

Guildhall Gainsborough  
Lincolnshire DN21 2NA  
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This meeting will be webcast and published on the Council's website

## AGENDA

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

**PLEASE NOTE DUE TO CONTINUED SOCIAL DISTANCING REQUIREMENTS  
THE PUBLIC VIEWING GALLERY IS CURRENTLY SUSPENDED**

This Meeting will be available to watch live via: <https://west-lindsey.public-i.tv/core/portal/home>

**Notice** is hereby given that a meeting of the Council will be held in the **West Lindsey Leisure Centre, The Avenue, Gainsborough**, on **Monday, 6th September, 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. APOLOGIES FOR ABSENCE
2. MINUTES OF THE PREVIOUS MEETING  
To confirm and sign as a correct record the Minutes of the previous Full Council Meeting held on 28 June 2021.  
**(PAGES 4 - 28)**
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.

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

Large Clear Print: Braille: Audio: Native Language

4. **MATTERS ARISING**  
Matters Arising Schedule as at 26 August 2021.  
**(PAGES 29 - 31)**
  
5. **ANNOUNCEMENTS**
  - i) Chairman of Council
  - ii) Leader of the Council
  - iii) Chief Executive
  
6. **PUBLIC QUESTION TIME**  
Questions, if received, under this Scheme will be published by way of supplement.
  
7. **QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 9**  
Questions submitted by Members Under Procedure Rule No.9 will be published as a supplement following closure of the deadline.
  
8. **MOTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**  
No motions have been submitted for this meeting.
  
9. **REPORTS FOR DETERMINATION**
  - a. Annual Treasury Report  
**(PAGES 32 - 46)**
  
  - b. Appointment to Vacancy of the Governance and Audit Committee  
**(PAGES 47 - 50)**
  
  - c. Appointment of Monitoring Officer  
**(PAGES 51 - 56)**

Ian Knowles  
Head of Paid Service  
The Guildhall  
Gainsborough

Thursday 26 August 2021

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## WEST LINDSEY DISTRICT COUNCIL

Minutes of the Meeting of Council held in the Epic Centre - Lincolnshire Showground - LN2 2NA on 28 June 2021 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 Liz Clews	Councillor David Cotton
Councillor Mrs Tracey Coulson	Councillor Christopher Darcel
Councillor Timothy Davies	Councillor Michael Devine
Councillor David Dobbie	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 Peter Morris	Councillor Keith Panter
Councillor Roger Patterson	Councillor Mrs Judy Rainsforth
Councillor Mrs Diana Rodgers	Councillor Mrs Lesley Rollings
Councillor Jim Snee	Councillor Mrs Mandy Snee
Councillor Jeff Summers	Councillor Robert Waller
Councillor Mrs Angela White	Councillor Trevor Young

**In Attendance:**

Ian Knowles	Chief Executive
James O'Shaughnessy	Head of Policy Strategy and Sustainable Environment / Deputy Monitoring Officer
Katie Storr	Democratic Services & Elections Team Manager (Interim)
Emma Redwood	Assistant Director People and Democratic Services
Ele Snow	Democratic and Civic Officer
Steve Leary	Commercial Waste Manager

**Apologies**

Councillor Jane Ellis  
Councillor Mrs Jessie Milne  
Councillor Tom Regis  
Councillor Mrs Anne Welburn

### 8 CHAIRMAN'S WELCOME

The Chairman welcomed all Members to the Epic Centre and the first in person in person meeting of Full Council since March 2020. The Chairman reminded Members of the fire procedures and covid measures in place before formally opening the meeting.

## 9 MEMBERS' DECLARATIONS OF INTEREST

No declarations were made.

## 10 DISTRICT COUNCIL BY-ELECTION RESULTS - MAY 2021

Members gave consideration to a report which set out the results of the recent District Council By-Election for the Kelsey Wold Ward held on 6 May 2021.

Members welcomed and congratulated newly elected Councillor, Councillor Peter Morris.

**RESOLVED** that the results of the District Council By-Election for the Kelsey Wold Ward held on 6 May 2021 be noted.

## 11 CHAIRMAN'S CHAPLAIN

The Chairman of Council moved a vote of thanks to his outgoing Chaplain, the Reverend Adam Watson, in his absence for his services and support during the past two years.

The Chairman of Council advised that his Chaplain for the forthcoming year was to be the Reverend Jane Foster-Smith, whom had earlier taken prayers.

Reverend Foster-Smith was in receipt of the Chaplain's stole.

Members congratulated Reverend Foster-Smith on her pending ordination.

**RESOLVED** that the Reverend Jane Foster-Smith be appointed as the Chairman's Chaplain.

## 12 TO ELECT A LEADER OF THE COUNCIL

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

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 2021/22 civic year.

