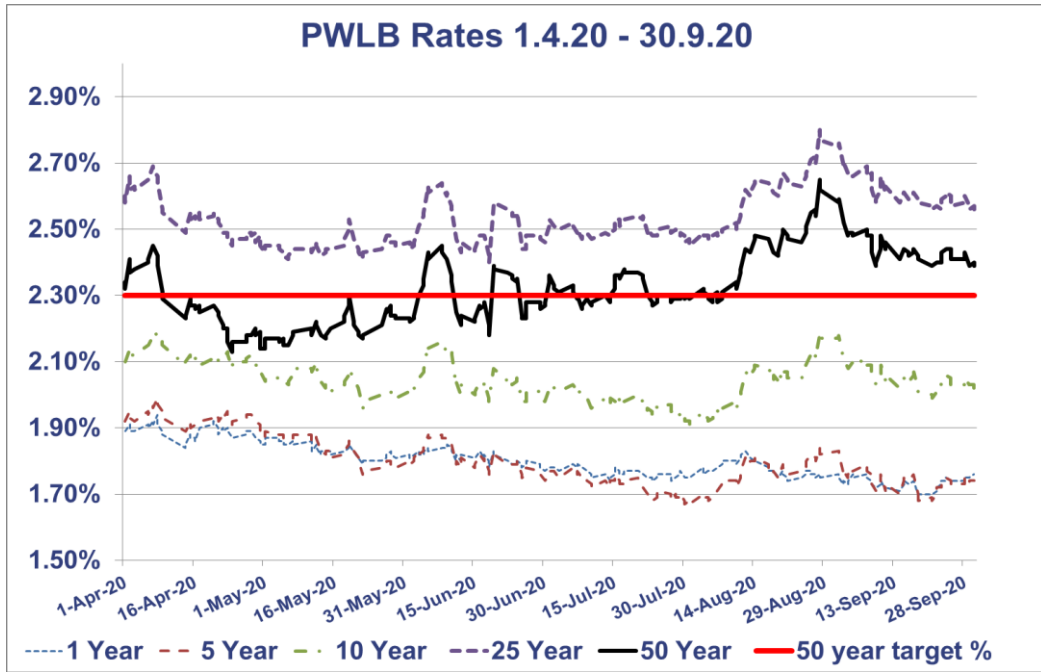
Due to the overall financial position and the underlying need to borrow for capital purposes (the capital financing requirement - CFR), no new external borrowing was undertaken in the first six months of the financial year. External borrowing remains at £20m.

**INTERNAL BORROWING:** The Council forecasts that by the end of the this financial year it will have cumulatively £16.345m of internal borrowing

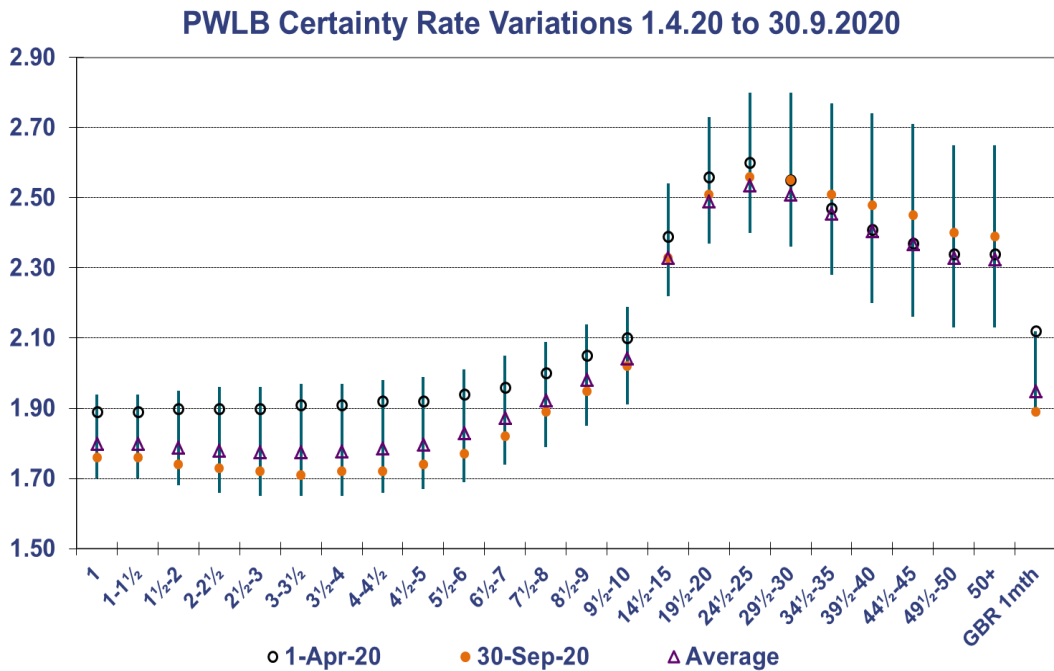
It is anticipated that further external borrowing will be undertaken during this financial year.

The graph and table below show the movement in PWLB certainty rates for the first six months of the year to date:





	1 Year	5 Year	10 Year	25 Year	50 Year
Low	1.70%	1.67%	1.91%	2.40%	2.13%
Date	18/09/2020	30/07/2020	31/07/2020	18/06/2020	24/04/2020
High	1.94%	1.99%	2.19%	2.80%	2.65%
Date	08/04/2020	08/04/2020	08/04/2020	28/08/2020	28/08/2020
Average	1.80%	1.80%	2.04%	2.54%	2.33%



## Appendix A: Economics update

- As expected, the Bank of England's Monetary Policy Committee kept Bank Rate unchanged on 6<sup>th</sup> August. It also kept unchanged the level of quantitative easing at £745bn. Its forecasts were optimistic in terms of three areas:
  - The fall in **GDP** in the first half of 2020 was revised from 28% to 23% (subsequently revised to -21.8%). This is still one of the largest falls in output of any developed nation. However, it is only to be expected as the UK economy is heavily skewed towards consumer-facing services – an area which was particularly vulnerable to being damaged by lockdown.
  - The peak in the **unemployment rate** was revised down from 9% in Q2 to 7½% by Q4 2020.
  - It forecast that there would be excess demand in the economy by Q3 2022 causing **CPI inflation** to rise above the 2% target in Q3 2022, (based on market interest rate expectations for a further loosening in policy). Nevertheless, even if the Bank were to leave policy unchanged, inflation was still projected to be above 2% in 2023.
- It also squashed any idea of using **negative interest rates**, at least in the next six months or so. It suggested that while negative rates can work in some circumstances, it would be “less effective as a tool to stimulate the economy” at this time when banks are worried about future loan losses. It also has “other instruments available”, including QE and the use of forward guidance.
- The MPC expected the £300bn of **quantitative easing** purchases announced between its March and June meetings to continue until the “turn of the year”. This implies that the pace of purchases will slow further to about £4bn a week, down from £14bn a week at the height of the crisis and £7bn more recently.
- In conclusion, this would indicate that the Bank could now just sit on its hands as the economy was recovering better than expected. However, the MPC acknowledged that the “medium-term projections were a less informative guide than usual” and the minutes had multiple references to **downside risks**, which were judged to persist both in the short and medium term. One has only to look at the way in which second waves of the virus are now impacting many countries including Britain, to see the dangers. However, rather than a national lockdown, as in March, any spikes in virus infections are now likely to be dealt with by localised measures and this should limit the amount of economic damage caused. In addition, Brexit uncertainties ahead of the year-end deadline are likely to be a drag on recovery. The wind down of the initial generous furlough scheme through to the end of October is another development that could cause the Bank to review the need for more support for the economy later in the year. Admittedly, the Chancellor announced in late September a second six month package from 1 November of government support for jobs whereby it will pay up to 22% of the costs

of retaining an employee working a minimum of one third of their normal hours. There was further help for the self-employed, freelancers and the hospitality industry. However, this is a much less generous scheme than the furlough package and will inevitably mean there will be further job losses.

- Overall, **the pace of recovery** is not expected to be in the form of a rapid V shape, but a more elongated and prolonged one after a sharp recovery in late June through to August. The last three months of 2020 are now likely to show no growth as consumers will probably remain cautious in spending and uncertainty over the outcome of the UK/EU trade negotiations concluding at the end of the year will also be a headwind. If the Bank felt it did need to provide further support to recovery, then it is likely that the tool of choice would be more QE.
- There will be some **painful longer term adjustments** as e.g. office space and travel by planes, trains and buses may not recover to their previous level of use for several years, or possibly ever. There is also likely to be a reversal of globalisation as this crisis has shown up how vulnerable long-distance supply chains are. On the other hand, digital services is one area that has already seen huge growth.
- One key addition to **the Bank's forward guidance** was a new phrase in the policy statement, namely that "it does not intend to tighten monetary policy until there is clear evidence that significant progress is being made in eliminating spare capacity and achieving the 2% target sustainably". That seems designed to say, in effect, that even if inflation rises to 2% in a couple of years' time, do not expect any action from the MPC to raise Bank Rate – until they can clearly see that level of inflation is going to be persistently above target if it takes no action to raise Bank Rate
- The **Financial Policy Committee (FPC)** report on 6 August revised down their expected credit losses for the banking sector to "somewhat less than £80bn". It stated that in its assessment "banks have buffers of capital more than sufficient to absorb the losses that are likely to arise under the MPC's central projection". The FPC stated that for real stress in the sector, the economic output would need to be twice as bad as the MPC's projection, with unemployment rising to above 15%.
- **US.** The incoming sets of data during the first week of August were almost universally stronger than expected. With the number of new daily coronavirus infections beginning to abate, recovery should continue over the coming months and employment growth should also pick up again. However, growth will be dampened by continuing outbreaks of the virus in some states leading to fresh localised restrictions. At its end of August meeting, the Fed tweaked its inflation target from 2% to maintaining an average of 2% over an unspecified time period i.e. following periods when inflation has been running persistently below 2%, appropriate monetary policy will likely aim to achieve inflation moderately above 2% for some time. This change is aimed to provide more stimulus for economic growth and higher levels of employment and to avoid the danger of getting caught in a deflationary "trap" like Japan. It is to be noted that inflation has actually been under shooting the 2% target significantly for most of the last decade so financial markets took note that higher levels of inflation are likely to be in the pipeline; long term bond yields duly rose after the meeting. The Fed also called on Congress

to end its political disagreement over providing more support for the unemployed as there is a limit to what monetary policy can do compared to more directed central government fiscal policy. There is now some expectation that where the Fed has led in changing its inflation target, other major central banks will follow. The increase in tension over the last year between the US and China is likely to lead to a lack of momentum in progressing the initial positive moves to agree a phase one trade deal.

- **EU.** The economy was recovering well towards the end of Q2 after a sharp drop in GDP. However, there are growing fears of a second wave of the virus that could cause a significant slowdown in the pace of recovery, especially in countries more dependent on tourism. The fiscal support package, eventually agreed by the EU after prolonged disagreement between various countries, is unlikely to provide significant support and quickly enough to make an appreciable difference in weaker countries. The ECB has been struggling to get inflation up to its 2% target and it is therefore expected that it will have to provide more monetary policy support through more quantitative easing purchases of bonds in the absence of sufficient fiscal support.
- **China.** After a concerted effort to get on top of the virus outbreak in Q1, economic recovery was strong in Q2 and has enabled it to recover all of the contraction in Q1. However, this was achieved by major central government funding of yet more infrastructure spending. After years of growth having been focused on this same area, any further spending in this area is likely to lead to increasingly weaker economic returns. This could, therefore, lead to a further misallocation of resources which will weigh on growth in future years.
- **Japan.** There are some concerns that a second wave of the virus is gaining momentum and could damage economic growth further. It has been struggling to get out of a deflation trap for many years and to stimulate consistent significant GDP growth and to get inflation up to its target of 2%, despite huge monetary and fiscal stimulus. It is also making little progress on fundamental reform of the economy. The resignation of Prime Minister Abe is not expected to result in any significant change in economic policy.
- **World growth.** Latin America and India are currently hotspots for virus infections. World growth will be in recession this year. Inflation is unlikely to be a problem for some years due to the creation of excess production capacity and depressed demand caused by the coronavirus crisis.

## APPENDIX B: Approved countries for investments as at 30 September 2020

### *Based on lowest available rating*

#### AAA

- Australia
- Denmark
- Germany
- Luxembourg
- Netherlands
- Norway
- Singapore
- Sweden
- Switzerland

#### AA+

- Canada
- Finland
- U.S.A.

#### AA

- Abu Dhabi (UAE)
- France

#### AA-

- Belgium
- Hong Kong
- Qatar
- **U.K.**

# Agenda Item 9e



Council

25 January 2021

**Subject: Revised Scheme of Officer Delegation following completion of Senior Management Re-Structure**

Report by:	Director of Corporate Services and Monitoring Officer
Contact Officer:	Alan Robinson Director of Corporate Services and Monitoring Officer alan.robinson@west-lindsey.gov.uk
Purpose / Summary:	<p>This report presents a revised Scheme of Officer Delegation following completion of the Senior Management Restructure in August 2020.</p> <p>The Scheme of Officer Delegation also includes a number of new and amended delegations, proposed as part of the Annual Review, for approval, in the absence of holding Annual Council. These new/ amended delegations are on <b>RECOMMENDATION</b> from the Governance Audit Committee, at its meeting on 16 June 2020.</p>

## **RECOMMENDATION(S):**

### **Members are asked to:**

- (a) **acknowledge the re-alignment of previously approved duties and responsibilities as detailed in Section 2 of the report, undertaken through delegated powers. (expressed as black / yellow text in Appendix 1); and**
- (b) **Members are asked to ACCEPT THE RECOMMENDATION FROM THE GOVERNANCE AND AUDIT COMMITTEE and approve the amendments detailed in Appendix 2, suggested throughout the 19/20 Annual Review Process, together with those detailed in Section 4 for**

inclusion in the revised Scheme of Officer Delegation. (expressed in red text throughout Appendix 1

## IMPLICATIONS

### Legal:

(N.B.) Where there are legal implications the report MUST be seen by the MO

### Financial : FIN/128/21/TJB

None from this report

### Staffing :

(N.B.) Where there are staffing implications the report MUST have a HR Ref

### Equality and Diversity including Human Rights :

*NB: Please explain how you have considered the policy's impact on different groups (for example: young people, elderly, ethnic minorities, LGBT community, rural residents, disabled, others).*

### Data Protection Implications :

### Climate Related Risks and Opportunities :

### Section 17 Crime and Disorder Considerations :

### Health Implications:

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

*Wherever possible please provide a hyperlink to the background paper/s*

If a document is confidential and not for public viewing it should not be listed.

<b>Risk Assessment :</b>

**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 presents a revised Scheme of Officer Delegation following the completion of the Senior Management Re-structure.

The majority of the revised Scheme, presented at Appendix 1, is, in its entirety, that Scheme already approved by Council, most recently by Annual Council in May 2019. The information is simply re-presented, ensuring all approved delegations are now re-aligned to sit under the New Senior Management posts, supporting the Chief Executive; and to ensure any previous phrasing such as Executive Directors, Chief Officers, Strategic Leads has been replaced with wording appropriate to the current structure.

This work has been undertaken through delegated authority granted by the Governance and Audit Committee, to the Chief Executive, in consultation with the Chairman of the Governance and Audit Committee.

**Council are asked to acknowledge this re-alignment of already approved delegations.** (Yellow Highlighted text and standard black text in Appendix 1)

In light of the Scheme having to be fundamentally re-aligned to match the revisions to the Structure and responsibilities, it is considered opportune and appropriate, in the absence of Annual Council, to also bring forward any elements of Annual Review Report, which affect the Officer Scheme of Delegation.

These amendments are made on the **RECOMMENDATION** of the Governance and Audit Committee at their meetings on 16 June and 13 October 2020

Sections 3 and 4 of the report, together with Appendix 2 provide further detail of any proposed amendments or new delegations including rationale for each.

**Council are asked to approve these amendments for inclusion in the revised Scheme of Officer Delegation. These are shown in red in the revised Scheme presented at Appendix 1**

## **1. Background and Introduction**

- 1.1 Members will be aware that the Scheme of Officer Delegation, sits with the Constitution and sets out all those actions Senior Officers can undertake under delegated authority.
- 1.2 The scheme is reviewed annually, as part of the wider Annual Review of The Constitution, and was last presented to Full Council in May 2019.
- 1.3 Since that time Members will also be aware that a need for a re-structure arose following a decision made by the Chief Officer Employment Committee, to return to the single Chief Executive model, with both Executive Directors leaving the authority.
- 1.4 The Governance and Audit Committee at its meeting on 16 June considered the Annual Review of the Constitution.
- 1.5 However, this year as there was an ongoing review of the senior management structure. The Governance and Audit Committee made the following resolution in respect of the Scheme of Officer Delegation: -
  - (b) that delegated authority be granted to the Head of Paid Service, in consultation with the Chairman of the Governance and Audit Committee, to confirm the final version of the Officer scheme of delegation, in light of the on-going re-structure, and the final version be included within the report, for approval at Annual Council
- 1.6 With the restructure completed in August 2020, the Head of Paid Service, in consultation with all Management Team Members and the Chairman of the Governance and Audit Committee have undertaken work to ensure all previously approved delegations are now re-aligned to sit under the New Senior Management posts, supporting the Chief Executive.

## **2 Revised Scheme of Officer Delegation - Delegations Re-aligned**

- 2.1 The Revised Scheme of Officer Delegation is presented at Appendix 1.
- 2.2 As previously stated, the majority of the revised Scheme, is in its entirety that Scheme already approved by Council, most recently by Annual Council in May 2019.
- 2.3 The information is simply re-presented, ensuring all approved delegations are now re-aligned to sit under the new Senior Management posts, supporting the Chief Executive. Work has also been undertaken to ensure any previous phrasing such as Executive Directors, Chief Officers, Strategic Leads has been replaced with wording appropriate to the current structure.

- 2.4 Where an Officer holds both a Statutory role and a Senior Officer Role, their delegations have been split appropriately between the two positions held.
- 2.5 All delegations shown in black text in Appendix 1 are delegations which have already been previously approved by Full Council and already form part of the Published Scheme (Pages 24 – 60 Section IV of the published Constitution relates)
- 2.6 Any text highlighted yellow within Appendix 1 indicates where phrasing has been changed, for example Chief Officers, to Members of Management Team. All such amendments have been made under delegated authority, in consultation with the Chairman of the Governance and Audit Committee
- 2.7 Members are asked to acknowledge them having been re-aligned.

### **3 Revised Scheme of Officer Delegation - New / Amended delegations suggested through the 2019/2020 Annual Review Process.**

- 3.1 As mentioned at Section 1.2 of the report, it is custom and practice to review the entire Constitution annually, which includes the Scheme of Officer Delegation and present any proposed revisions or amendments to Full Council, following consideration by the Governance and Audit Committee, to Annual Council each year.
- 3.2 Due to these unprecedented times, this year's Annual Council was firstly postponed, and then cancelled, until May 2021, in light of ongoing national restrictions not allowing Full Council to meet 'in person'.
- 3.3 The Annual Review process had however been undertaken, and prior to the decision being taken to formally cancel annual Council, the resulting amendments did receive consideration by the Governance and Audit Committee at its meeting in June 2020, The report can be viewed here <https://democracy.west-lindsey.gov.uk/ieListDocuments.aspx?CId=155&MId=2443&Ver=4>
- 3.4 In light of the Officer Scheme of Delegation having to be fundamentally re-aligned to match the revisions to the structure and responsibilities (as detailed in Section 2), it is considered opportune and appropriate to also bring forward any elements of the Annual Review Report, which affect the Officer Scheme of Delegation.
- 3.5 These are shown in Appendix 2, including rationale, and are directly extracted from the Full Annual Review Report presented to the Governance and Audit Committee of 16 June 2020.
- 3.6 They have also been shown in the fully re-aligned scheme (Appendix 1) but are expressed in red text to highlight that these are new or amended delegations needing approval.