Councillor Bierley addressed Council and expressed his thanks at having been re-appointed.

### 13 TO ELECT A DEPUTY LEADER OF THE COUNCIL

It was proposed and seconded that Councillor Anne Welburn be appointed as the Deputy Leader of the Council.

There were no further nominations.

A request for a recorded vote was made and duly seconded by a further Member.

On being put to the vote, votes were cast in the following manner: -

**For:** - Councillors Bierley, Brockway, Coulson, Darcel, Davies, Devine, England, Fleetwood, Grimble, Hill, Howitt-Cowan, Lawrence, McCartney, G McNeill, J McNeill, Morris, Patterson, Rodgers, Summers and Waller (20)

**Against:** - Councillors Dobbie and Panter (2),

**Abstentions:** - Councillors Boles, Bunney, Clews, Cotton, Rainsforth, Rollings, M Snee, J Snee, White, and Young (10)

With a total of 20 votes in favour, 2 votes against and 10 abstentions, it was: -

**RESOLVED** that Councillor Anne Welburn be elected Deputy Leader of the Council for the remainder of 2021/22 civic year.

### 14 MINUTES OF THE PREVIOUS MEETING

a) Minutes of the Meeting of Full Council held on 12 April 2021

Having being moved and seconded, and with no questions raised, it was: -

**RESOLVED** that the Minutes of the Meeting of Full Council held on 12 April 2021 be confirmed and signed as a correct record.

b) Minutes of the Annual Meeting of Full Council held on 4 May 2021

Having being moved and seconded, and with no questions raised, it was: -

**RESOLVED** that the Minutes of the Annual Meeting of Full Council held on 4 May 2021 be confirmed and signed as a correct record.

### 15 MATTERS ARISING

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

A Member expressed disappointment that the action entitled "motion to combat litter" had been

delayed but were understanding of the reasoning,

With no further comments or questions and with no requirement for a vote, the Matters Arising were **DULY NOTED**.

## **16 ANNOUNCEMENTS**

### **Chairman**

The Chairman had had the pleasure of being able to undertake several engagements in recent weeks, making reference first to the raising of the Pride Flag, outside of the Guildhall, in celebration of Pride month.

The Chairman had also paid honour to all of the Armed Forces, on National Armed Forces Day, raising the flag alongside the Chief Executive, his Chaplain and the Council's Member Champion for Armed Forces and recording prayers and messages on social media.

Only last Friday the Chairman had had the pleasure of joining Sir Edward Leigh at the opening of new facilities at Riseholme College – a truly amazing facility to have within the District.

Only this Saturday, alongside the Chief Executive, the Chairman had visited the very well attended Merry Olde Market in Gainsborough. It had been a pleasure meeting the stallholders, entertainers and members of the community, and all seemed to be thoroughly enjoying themselves

### **Leader**

The Leader made the following address to Council

“Firstly I very much welcome the ability to hold meetings in person once again, both in the community and as a Council, even though the safety requirements mean they are by no means as they were before the pandemic. Huge thanks are due to all those who, through their hard work and commitment, have made this the successful process it has proven to be to-date.

Members will be aware that the District Council's bid to the Levelling Up Fund was completed and submitted in good time, though we will not learn the outcome until the Autumn. Again, given that such a high quality application was prepared within a really challenging timeframe is a notable achievement, reflecting the ambition of this Council and the wider partnership.

Whilst recognising the amazing progress made in combatting the coronavirus pandemic, especially through the vaccination programme, considerable challenge and uncertainty remains as new variants emerge. Continued adherence to the guidance and regular self-testing remain vital tools available to us all as we strive towards the easing of restrictions on or after 19<sup>th</sup> July.

Consultation on the draft Central Lincolnshire Local Plan (Regulation 18) will begin next week and run for an eight-week period. The document contains a number of ambitious, cutting edge proposals, particularly in support of the climate change and sustainability imperative. It is vitally important that as many individuals and organisations as possible now share their views.

Two announcements have recently been made that respond to ambitions of many years standing however neither, at this stage, contains the optimal, desired, solution for West Lindsey. I'll refer to the railway proposal under Agenda Item 11, but can advise that the Lincolnshire Wolds AONB boundary review has not been included in the first round of projects by Natural England.

Finally Chairman, whilst we should never underestimate what we have achieved so far as a Council during a time of unprecedented challenge and change, much remains to be done and will be done on behalf of those we represent. My heartfelt thanks go to each and every one of you, to our colleagues in local government and to all of our partners in the community."

## **Chief Executive**

The Chief Executive addressed Council and was pleased to advise the election in May had gone smoothly, paying recognition to the Elections team and the 200 plus officers involved in hosting the polling stations and undertaking the count for four different elections.

Members were advised that the Monitoring Officer would be leaving the Council on 17<sup>th</sup> August. He thanked Mr O'Shaughnessy for his support, congratulated him on his new role and wished him the best of luck for the future.

Referring Members to the programme of events to launch the Gainsborough Townscape Heritage Programme, which had started with the Merry Olde Market on Saturday 26<sup>th</sup> June. The market had been well received and was busy for much of the day between 9am and 3pm.

A further employee survey had been undertaken over the last few weeks. The Chief Executive was pleased to report that there had been a high response with 64% of employees continuing to report that they felt their needs were being catered for during the pandemic. There was a high proportion of employees looking to work from home or have a mix of office and work from home in the future. From 5 July employees would be able to book work stations within the Guildhall. This being the first phase in developing a new way of working.

That concluded announcements for the meeting.

## **17 PUBLIC QUESTION TIME**

The Chairman advised the meeting that no public questions had been received.

## 18 QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE NO. 9

The Chairman advised the meeting that four questions pursuant to Council Procedure Rule No.9 had been submitted to the meeting. These had been circulated separately to the agenda.

The Chairman invited the first questioner, Councillor Trevor Young, to put his question to the meeting, as follows: -

“The Government introduced a number of different financial grants to support businesses during this Covid Pandemic which have been administrated by local authorities.

My question is have these business grants been paid to any political associations and groups across the District since their introduction?

If so Leader: -

- please outline how political parties/ associations would meet the criteria for grant assistance as they are not businesses nor do they provide a service.
- And if payments have been made please confirm whether these payments have been returned to the Council or whether it is intended for them to be returned.

Many local businesses have financially struggled during this Covid Pandemic and many employees are at risk of losing their jobs. People across the district would be disheartened to hear that financial grants intended to support local businesses have been paid to support such groups and associations should that be the case.

Thank you”

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

“Thank you for your question Cllr Young. Yes, one grant payment of £10,000.00 was paid under Small Business Rate Relief on 16<sup>th</sup> April 2020. It was repaid (allocated on the ledger) in two amounts, £5,000.00 on 1<sup>st</sup> December 2020 and £5,000.00 on 3<sup>rd</sup> December 2020.

The eligibility criteria for the Small Business, Retail, Leisure and Hospitality grants (the first phase of business grants in April 2020) was determined by the business rates register. Rate paying organisations were entitled to receive grant support.”

Councillor Young thanked the Leader for the response.

The Chairman then invited the second questioner, Councillor Mandy Snee, to put her question to the meeting as follows: -

“It was great to see West Lindsey District raising the flag to celebrate the beginning of Pride Month.



At this event the Chair Councillor England said that “one of his main priorities as the Chairman of the Council was to make sure that everybody in West Lindsey felt supported and included in the District”. Rightly so.

Please:

What are the actions in place to ensure this happens?

The Annual Equality Statement (drawn from the Equality strategy) and uploaded on W.L.D.C.'s website, records the Equality objectives and actions from 2018.

What are the current objectives and how are we going to meet these as a Council?

Thank you”

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

“Thank you for your question Cllr Mrs Snee and for highlighting the fact that the Council fully supports Pride Month and in doing so publicly expresses its commitment to promoting equality and to help bring about an inclusive society.

As a local authority the Council has a responsibility to meet the Equality Duty which is set by law as part of the Equality Act 2010. To ensure this happens, Members are reminded that at the March 2020 meeting of the Prosperous Communities Committee, Members approved the Council’s Equality Strategy and Action Plan. It can be viewed here: <https://www.west-lindsey.gov.uk/my-council/how-the-council-works/key-plans-policies-and-strategies/equality/equality-strategy/>

The Strategy has a four year timeframe 2020 – 2024 and its aim is to support strong, active and inclusive communities who can influence and shape the district of West Lindsey. It is imperative that we work to ensure that no one is marginalised through personal circumstances and everyone is offered the best opportunity to realise their potential.

As Members of this Council we all have a responsibility to provide community leadership within the District of West Lindsey and use our role to promote equality and community cohesion as well as sharing ideas and good practice with our partners and other service providers.

There are four objectives contained with the Equality Strategy:

1. To review Corporate Plan and Equality objectives to ensure links are clear and objectives are evidence based
2. To ensure that all our staff, elected Members and volunteers are aware of our responsibilities under the Equality Act 2010 and the Public Sector Equality Duty
3. Engage our communities to participate in the determination of our priorities

and decision making

4. Ensure we are transparent in decision making.

The Action Plan that accompanies the Strategy contains a number of specific actions to be undertaken to achieve these objectives; including updating the Annual Equality Statement; training and awareness for staff and Members and the provision of guidance and supporting information.