- 3.7 Where text is displayed as “red and struck through” this indicates the Governance and Audit Committee had recommended removal of the delegation.
- 3.8 The Scheme of Officer Delegations is a much-used piece of the Constitution.
- 3.9 Whilst the Council could continue to operate on a mass sub-delegation basis, as it has been, for good governance and transparency purposes it is recommended that the Scheme be updated and re-published now, as opposed to waiting for Annual Council.
- 3.10 It could also reasonably be presumed that if amendments and revisions were requested by Officers through the review process, they are required to enable Officers to fulfil their function.

#### **4 Amendment to Council Tax Discretionary Hardship (Section 13 a) Policy resulting in amendment required to Scheme of Officer Delegation**

- 4.1 One final amendment being put forward at this time, arises from a recent change to the Council Tax Discretionary Hardship (Section 13a) approved by the Corporate Policy and Resources Committee at their meeting on 17 September 2020.

<https://democracy.westlindsey.gov.uk/documents/s20944/Council%20Tax%20Discretionary%20Hardship%20Policy%20Section%2013A.pdf>

- 4.2 One such revision agreed was an amendment to the appeals process for the Policy and as such, this revision necessitates an amendment to the Constitution namely the Scheme of Officer Delegation section.
- 4.3 This matter was considered by the Governance and Audit Committee at its meeting on 13 October 2020 where it was resolved to recommend the following additional delegation be granted to the Chief Executive.

**“to determine any appeal made against a decision to not award Section 13A Council Tax Discretionary Relief. Limits on delegation: - following consultation with the Leader of the Council.”**

- 4.4 Again this amendment is expressed in red text, in the revised Scheme of Officer Delegation, shown at Appendix 1.

#### **5 Recommendations**

- 5.1 **Members are therefore asked to acknowledge the re-alignment of previously approved duties and responsibilities as detailed in Section 2 of the report, undertaken through delegated powers. (expressed as black / yellow text in Appendix 1); and**

- 5.2 **Members are asked to accept the recommendation from the Governance and Audit Committee and approve the amendments detailed in Appendix 2, suggested throughout the 19/20 Annual Review Process, together with those detailed in Section 4 for inclusion in the revised Scheme of Officer Delegation. (expressed in red text throughout Appendix 1**

## Officers

### Introduction

1. The following delegations to officers are made under Section 101 of the Local Government Act 1972 and all other powers enabling such delegations. The delegations are made with the intent that they shall lead to a streamlining and simplification of the processes of the Council and, accordingly, should be interpreted widely rather than narrowly.
2. The **Chief Executive and Management Team Officers** are authorised to discharge the powers and duties necessary to carry out the Council's functions within the broad functional description set out in the following sections, together with the specific delegations which are specified, and should be taken to include powers and duties within those descriptions within all present and future legislation, and all powers incidental to that legislation, including the application of the incidental powers and duties under Section 111 of the Local Government Act 1972.
3. The delegations shall operate in addition to any previous delegations. Any reference to a specific section or statute shall be deemed to incorporate reference to any enactment amending, re-enacting or replacing that statute.

### Overall Limitations

4. The following are not delegated to Officers:
  - (a) Any matter reserved by law to the Council, a committee or sub-committee.
  - (b) Any matter which is specifically excluded from delegation by resolution of the Council, a committee or sub-committee.
5. Officers may only exercise delegated powers in accordance with -
  - (a) Plans, schemes or strategies approved by, or on behalf of, the Council.
  - (b) Procedure Rules of the Council.
  - (c) Any statutory restrictions, guidance or statutory code of practice.
  - (d) The revenue and capital funding for the relevant service as approved by the Council, subject to any variations which are permitted by virtue of the Council's Financial Procedure Rules and Contract Procedure Rules.

- (e) The Council's Generic Equalities and other policies, procedures, standards and the Local and National Conditions of Service.
- 6. Where any matter contained within this Scheme of Delegation involves professional or technical considerations within the sphere of competence of another officer, the officer to whom authority has been delegated shall consult that officer before authorising action.
- 7. Where a delegated power is exercisable following consultation with the Chairman of a Committee, consultation shall take place with the Vice-Chairman in the absence of the Chairman.
- 8. Where an action is delegated to an officer via the Council, then such delegation shall be undertaken without undue delay.

### **Sub-Delegation**

- 9. Officers may further delegate any function which has been delegated to them to another officer or officers providing that there is no statutory restriction on doing so.
- 10. Every sub-delegation shall be in writing.
- 11. In exercising any delegated function, officers shall be responsible for undertaking any appropriate consultation with the Council's Head of Paid Service, Monitoring Officer and/or the Chief Finance Officer before taking any decision.
- 12. Instead of exercising his/her delegated power in any matter, an officer may refer the matter to the appropriate committee/sub-committee/board etc.
- 13. Where urgency dictates during periods of leave or sudden unexpected absence, delegations granted to the Chief Executive Director or Assistant Directors can be exercised by one of the Statutory Officers, except when the matter relates to a function which by law must be undertaken by either the Head of Paid Service or the Chief Finance (s151) Officer.
- 14. Functions which by law must be undertaken by the Statutory Officers cannot be sub-delegated and are set out elsewhere in this document.

### **Politically Sensitive Issues**

- 15. Without derogating from the discharge of functions under these arrangements -
  - (a) Maintain close liaison with the Committee Chairman in whose

scope the **Chief Executive and Management Team** Member's function exists particularly in respect of controversial and sensitive issues.

- (b) The **Chief Executive** shall also maintain close liaison with members representing the political groups in relation to any matter which in the opinion of the **Chief Executive** may be regarded as sensitive or contentious by any such group. The **Chief Executive** shall also notify the Committee Chairman and/or Leader of such items and keep them informed of progress.
  - (c) Where a member has made known to the **Chief Executive** his/her legitimate interest in a matter or where a matter relates to or affects the member's ward the **Chief Executive** shall consult with that member and shall keep the member informed of significant developments relating to that matter and similarly brief the relevant committee chairman.
16. The existence of a delegation to a **Member of the Management Team** shall not require that officer to take a decision on that issue. **Management Team Members** need to be aware of particularly controversial issues of concern to the Committees of the Council. In such circumstances he/she may refer the matter for guidance or decision by the Committee or the Council if he/she considers it is appropriate to do so at the earliest opportunity. In so doing the **Management Team Member** shall advise the **Committee** concerned of the extent of his/her delegated powers relating to the matter.



## **General Delegations Granted to all Members of Management Team (Chief Executive, Director and Assistant Directors)**

To manage the area for which he/she is responsible including:

1. the day to day administration of personnel matters in accordance with Council policy excluding decisions on discretionary pension issues;
2. the exercise of those powers specifically mentioned in the Local Conditions of Service;
3. the procurement or provision of services required to discharge the Council's functions within his/her area of responsibility;
4. the management, furnishing and equipping of premises for which he/she is responsible;
5. the incurring of any expenditure contained in approved estimates in his/her area of responsibility;
6. the taking of all decisions within the purview of his/her service; and
7. the taking of any action required to implement a decision of the Council or any of its Committees, Sub-Committees etc.
8. To arrange for the renewal, on appropriate terms, of leases and licences within the purview of their service.
9. To respond to consultations from Government (including agencies) on proposals to introduce new policies, procedures or legislation or to alter existing policies procedures or legislation within the purview of their service.
10. To submit tenders/quotations up to the value of £75,000 for work for public bodies as defined by the Local Authority (Goods and Services) Act 1970 and to any other organisations permitted by legislation within the purview of their service.
11. To make minor house-keeping amendments to any such policy as agreed by the relevant Policy Committee on its adoption.
12. To ensure compliance with all adopted policies and procedures.
13. To arrange for the renewal, on appropriate terms, of leases and licences.
14. To submit applications for planning permission, listed building consent and other necessary consents in respect of any works included in the approved capital or revenue programme.

15. Within the purview of their service, To decide, approve, determine, consider representations and applications, grant, renew, vary, issue, relax, refuse, revoke, suspend, withdraw licences, make and amend licence conditions, registrations, certificates, permits, awards and authorisations in relation to the following legislation listed in section 17.

16. To appoint, authorise, nominate, named persons to

- Administer, exercise powers, give direction, exercise the powers of entry, agree notices, act, take enforcement action including prosecutions, serving notice, carrying out work in default, including cost recovery
- Act as inspectors
- Act as a competent person
- Act in a statutory role
- Administer the provisions
- Determine confidential matters

Under the provisions in the acts, regulations, and any associated orders and regulations listed in paragraph 17 below.

17. The powers in paragraph 16 above apply to the following legislation:

Town Police Clauses Act 1847 & 1889 incorporated by the Public Health Act 1875.

The Dogs Act 1906 as amended by the Local Government Act 1988

Local Government Act 1972 s101 Lotteries,

Police, Factories, etc (Miscellaneous Provisions) Act 1916

Performing Animals Act 1925 (Amendment) Regulations

2018

Law of Property Act 1925

Public Health Act 1936

House to House Collections Act 1939

National Assistance Act 1948 as amended by the National Assistance (Amendment) Act 1951.

Prevention of Damage by Pests Act 1949

Pet Animals Act 1951 (Amendment) Regulations 2018

Hypnotism Act 1952

Caravan Sites and Control of Development Act 1960 (As amended by the Mobile Homes Act 2013)

Public Health Act 1961

Animal Boarding Establishments Act 1963 (Amendment) Regulations 2018

Scrap Metal Dealers Act 2013

Riding Establishments Act 1964 and 1970 (Amendment) Regulations 2018

Slaughter of Poultry Act 1967

The Agriculture (Miscellaneous Provisions) Act 1968 European

Communities Act 1972

Control of Pollution Act 1974

Health and Safety at Work etc. Act 1974

Local Land Charges Act 1975  
Dangerous Wild Animals Act 1976 (Amendment) Regulations 2018  
Land Drainage Act 1976  
Local Government (Miscellaneous Provisions) Act 1976 and the Town Police  
Clauses Act 1847  
Defective Premises Act 1976  
Land Charges Rules 1977  
Protection from Eviction Act 1977  
Refuse Disposal (Amenity) Act 1978  
Zoo Licensing Act, 1981  
Animal Health Act 1981  
Acquisition of Land Act 1981  
Local Government (Miscellaneous Provisions) Act 1982  
Control of Asbestos Work Regulations and the Asbestos (Licensing)  
Regulations 1983.  
Building Act 1984  
Public Health (Control of Diseases) Act 1984  
Food and Environment Protection Act 1985  
Natural Mineral Waters Regulations 1985  
Landlord and Tenant Act 1972 /1985  
Housing Act 1985  
Control of Pesticides Regulations 1986  
Public Health (Infectious Diseases) Regulations 1988  
Health & Safety (Enforcing Authority) Regulations 1989  
Local Government and Housing Act 1989  
Food Safety Act 1990  
Environmental Protection Act 1990.  
Town and Country Planning Act 1990  
Water Industry Act 1991  
Dangerous Dogs Act 1991  
Private Water Supplies Regulations 1991 Land Drainage Act 1991  
Controlled Waste Regulations 1992  
Clean Air Act 1993  
Noise and Statutory Nuisance Act 1993  
Sunday Trading Act 1994  
Criminal Justice and Public Order Act 1994  
Environment Act 1995  
Noise Act 1996  
Housing Act 1996  
Housing Grants, Construction and Regeneration Act 1996  
Dogs Fouling of Land Act 1996  
Crime and Disorder Act 1998 Vehicle (Crime) Act 2001 Police Reform Act 2002  
Equality Act 2000  
Investigatory Powers Act 2000  
The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002  
Homeless Act 2002 as amended by The Homeless Reduction Act 2017  
Licensing Act 2003  
Anti-social Behaviour Act 2003  
Food Safety Act 1990 (Amendment) Regulations 2004  
Civil Contingencies Act 2004

General Food Regulations 2004  
Christmas Day (Trading) Act 2004  
Housing Act 2004  
Official Feed and Food Controls (England) (Regulations 2005)  
Clean Neighbourhoods and Environment Act 2005/ 2009  
Animal Welfare Act 2006  
Health Act 2006  
Gambling Act 2005  
Sunbeds (Regulation) Act 2010  
Food Hygiene (England) Regulations 2013  
The Energy Act 2013  
Food Information Regulations 2014  
Anti-Social Behaviour, Crime and Policing Act 2014  
Redress Schemes for Lettings Agency Work and Property Management Work  
(Requirement to Belong to a Scheme etc.) (England) Order 2014  
The Microchipping of Dogs (England) Regulations 2015  
The Smoke and Carbon Monoxide Alarm (England) Regulations 2015  
The Energy Efficiency (Private Rented Property) (England and Wales) Regulations  
2015  
The Housing and Planning Act 2016  
Animal Welfare (licensing of activities involving animals) (England) Regulations 2018

See point 3 above

## Head of Paid Service

1. To exercise overall responsibility for corporate management and operational issues within existing budgets (including overall management responsibility for all staff and the terms and conditions on which they are employed)
2. To determine conclusively any question which may arise as to the interpretation and application of the “Responsibility for Functions”.
3. In accordance with the provisions of the Local Government (Committees and Political Groups) Regulations 1990, to agree the overall allocation of seats to Groups resulting from the application of rounding.  
**(Limits on delegations:** Following consultation with Group Leaders).
4. To determine any matter within the referred or delegated powers and duties of a committee/sub-committee/board/ working group which is so urgent that a decision must be made before the next meeting of that committee/sub-committee/board/working group is due to be held.  
**(Limits on delegations:** Before making any decision pursuant to this delegated power, the Head of Paid Service shall consult with and take cognisance of the views of the Chairman of the relevant committee/ sub-committee/ board/ working group (or, in his/ her absence, the Vice-Chairman of that committee/ sub-committee/ board/ working group). Any decision taken by the Head of Paid Service under this delegated power shall be reported to Members within five working days of the decision being taken.
5. To determine the closing time of Council offices and depots on the last working day before Christmas Day.  
**(Limits on delegations:** Following consultation with the Chairman of the Corporate Policy and Resources Committee).
6. To appoint substitute members to serve on committees and sub-committees in accordance with nominations put forward by the Political Groups on the Council.
7. For those organisations where representation is normally determined at Annual Council, to make appointments where vacancies exist following the annual meeting of Council.  
**(Limits on delegations:** Following consultation with the Chairman of the Council).
8. To take all such action and proceedings and to sign all such directions, notices applications or other process in relation to Sections 77, 78 and 79 of the Criminal

Justice and Public Order Act 1994 as deemed to be necessary and appropriate on behalf of the Council.

**(Limits on delegations:** Following consultation with the Chairman of the

Prosperous Communities Committee).

9. In the event of extreme inclement weather; or insufficient business to warrant calling a meeting or other unforeseen circumstance including periods of national mourning/national emergencies to cancel or postpone a meeting of the Council, a committee, sub-committee etc. or, where business dictates that a meeting, not already set out in the timetable, be required to be held, that meeting be called, in consultation with the relevant Chairman.
10. To establish and maintain an accountability framework to implement devolved management arrangements.
11. To determine and publicise a description of the overall structure of the Council showing the management structure and deployment of officers.
12. To add entries to the Capital Programme provided that they are fully externally funded in consultation with the Leader of the Council and the Chief Finance Officer.
13. In the absence of the Head of Paid Service the delegated powers in 1-12 above may be exercised by a designated deputy.
14. To call concurrent meetings of the policy committees when it is considered prudent and efficient to do so in accordance with the agreed protocol.
15. Licensing Act 2003 – Delegated Authority be granted to **Head of Paid Service** to dispense with the need for a hearing when relevant representations are made in relation to the determination of a premises licence 18(3), variation of a premises licence 35(3), determination of a club premises certificate 85(3) and prior to the hearing the relevant representation(s) are subsequently withdrawn, and the authority, the applicant, and each person who has made such representation(s) agree that the hearing is unnecessary.

Sections 18(4)(a), 18(4)(b), 35(4)(a), 72(4)(a)(b) and 85(4)(a) apply as the necessary steps to deal with the application; to promote the licensing objectives and add/modify conditions.

## Chief Executive

1. To appoint Consultants where necessary within the budget to ensure compliance with the Council's Capital works Programme, or to provide technical advice on work of a specialist nature
2. To call concurrent meetings of the policy committees when it is considered prudent and efficient to do so in accordance with the agreed protocol.
3. to determine any appeal made against a decision to not award Section 13A Council Tax Discretionary Relief. Limits on delegation: - following consultation with the Leader of the Council.”

## **(Chief Finance Officer / Section 151 Officer )**

1. To exercise the proper administration of the Council's financial affairs under section 151 of the Local Government Act 1972 and section 114 of the Local Government Finance Act 1988 including responsibility for dealing with fraud.
2. To report on apparent unlawful expenditure, unlawful action causing loss or deficiency, or unlawful items of account in accordance with section 114 of the Local Government Finance Act 1988.
3. To write off debt up to £2,500.
4. To operate the Council's bank accounts including confirmation of alterations to authorised signatory lists of agents.
5. To sign all necessary claim forms and certificates in respect of any grants or other funds payable to the Council under any statutory or other powers.
6. To maintain adequate insurance cover on behalf of the Council and to negotiate the settlement of any claims arising either with the Council's insurers or their appointed agents. /
7. To approve claims on the Council's internal insurance fund.
8. To exercise the Council's statutory borrowing powers to finance capital and revenue expenditure pending the receipt of income and the lawful investment of surplus cash and external funds
9. To make and account for appropriate deductions from pay and to make appropriate employer contributions in respect of income tax, national insurance and the superannuation fund.
10. To increase long service awards, retirement gifts and death in service awards in line with the current retail price index from 1 April each year.
11. To write down sundry debts for cases subject to bankruptcy, liquidation or administration order proceedings
12. To administer all matters relating to Council Tax and Benefits.



13. To act on behalf of the Council on matters relating to -
  - a. making proposals for alterations to the Valuation List.
  - b. objections to proposals in rateable value/banding.
  - c. agreement to alterations to proposals in rateable value/banding.
  - d. appeals to local Valuation Tribunals.
14. To agree apportionment of rateable values in accordance with section 44a of the Local Government Finance Act 1988.
15. To write down Non-Domestic Rate and Council Tax outstanding in respect of each arrears case which is subject to formal bankruptcy or liquidation claims.
16. To authorise applications for national non-domestic rate relief up to £5,000 on hardship grounds in accordance with Section 49 of the LGFA 1988 and the Council's approved criteria.
17. To determine applications for national non-domestic rate discretionary relief in accordance with Section 47 of the LGFA 1988 and where the application accords with the Council's approved policy framework.
18. To determine applications, in accordance with the Local Government Finance Act 1992 as amended by the Local Government Finance Act 2003 Section 76, for Council Tax Section 13A Discretionary Relief.
19. To appear on behalf of the Council at a Valuation Tribunal or Benefits Appeal Tribunal.
20. To determine applications for mandatory rate relief in accordance with Section 43 and Section 45 of the Local Government Finance Act 1988 (including the additional granting of 20% discretionary relief) Responsibility for Functions
21. To deal with renewals of applications under 19 and 22 above unless there is a change of circumstances.
22. To impose penalties in accordance with section 14(2) of the Local Government Finance Act 1992 on persons failing to supply information to or notify the billing authority regarding Council Tax liability.
23. To make the assessment and decision on claims for discretionary housing payments.
24. In accordance with the provisions of sections 101 and 223 of the Local Government Finance Act 1972, to prosecute and defend on behalf of the Council, or to appear on the Council's behalf in proceedings before a Magistrates Court relating to all and/or any of the matters referred to in the sub-paragraphs below -
  - A) proceedings relating to the obtaining of Liability Orders in respect of

- unpaid Council Taxes and National Non-Domestic rates;
- B) proceedings relating to the collection and recovery of penalties;
  - C) committal proceeding relating to unpaid Council Taxes and National Non Domestic rates;
  - D) proceedings relating to the recovery of monies due to the Council either directly or under agency arrangements.
25. To determine applications for national non-domestic rate relief on hardship grounds or in accordance with Section 49 of the Local Government Finance Act 1988 and the Council's approved criteria.
  26. To determine applications for national non-domestic rate discretionary relief in accordance with Sections 43, 45, 47 and 48 of the Local Government Finance Act 1988 as amended by the Localism Act 2011 and the National Non-Domestic Rating (Discretionary Rate Relief) Regulations 1989 (SI 1989/1059) and where the application accords with the Council's approved policy framework.
  27. To postpone the discount charge for all organisations specified by Section 156 of the Housing Act 1985  
**(Limits on delegation:** Following consultation with the Chairman or Vice-Chairman of the Prosperous Communities Committee).
  28. To authorize short term cashflow loans to subsidiary companies to a maximum of **£50k** per subsidiary company.
  29. To authorise the forming of a partnership arrangement where the value of works/services is no more than **£50k**.
  30. With the Director of SureStaff, to agree the format and content of a Resourcing Agreement for the supply of services by the Council.
  31. To approve amendments to the Capital Programme up to **£50k**
  32. To authorise grants up to £50k.
  33. To authorise spend of up to £50k from Earmarked Reserves.
  34. **To approve the submission of grant bids of up to £50k where there is no requirement for additional Council resources.**

## Monitoring Officer

1. To make, under Section 91 of the Local Government Act 1972, temporary appointments of members to town and parish councils following consultation with the Chairman of the Governance and Audit Committee.

Furthermore, use of this delegation will be reported to the Governance and Audit Committee for information.

2. To make house-keeping amendments to the Constitution between Annual Councils in consultation with Chairman of the Governance and Audit Committee. Any such amendments will be reported to Governance and Audit Committee / Full Council annually

## Director of Corporate Services

1. To negotiate with the Council's external auditor on the level and type of audit resources required to carry out the statutory and management audit requirements of the Council.
2. To approve new street names and numbering in respect of new development submitted by:
  - Parish Councils
  - Private developers, following approval by the local parish council concerned and Ward Councillors.
3. To nominate the Council's Data Protection Officer.
4. To be the Council's Shareholder representative for the Group Holding Company and its individual subsidiaries, and to hold all such Directors of such companies to account.
5. To carry out the role of the Senior Information Risk Owner (SIRO) in accordance with Local Public Services Data Handling Guidelines (Fourth Edition (Revised)), sign Information Sharing Agreements, and determine and respond to requests under the Data protection Act 1998
6. To take all such actions and decisions in the proceedings of the Lincolnshire Shared Legal Services Partnership.
7. To be the Electoral Registration Officer.
8. To be the Returning Officer for local Government elections.
9. To be the authorising officer for surveillance under the Regulation of Investigatory Powers Act 2000 and as such can make requests for the Magistrates' Court to consider applications made under RIPA.
10. to keep polling districts and polling places under review and amend any such arrangements (following consultation with Local Ward Member(s) where there is an operational need, prior to the next compulsory District review"

## Assistant Director of Regulatory Services and Change

1. To deal with complaints made against “star ratings” in relation to Animal establishments under the Animal Welfare (licensing of activities involving animals) (England) Regulations 2018.
2. To deal with and adjudicate on complaints about high hedges under the Anti-Social Behaviour Act 2003.
3. In relation to hackney carriage and private hire vehicles – to determine applications for a short term exemption (3 months) on medical grounds for drivers who cannot fulfil duties under the Equality Act (**note** - longer terms exemptions will need to be considered by the Regulatory Sub-Committee).
4. To initiate planning enforcement action (including all action related to the listed buildings and trees), including (but not exclusively):
  - (a) To serve enforcement notices
  - (b) To serve breach of condition notices
  - (c) To issue stop notices
  - (d) To issue temporary stop notices
  - (e) To serve planning contravention notices
  - (f) To serve s215 notices
  - (g) To authorise prosecution

Under all relevant statutes or any subordinate rules, orders or regulations.

5. To determine it is not expedient to take enforcement action in accordance with the Council’s enforcement policy unless the Planning Committee has authorised the enforcement action.

## Assistant Director of Operational and Commercial Services

1. To undertake the role of Strategic Commander and all associated duties in respect of Emergency Planning and Business Continuity.
2. To alter the approved fees and charges for Gainsborough Market stalls and pitches for a limited period, in exceptional circumstances e.g. relocation of the market or significant loss of traders, in consultation with the Chairman of the Corporate Policy and Resources Committee.
3. To amend the Code of Practice for Traders, should the need arise, in consultation with the Chairmen of the Corporate Policy and Resources and Prosperous Communities Committees.
4. To approve the cancellation of markets in exceptional circumstances in consultation with the Chairmen of the Corporate Policy and Resources and Prosperous Communities Committees.
5. To approve the dates of any extra markets in Gainsborough Market Place, Silver Street, Market Street, Church Street and Lord Street at any time of the year, in consultation with the Chairmen of the Corporate Policy and Resources and Prosperous Communities Committees.
6. To set charges for the collection and disposal of commercial waste (following consultation with the Chief Finance Officer)
7. To alter the approved fees and charges at the Trinity Arts Centre for a limited period, taking into account the circumstances at any given time. (following consultation with the Chief Finance Officer)

### Building Control:

1. To carry out all the Council's functions in respect of the necessary statutory provisions related to applications for, and enforcement action under the building regulations and issues relating to the building acts and any other associated legislation, regulations and provisions, including provisions on dangerous buildings, structures and means of escape in case of fire, including power to:
  - a. Inclusively, but not exclusively determine plans, issue completion certificates under the Building Regulations and applications for the relaxation of the Building Regulation requirement concerning means of escape and request for dispensations;
  - b. Serve notices in relation to ruinous and dilapidated property and the

- proposed demolition of buildings;
- c. Carry out functions of the Council in relation to dangerous structures and buildings;
  - d. Exercise powers of the Council in relation to accesses and egresses to public and other buildings, and means of escape in case of fire;
  - e. Control the use of private approved inspectors and approved bodies in relation to building regulation matters;
  - f. Discharge the functions of the Council in relation to safety certificates for sports grounds;
  - g. Serve Notices relating to lapse in time for the deposit of plans, requirements for works to be carried out in accordance with approved plans, chimneys, dangerous structures and dilapidated buildings;
  - h. Serve Notices to open up works;
  - i. Authorise action to deal with dangerous excavations; and
  - j. Appointment of Authorised Officers to exercise the powers of entry for the purposes of the Building Acts;
  - k. Exercise powers of the council in respect of Material Sampling and Testing for Conformity in pursuance of Building Regulations Compliance;
  - l. To maintain the record of Building Regulations compliance certificate issued by third parties, approved to do so, by the Secretary of State.
2. To alter the charges for all aspects of building control. (following consultation with Section 151 Officer)

## Assistant Director of Planning and Regeneration

### Development Management

1. To determine the following:

- Applications for planning permission
- Applications for Listed Building and Conservation Area Consent
- Applications made under the Hazardous Substances regulations
- Applications for consent to display advertisements

The above powers cannot be used if the following circumstances apply:

- (a) In the case of an application it is intended to determine in conflict with a representation received from a parish or town council, a neighbour or other person or organisation, that application will be referred to the Planning Committee for determination where, in the professional opinion of the Assistant Director, or Planning Team Manager, (with consultation of the Monitoring Officer if considered appropriate)
- (i) The representation relates to a “planning matter”; and
  - (ii) The representation and the planning matters raised are directly relevant to the application under consideration; and
  - (iii) The planning matters under consideration in the determination of the application are finely balanced.
- (b) The application has been subject to a request by a Councillor, made during the formal 28 day consultation period and is supported by relevant planning policies and other material planning considerations that are directly relevant to the application being considered, to have it determined by the Planning Committee for one of the following reasons;
- (i) The application is of major importance or significance to the District as a whole and therefore requires the input of Councillors in its determination
  - (ii) There is, in the opinion of the Councillor making the request, a valid planning reason why the application should be determined by the Planning Committee and this is supported by relevant planning policy.

It will be for the Assistant Director or Planning Team Manager (with consultation of the Monitoring Officer if considered appropriate) to decide in consultation with the Chairman of the Planning Committee, on the basis of the planning reasons given by the Councillor or planning policies referred to, whether the application should be referred to the Planning Committee for determination.



- (c) An application has been on deposit in the statutory register for a period of less than 28 days or the period allowed for consultation replies to be received has not expired, whichever is the later.
  - (d) The applicant or agent is a Councillor.
  - (e) The applicant or agent is from the immediate family of a Councillor.
  - (f) The applicant or agent is an officer of the Council.
  - (g) The applicant or agent is from the immediate family of an officer of the Council.
  - (h) The Assistant Director of Planning and Regeneration or Planning Team Manager (with consultation of the Monitoring Officer if considered appropriate) considers it appropriate that the application is determined by the Planning Committee.
  - (i) Any application where the recommendation is for approval which is in conflict with a policy of the Central Lincolnshire Local Plan or any Neighbourhood Plan that has passed Regulation 14 stage, being those plans at either an official draft stage or 'made' (adopted) Neighbourhood Plan.
2. To determine all other matters which are part of the development management process, including (but not exclusively):
- (a) Approve details to discharge conditions attached to planning permissions
  - (b) To enter into negotiations and reach agreements concerning obligations, agreements and undertakings – including those to do with s106 of the Town and Country Planning Act 1990 and the Community Infrastructure Levy.
  - (c) To approve the details of agreements and obligations made under the planning acts (including those made under s106 of the Town and Country Planning Act 1990).
  - (d) To approve non-material amendments to planning permissions.
  - (e) To determine those organisations and individuals who should be consulted on planning and other applications.
  - (f) To deal with planning appeals. **(Note : -"Planning Appeals which involve a member overturn will be dealt with in accordance with the Member Overturn Policy agreed on 26 June 2013/14)**
  - (g) To decide the need for and content of environmental statements.
  - (h) To decline to determine applications where a previous application has been

dismissed at appeal and the new application is substantially the same.

- (i) All applications for 'prior approval', made under the provisions of the Town & Country Planning General permitted Development Order 2015 (as amended).
- 3 To make Tree Preservation Orders and to confirm orders where no objection – relevant under current legislation – has been made.
- 4 To determine all applications to lop, top or fell protected trees.
- 5 To determine notices to make safe dangerous trees in private ownership and to take action to make the tree/s safe.
- 6 To determine all applications for the removal of hedgerows in accordance with the Hedgerow Regulations 1997.
- 7 To confirm any unopposed footpath orders following the expiration of the statutory consultation period.
- 8 To determine all applications relating to certificates of lawful use or development and related applications [NB the provisions set out in paragraph 1 points d to g with regard to officer and member applications and family relationships also apply to this category of application].
- 9 To make objections to the issuing of operators licences under the Transport Act 1968 and the Goods Vehicles (Operators Licences Qualifications and Fees) Regulations 1984.
- 10 To respond to consultations from neighbouring Councils on planning applications which might have an impact on the District, unless in the opinion of the Assistant Director of Planning and Regeneration or Planning Team Manager (with consultation of the Monitoring Officer if considered appropriate) that impact is of wider significance or of major importance to West Lindsey, under the duty to Co- operate.
- 11 To respond to consultations on proposals for major infrastructure developments within or having an impact upon the District, unless in the opinion of the Assistant Director of Planning and Regeneration or Planning Team Manager (with consultation of the Monitoring Officer if considered appropriate) or senior officer that impact is of wider significance or of major importance to West Lindsey, under the duty to Co- operate.
- 12 To respond to consultations on pipeline consents within the District, unless in the opinion of The Assistant Director of Planning and Regeneration or Planning Team Manager (with consultation of the Monitoring Officer if considered appropriate) that impact is of wider significance or of major importance to West Lindsey, under the duty to Co- operate.

- 13 To respond to consultations on county matters or county developments, unless in the opinion of The Assistant Director of Planning and Regeneration or Planning Team Manager (with consultation of the Monitoring Officer if considered appropriate) that impact is of wider significance or of major importance to West Lindsey, under the duty to Co- operate.
- 14 To draw up service level agreements (SLAs) with other organisations for the effective delivery of services related to regeneration which includes, but is not limited to, economic development, tourism and skills and employment.
- 15 To enter into partnerships that increase the benefit, services and influence available to West Lindsey District Council with other organisations related to regeneration, which includes, but is not limited to, economic development, tourism and skills and employment.
- 16 To accept the Examiner's report and approve that a neighbourhood plan may advance to Public Referendum following a successful independent examination in accordance with the Localism Act 2011 and the Neighbourhood Plan Regulations 2012.
- 17 To enter into Agreements relating to the adoption of sewers.

## Assistant Director of Homes and Communities

1. To determine homeless applications within the term of the current homelessness legislation.
2. To approve applications to be placed on the Council's Housing Register which fall within the criteria for acceptance.
3. To make nominations to Registered Social Landlords (RSLs) and other agencies in accordance with the Council's approved housing allocation policies.
- 4.
5. To be responsible for all safeguarding matters
6. To be responsible for all Corporate responsibilities under the Prevent Scheme

## Assistant Director for Finance, Business Support and Property

1. Where appropriate, to appoint a competent person to be the CDM Coordinator under the Construction (Design and Management) Regulations 2007.
2. To assign leases.
3. To agree and sign Licences and Wayleaves affecting Council land.
4. To terminate leases and licenses, including issuing Notices to Quit and Notices under the provisions of the Landlord and Tenant Act 1954, where possession is required by the Council for an approved purpose.
5. To take all such action and proceedings and to sign all such directions, notices, applications or other process in relation to obtaining possession of any part of the Council's land holding from unauthorised campers, travellers and other trespassers as deemed to be necessary and appropriate on behalf of the Council.
6. To deal with all enquiries for the disposal of small areas of land or rights over land, subject to the following conditions being satisfied -
  - (a) the affected land is deemed to be surplus to the Council's requirements
  - (b) and, for sales, can be disposed of in one transaction or one series of transactions;
  - (c) there is the prospect of generating some income or some other tangible benefit to the Council such as no further management or maintenance of the land; and
  - (d) there are no potential long-term management problems or legal encumbrance associated with the sale or grant which would negate the value of (b).
7. To approve miscellaneous short-term lettings.
8. To negotiate terms to take a lease or licence or to acquire the freehold of land or premises where a service need has been identified and budgetary provision made.
- ~~9. Making funding bids to various public sector bodies.~~
- ~~10. Developing funding strategies for strategic growth projects utilising council funding and assets.~~
- ~~11. Working up commercial relationships with the private sector to deliver social and economic return.~~

- ~~12. Seeking appropriate levels of commercial return to the council from the above.~~
- ~~13. Implementing WLDC capital programmes and delivering projects and programmes with grant funds.~~
- ~~14. Acting as accountable body for the above.~~
15. To determine parish lighting reviews and new requests for parish lighting in accordance with the approved policy.

## SCHEME OF MANAGEMENT: CORPORATE DELEGATIONS

**Note: delegations can only be exercised within the relevant officer's area of responsibility**

Decision	Chief Executive	Chief Finance Officer	Director / Assistant Director	Team Manager	Notes
<b>1. Establishment</b> (Changes must be funded from within the Strategic Lead's approved employee budget and not commit to additional expenditure in future years. Managers to involve HR & Finance when exercising delegation)					
1.1	Making changes to the establishment. Creating and deleting posts	✓	✓		
1.2	Making changes to job documentation (JDs and person specifications)	✓	✓	✓	
1.3	Making changes to the structure and reporting lines	✓			
1.4	Implement conditions of service as provided for in the national or local conditions of service	✓			
1.5	Carry out appropriate consultation with the workforce and trade union representatives about changes in work practices, payment schemes and operational matters	✓	✓		
1.6	Deal with personal grading protection in cases of redeployment or changed circumstances	✓	✓		
<b>2. Appointments</b>					
2.1	Deciding to fill vacant posts	✓	✓	✓	Recruitment Procedure
2.2	Taking decisions on the recruitment process for individual posts	✓	✓	✓	

Decision		Chief Exec	Chief Finance Officer	Director / AD'S	Team Manage	Notes
2.3	Chairing appointments panels and making appointments	✓	✓	✓	✓	Posts at chief officer level, statutory officeChirs and above are member appointments. Panels for service manager appointments must be chaired by Exec directors
2.4	Deciding whether to proceed with appointments in the light of references, medicals and criminal record checks	✓	✓	✓	✓	
2.5	Determining whether the probation period for a new recruit has been successfully completed	✓	✓	✓	✓	
2.6	Approving acting up and cover arrangements	✓	✓	✓	✓	
2.7	Authorising transfers and secondments	✓	✓	✓	✓	
2.8	Procuring/engaging agency and temporary staff	✓	✓	✓	✓	Within area of responsibility and budgetary limits.
<b>3. Remuneration (Managers to involve HR and Finance when exercising delegation)</b>						
3.1	Authorising a request for a post to be graded or	✓	✓	✓	✓	
3.2	Authorising essential car user status	✓	✓	✓	✓	
3.3	Approving annual increments	✓	✓	✓	✓	
3.4	Awarding honoraria and ex-gratia payments	✓	✓	✓	✓	



Decision	Chief Executive	Chief Finance Officer	Director / AD's	Team Manager	Notes
3.5 Approving acting up allowances	✓	✓	✓	✓	
3.6 Approving or authorising pay supplements that form part of a member of staff's terms of employment e.g. overtime, bonus etc.	✓	✓	✓	✓	
3.7 Authorising expenses and allowances	✓	✓	✓	✓	
<b>4. Disciplinary, capability, sickness management and grievances</b>					
4.1 Suspending a member of staff	✓	✓	✓	✓	
4.2 Instructing a member of staff to leave the premises	✓	✓	✓	✓	
4.3 Initiating disciplinary, performance, capability and managing attendance proceedings/confirming charges and taking action that may lead to warnings or dismissal	✓	✓	✓	✓	
4.4 Chairing a panel or a review meeting that may deal with any issues relating to disciplinary/capability/performance/managing attendance procedures	✓	✓	✓	✓	
4.5 Determining complaints under the Grievance Procedure	✓	✓	✓	✓	
4.6 Determining appeals under the grievance, disciplinary, capability, performance management and managing attendance	✓	✓	✓	✓	

Page 121

Decision		Chief Executive	Chief Finance Officer	Director / AD's	Team Manager	Notes
<b>5. Attendance</b> (Managers to involve HR and Finance when exercising delegation)						
5.1	Agreeing changes to an individual's contractual hours	✓	✓	✓	✓	
5.2	Agreeing hours of attendance	✓	✓	✓	✓	
5.3	Agreeing the application of any flexible or shift working arrangements	✓	✓	✓	✓	
5.4	Agreeing home working arrangements	✓	✓	✓	✓	
5.5	Approving annual leave and flexi leave	✓	✓	✓	✓	
5.6	Approving carry over leave	✓	✓	✓	✓	
5.7	Approving special leave	✓	✓	✓	✓	
5.8	Approving training (time off and costs)	✓	✓	✓	✓	In line with budget resource
5.9	Approving time off with pay	✓	✓	✓	✓	
5.10	Approving leave without pay	✓	✓	✓	✓	
<b>6. Leavers</b>						
6.1	Confirming resignations	✓	✓	✓	✓	
6.2	Providing references	✓	✓	✓	✓	
6.3	Agreeing terms on which staff leave the Council e.g. compromise agreement, outstanding leave, notice to be worked etc.	✓	✓	✓	✓	Legal Services Manager to agree the terms of any compromise agreement

Decision		Chief Executive	Chief Finance Officer	Director / AD's	Team Manager	Notes
6.4	Designating a member of staff as a redeployee	✓	✓	✓	✓	
6.5	Agreeing redundancy/early retirement	✓				
<b>7. Budgets and expenditure</b> (any decision taken must be consistent with the Financial Procedure Rules and Contract Procedure Rules)						
7.1	Incurring expenditure within approved budget limits	✓	✓	✓	✓	
7.2	Authorising virements within approved service budget	✓	✓	✓	✓	
7.3	Authorising virements between approved service budgets	✓	✓			
7.4	Incurring expenditure in a 'state of emergency' or in order to ensure business continuity	✓	✓	✓		<p>Financial Procedure rules, where practicable. CMT and CFO in consultation with Chairman of Corporate Policy and Resources Committee.</p> <p>This delegation only applies to Strategic Leads when they are carrying out the role of Strategic Commander in respect of emergency planning.</p>

Page 123

Decision		Chief Executive	Chief Finance Officer	Director / AD's	Team Manager	Notes
7.5	Incurring expenditure in taking immediate urgent action in responding to civil emergency and severe weather	✓	✓	✓		<p>Financial Procedure rules, where practicable. CMT and CFO in consultation with Chairman of Corporate Policy and Resources Committee.</p> <p>This delegation only applies to Strategic Leads when they are carrying out the role of Strategic Commander in respect of emergency planning.</p>
7.6	Authorising compensation	✓	✓			<p>Subject to financial limits – up to £25,000; Exec Director and CFO Over £25,000 to £100,000; CMT and CFO and consultation with Chairman of Corporate Policy and Resources Committee. Over £100,000; Corporate Policy and Resources Committee.</p> <p>Note: Compensation arising from LGO complaints is a function of the Governance and Audit Committee (terms of reference no.4 page 9)</p>

Decision	Chief Executive	Chief Finance Officer	Director / AD's	Team Manager	Notes
<b>8. Payroll</b>					
8.1	Authorising payroll submissions	✓	✓	✓	Includes authority to include a new employee on the payroll
8.2	Authorising payroll corrections	✓	✓	✓	
<b>9. Income</b>					
9.1	Determining whether income is due	✓	✓	✓	
9.2	Agree changes to locally determined fees and charges in exceptional circumstances	✓			Action taken to be reported to Corporate Policy and Resources Committee
9.3	Initiating debt recovery action	✓	✓	✓	No decision required- administrative task. Decision not to pursue a debt needs to be a delegated decision- see below (writing off debts)
9.4	Cancelling and reversal of debts	✓	✓	✓	Cancellation of debt raised in error; administrative task providing there is documented

Decision		Chief Executive	Chief Finance Officer	Director AD's	Team Manager	Notes
9.5	Writing off debts		✓			Up to £2,500; CFO Over £2,500; Corporate Policy and Resources Committee decision
<b>10. Purchasing and Procurement</b> (any decision taken must be consistent with the Financial Procedure Rules and Contract Procedure Rules)						
10.1	Seeking tenders and quotations within approved limits	✓	✓	✓	✓	
10.2	Accept the most favourable tender/quotation in terms of quality, timeliness and cost providing it is within the approved budget	✓ (a)	✓ (a)	✓ (b)		(a) above whole life contract value of £75,000 (b) up to whole life contract value of £75,000
10.3	Allowing exemptions to the Contract Procedure Rules	✓				In specific circumstances as detailed in the Contract Procedure Rules
10.4	Placing and authorising orders	✓	✓	✓	✓	In accordance with authorised purchasing limits
10.5	Determining purchasing limits for officers	✓	✓	✓	✓	
10.6	Authorising variations to contracts within approved limits	✓	✓	✓		Per authorised limits
10.7	Terminating contracts	✓	✓	✓		Subject to legal advice
10.8	Maintaining an inventory of assets	✓	✓	✓	✓	
10.9	Disposal of Assets	✓	✓	✓		Subject to guidance in Financial Procedure Rules

Decision		Chief Executive	Chief Finance Officer	Director / ADs	Team Manager	Notes
10.10	Authorising invoices	✓	✓	✓	✓	May be delegated further within service areas to designated budget managers.
10.11	Appointing consultants	✓	✓	✓	✓	
<b>11. Authorisations</b>						
11.1	Signing off reports to committee	✓	✓			In compliance with committee report sign off procedures
11.2	Signing off Government and other returns	✓	✓	✓	✓	
11.3	Signing off bids and applications for funding	✓	✓	✓		In Compliance with Financial Procedure Rules after consulting CFO
11.4	Approving service and business plans	✓				
11.5	Approve response to consultative documents	✓	✓	✓	✓	Within area of responsibility after consultation with appropriate chairman; if politically contentious will be report to Committee

Decision		Chief Executive	Chief Finance Officer	Director/ AD's	Team Manager	Notes
11.6	Certified compliance 8. PCI-DSS 9. PSN 10. Plus any other other information governance standards as may be announced in due course	✓	✓			
<b>12. Complaints</b>						
12.1	Determining complaints	✓	✓	✓	✓	
<b>Engaging Specialists</b>						
13.1	Engaging legal advice	✓	✓	✓	✓	Subject to consultation with Legal Services Manager
13.2	Engaging consultants where necessary to provide technical advice or work of a specialist	✓	✓	✓		Within budget provision and compliance with Contract Procedure Rules

Page 128



Decision	Chief Executive	Chief Finance Officer	Director / AD's	Team Manager	Notes
<b>14. Land Transactions</b>					
<p>14.1</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 129</p>	<p>Acquisitions and disposals of an item contained in the Approved Capital Programme. The purchase or sale of land up to £75,000 in value (including leases or easements where the annual rent multiplied by the length of the lease does not exceed that figure assuming that the rent is not increased on review) and between £75,001 and £250,000 only to be undertaken following consultation with the Leader of the Council or the Deputy Leader when the Leader is unavailable.</p> <p>In all cases of acquisition and disposals, the use of the delegated power is subject to:</p> <p>In the case of acquisitions, the capital funds to be used form an agreed allocation in the current Capital Programme adopted by Council;</p> <p>Any proposed acquisition or disposal has been subject to an independent valuation, preferably by the District Valuer or some other Royal Institute of Chartered Surveyors independent Valuer;</p> <p>Reporting the completed acquisition, lease, or disposal to the next available Corporate Policy &amp; Resources Committee.</p> <p>Where a sale is pursuant to Section 123 of the Local Government Act 1972, Section 32 Housing Act 1985 or Section 25 of the Local Government Act 1988, consent to the Secretary of State may be sought as necessary."</p>	<p>Subject to approval of the Chief Finance officer</p>			<p>Subject to reference to Corporate Policy and Resources Committee by the appropriate Exec Director re areas of open space or land in the nature of open space if there is significant public interest in the preservation of the same.</p>

Decision		Chief Executive	Chief Finance Officer	Director / AD's	Team Manager	Notes
14.2	Compulsory Disposals. Any sale or lease of land pursuant to the Right to Buy or the Right of Enfranchisement under the Housing Act 1985, the Leasehold Reform Act 1967 or The Leasehold Reform Housing and Urban Development Act 1993 subject to compliance with the statutory procedures.	✓	✓			
<b>15. Regulation of Investigatory Powers Act 2000</b>						
15.1	Authorise persons to conduct surveillance in accordance with covert surveillance policy	✓				
<b>16. Constitutional &amp; Legal</b>						
16.1	Affix the Common Seal of the Council to documents	✓	✓	✓	✓	Following consultation with the Section 151 and Monitoring Officer
16.2	Certify that a photocopy of a document, order, report or minutes is a true copy	✓	✓	✓		
16.3	Institute, conduct and/or settle legal proceedings	✓	✓	✓		Within area of responsibility after consultation with Legal Services Manager
16.4	Determine and respond to requests under <b>the General Data Protection Regulation (GDPR) and Data Protection Act 2018</b>					

Decision		Chief Executive	Chief Finance Officer	Director AD's	Team Manager	Notes
16.5	Issue, serve, receive and act upon notices and to impose requirements under any legislation enforced by the Council inc s16 of the Local Government (Miscellaneous Provisions) Act 1976, s19 of the Environmental Protections Act 1990 & s24 of the Town & Country Planning Act 1990	✓	✓	✓		
16.6	Obtain particulars of persons interested in land under s16 of the Local Government (Miscellaneous Provisions) Act 1976	✓	✓	✓		
16.7	Determine and respond to requests under the Freedom of Information Act 200 and the Environmental Information Regulations 2004	✓	✓	✓	✓	Corporate centre must be consulted before applying an exemption. Where s36 is engaged Monitoring Officer must make decision.
16.8	Publish statutory advertisements and notices	✓	✓	✓	✓	
16.9	Signing off of contracts	✓	✓	✓		in compliance with the FPR's

## Proper Officers

The following officers have been designated “proper officers” for these functions:

Statute	Function	Proper Officer
Sections 84 and 85 Public Health Act 1936	Cleansing of filthy or verminous articles, persons or clothing persons or clothing	Chief Executive
Section 47 National Assistance Act 1948 as amended by the National Assistance Act 1951	Removal of persons to suitable accommodation in specified circumstances	Chief Executive
Section 37 Public Health Act 1961	Disinfestation of verminous articles offered for sale	Chief Executive
Section 83 Local Government Act 1972 (LGA 1972 )	Witness and receipt of declarations of acceptance of office of Chairman, Vice-Chairman and Councillors	Head of Paid Service
Section 84 LGA 1972	Receipt of written notice of resignation of office of Chairman, Vice-Chairman and Councillors	Head of Paid Service
Section 88 LGA 1972	Convene a Council meeting for the election to the vacant office of Chairman of the Council.	Head of Paid Service
Section 89 LGA 1972	Receipt of notice in writing of a casual vacancy occurring in the office of Councillor given by two local government electors for the electoral area.	Head of Paid Service
Section 100f (2) LGA 1972	Relates to the exclusion from Council agendas any information which is likely to be dealt with in the absence of the press and public	Head of Paid Service / Monitoring Officer
Section 100b(2) LGA 1972	Relates to the circulation of Committee Reports and Agendas	Chief Executive

Statute	Function	Proper Officer
Section 100B(7)c LGA 1972	Supply to any newspaper copies of documents supplied to Members of the Council in connection with an item to be considered at a meeting.	<b>Monitoring Officer</b>
Section 100C (2) LGA 1972	Preparation of a written summary of proceedings of committees and sub-committees of the Council.	Head of Paid Service
Section 100D(1)a LGA 1972	Preparation of a list of background documents for reports considered by committees and sub-committees of the Council	Head of Paid Service
Section 115 LGA 1972	Receipt of monies from accountable officers	Chief Finance Officer
Section 146 LGA 1972	Certificates as to securities on alteration of local authority area or name	Head of Paid Service Chief Finance Officer
Section 151 LGA 1972 (and Section 114 Local Government and Finance Act 1988)	Responsibility for the proper administration of the Council's financial affairs.	Chief Finance Officer <del>Deputy Chief Finance Officer</del>
Section 225 LGA 1972	Deposit of any documents pursuant to any enactment, instrument or parliamentary standing orders	<b>Head of Paid Service</b>
Section 229 LGA 1972	Certification of any photographic copy of a document in the custody of the council or of any document destroyed while in which custody, or any part of such document	Head of Paid Service

Statute	Function	Proper Officer
Section 231 LGA 1972	Receive documents required to be served on the council	Head of Paid Service
Section 234 LGA 1972	Signature or authentication of any notice or other document which the local authority is authorised or required to give or make or issue	Chief Executive
Section 238 LGA 1972	Certification of printed copies of by-laws	Head of Paid Service
Schedule 12 (para. 4(2)(b)) LGA 1972	Signature of summons to attend council meetings and receipt of notices regarding the address to which a summons to a meeting is to be sent.	Head of Paid Service
Schedule 14 (para. 25(7)) LGA 1972	Responsibility for true copies of resolutions.	Head of Paid Service
Sections 3 and 19 Land Charges Act 1975  Section 41 Local Government (Miscellaneous Provisions) Act 1976.	Act as the Local Registrar.  Certification of minutes, resolution, orders & reports as evidence of resolutions of proceedings	Head of Paid Service
Section 28 Representation of the People Act 1983 (RPA 1983)	Acting Returning Officer for a parliamentary election.	Director of Corporate Services
Section 35 RPA 1983	Returning Officer for local government elections.	Director of Corporate Services
Section 8 RPA 1983	Electoral Registration Officer.	Director of Corporate Services

Statute	Function	Proper Officer
Sections 11, 18, 20, 21, 22, 24, 29, and 31 – Public Health (Control of Disease) Act 1984; Regulations 8 and 9 and Schedules 3 and 4 – Public Health (Infectious Diseases) Regulations 1988	Notification and control powers for communicable diseases	Chief Executive
S.2 Local Government and Housing Act 1989 (LG&HA 1989 )	Hold on deposit the list of politically restricted posts.	Head of Paid Service
Section 3 LG&HA 1989 as amended by Section 202 Local Government and Public Involvement in Health Act 2007	Issue employer's certificate for exemption from politically restricted posts.	Head of Paid Service
Section 4 LG&HA 1989	Head of the Paid Service.	Head of Paid Service
Section 5 LG&HA 1989	Monitoring Officer.	As designated
Section 15 LG&HA 1989 & Local Government (Committees & Political Groups) Regulations 1990	Receipt of notices relating to the membership of political groups.	Head of Paid Service
Regulation 23 Non-Domestic (Collection & Enforcement) (Local Lists) Regulations 1989	Certification of the Local Non-Domestic List	Chief Finance Officer
Local Authorities (Referendums) (Petitions & Directions) Regulations 2000	Functions relating to verification and publicity of petitions	Director of Corporate Services
Section 36 Freedom of Information Act 2000	Act as the 'qualified person'	Monitoring Officer Deputy Monitoring Officer
Local Authorities (Standing Orders) Regulations 2001	Notices regarding proposed appointments of staff	Head of Paid Service

Statute	Function	Proper Officer
Local Authorities (Conduct of Referendums) (England) Regulations 2001	All references to the proper officer	Director of Corporate Services
Section 100 (f) (2) of the Local Government Act 1972	Relates to the exclusion from council agendas any information which is likely to be dealt with in the	Head of Paid Service / Monitoring Officer-
Section 100 (b) (2) of the Local Government Act 1972	Relates to the circulation of committee reports and agendas	Head of Paid Service
Section 13 (3) of Part III of Schedule 12 of the Local Government Act 1972	Relates to holding the Office of Parish Trustee where there is a parish meeting with no separate	Monitoring Officer



**Appendix 2 - Amendments to Scheme of Delegation – approved by G and A to be recommend to Annual Council but which are considered necessary to bring forward as part of the Scheme of Delegation**

<b>TABLE OF PROPOSED AMENDMENTS FOR INCLUSION</b>				
<b>Ref</b>	<b>Section /Page Ref*of Old Scheme</b>	<b>Amendment required</b>	<b>Reason for Amendment</b>	<b>New Officer Proposed</b>
	Part IV (Responsibility for Functions Corporate Delegations- Authorisations) – page 55	<b>NEW</b> 16.9 be <b>ADDED</b> – Signing off of contracts - Notes in column to state in compliance with the FPR’s	Clarity and defined governance.  no specific details on who could sign contracts was previously included in the FPR rules or the corporate delegation scheme.	<b>Chief Exec / S151 / Assistant Director</b>
Page 137	Part IV (Responsibility for Functions ED of Resources) – (Chief Finance Officer) page 32	<b>REMOVE</b> function 38 relating to SIRO and <b>TRANSFER</b> to Monitoring Officer responsibilities on page 35	The Monitoring Officer has taken on this role and this is a permanent change.	<b>Director of Corporate Services – No. 5</b>
	Part IV (Responsibility for Functions Corporate Delegations- Authorisations) – page 58	<b>AMEND</b> line 16.4 by <b>REPLACING</b> “Data Protection Act 1998” with “General Data Protection Regulation (GDPR) and Data Protection Act 2018”	‘Reflects most up to date legislation	<b>N/A</b>
	Part IV (Responsibility for Functions ED of Operations – Planning and Housing Enforcement) – page 41	<b>NEW</b> No. 6 and 7  To be responsible for all safeguarding matters  To be responsible for all Corporate responsibilities under the Prevent Scheme	Clarity.  These are functions undertaken by the authority but not currently referenced.	<b>AD for Homes and Communities NO. 4 and 5</b>

TABLE OF PROPOSED AMENDMENTS FOR INCLUSION				
Ref	Section /Page Ref*of Old Scheme	Amendment required	Reason for Amendment	New Officer Proposed
	Part IV (Responsibility for Functions – ED Operations) – page 39	The following note be <b>ADDED</b> to 2 (f). “Planning Appeals which involve a member overturn will be dealt with in accordance with the Member Overturn Policy agreed on 26 June 2013/14”	Clarity and defined governance	AD Planning and Regen
	Part IV (Corporate Delegations) Page 54	10.5 – determining purchase limits for officers - Team Manager Column to be ticked	Team Managers are contacted by finance to determine these levels – so change reflects current practice.	n/a
Page 138	Part IV (Responsibility for Functions – Monitoring Officer) Page 33	<b>ADD NEW FUNCTION 3 (A)</b> “to keep polling districts and polling places under review and amend any such arrangements (following consultation with Local Ward Member(s) where there is an operational need, prior to the next compulsory District review”	Housekeeping, power granted by Council during 19/20.	DCPS – No.10
	Part IV (Responsibility for Functions ED Economic and Commercial Growth) – Page 45/46	Functions 9 – 14 inclusive be <b>DELETED</b>	On reflection these are considered more JD Objectives, as opposed to functions which need delegated power – error in drafting previously.	N/A – Just remove all
	Part IV (Responsibility for Functions ED Resources) – Page 32	<b>AMEND</b> current point 32 raising the maximum short term cash flow loans to subsidiary companies to a maximum of £50k per company, as opposed to £25k.	Housekeeping as this increase has been approved by committee already, during consideration of a CPR report	CFO - now no.28
	Part IV (Responsibility for Functions ED Resources) – Page 32	<b>NEW no. 37</b> (re-number after) To approve the submission of grant bids of up to £50k where there is no requirement for additional Council resources.	This amendment is proposed to the financial regs and therefore inclusion here also ensures transparency	CFO - no. 34
	Part IV (Responsibility for Functions MO) – Page 33	<b>NEW No. 6</b> To make house-keeping amendments to the Constitution between Annual Councils in consultation with Chairman of the Governance and Audit Committee. Any	This amendment has been approved previously but been missed in drafting	MO – NO.2

TABLE OF PROPOSED AMENDMENTS FOR INCLUSION				
Ref	Section /Page Ref*of Old Scheme	Amendment required	Reason for Amendment	New Officer Proposed
		such amendments will be reported to Governance and Audit Committee / Full Council annually		
	Part IV (Responsibility for Functions s151) – Page 32	<p><b>AMEND 33 and 35</b></p> <p>Raising the authorising of the forming of a partnership arrangement where the value of works/services is no more than £50k as opposed to 25k</p> <p>Raising the approval of amendments to the Capital Programme up to £50k as opposed to 25k</p> <p>.</p>	These amendments were agreed as part of the revised financial regulations – this amendment ensures the two documents are aligned – housekeeping	CFO – Nos. 29 and 31