Due to unforeseen circumstances there has been a delay in progressing some of this work; however Officers are now back in a position to make headway and ensure that the action plan is delivered. Information on the Council's website will also be updated and the objectives will be displayed. This is also an area in which our new Chairman's Chaplain, Revd. Jane Foster-Smith, takes a keen interest"

Councillor Snee thanked the Leader for the response, but advised that the Equality Strategy did not appear to be loading on the website and the links within Strategy did not appear to fully functional.

This fact was disputed by way of Point of Information from another Member, advising that he had successfully accessed the document. Officers undertook to investigate the documents accessibility on the website after the meeting.

The Chairman then invited the third questioner, Councillor Stephen Bunney, to put the first of his questions to the meeting as follows: -

**"Market Rasen Swimming Pool Business Plan** - The former Leader, in his speech to Full Council earlier on in the year, when he outlined the work of The Council in the civic year 2021 – 2022, he pledged that the schedule would include a review of the business case for a swimming pool in Market Rasen.

Could the Leader please confirm that this piece of work is still on the to-do list?

Could he also explain the full range of criteria that will be used when determining the business case and confirm that any conclusions made will not be purely on short term economic grounds but also take into account post austerity environment, social, health and wellbeing co-benefits over the working life of a rural community based swimming pool.

Thank you"

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

"Thank you for your question Councillor Bunney. As outlined by the then Leader of the Council, the workplan for the 2021/22 civic year does include a review of the business case for a swimming pool in Market Rasen.

Whilst the full scope of the review is yet to be determined work has commenced and I can reassure residents that it will not purely be based on a financial assessment and will be developed in accordance with our five case model, which

ensures we take into account wider considerations.

The five case business model looks at: -

- The strategic case – assesses how the project will meet corporate priorities,
- The financial case – how the project impacts on ongoing resources and availability of funding
- The commercial case – is there a market for the activity and will it generate income
- The legal case – do we have the legal power and
- The operational case – what is the business need”

Councillor Bunney thanked the Leader for the response.

The Chairman invited Councillor Bunney to put his second question to the meeting, and the fourth and final question for this meeting, as follow.

**“Levelling Up Fund across The District** - The ‘Thriving Gainsborough 2024’ proposal under the auspices of the Government’s Levelling Up Fund initiative is an exciting and extremely beneficial project. Let’s hope that the funding is forthcoming as expected. The positive developments in the town will have major benefits for the residents, businesses and visitors to the wider West Lindsey Area. However, for this to happen there needs to be an effective dissemination of the potential initiatives and improved communications/transport links between Gainsborough and the outlying areas. Currently, there is a prevalent north-south bias, between Grimsby, Lincoln, Leicester and beyond, in such movements within most of the district’s area. For instance, it is not possible to use the Call Connect bus service from Market Rasen to Gainsborough, to make up for the lack of a regular daily bus service.

What plans are in place to develop these essential links?

If they are still being formulated what brief has been issued to the Officers and what is the anticipated time line for finalising these plans?

Thank you”

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

“Thank you for your question Cllr Bunney. WLDC work strategically with LCC as the Highways Authority to influence and plan for connectivity across all modal activity. The overarching Transport Plan for Lincolnshire (LTP5) is currently being re-drafted, our Officers are part of a working group with a mandate to ensure alignment with our adopted Corporate Plan. Consultation on LTP 5 will include members of the two Transport Strategy Boards, our Transport Member working group and wider public engagement, to be managed by Lincolnshire County Council.

As Members will be aware, the peak and off peak bus service between Market Rasen and Gainsborough, operated by Stagecoach was withdrawn in 2013 as it

was no longer commercially viable. This was as a result of low passenger numbers, some of which was driven by changes in school movements. Analysis at the time showed that most journeys were made between Hemswell and Gainsborough, this is now possible on Call Connect.

The publication of the National Bus Strategy has reaffirmed aspirations to deliver a bus network fit for the future. LCC are leading work to bring together an Enhanced Partnership and Bus Service Improvement Plan by October 2021 with a view to delivery commencing from April 2022. Officers continue to raise the matter of connectivity across the district and there is commitment from LCC to discuss priorities and aspirations with all stakeholders as the Bus Service Improvement Plan is developed.

Finally, LNER have recently published their draft proposed timetable for May 2022. It appears that the opportunity for the reinstated Cleethorpes to London service (withdrawn in 1993) to stop at Market Rasen (and indeed Barnetby and Habrough) has been overlooked. WLDC will be submitting a formal response to the consultation and I would encourage all Members and partner organisations to also consider making a response. The consultation will be open until 5<sup>th</sup> August and can be accessed here: <https://lner.citizenspace.com/>"

Councillor Bunney thanked the Leader for the response in particular the information regarding the LNER consultation.

The Leader gave his assurance that he would continue to raise these matters at relevant meetings.

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

The Chairman advised the meeting that one motion pursuant to Council Procedure Rule No.10 had been submitted to the meeting, this was as set out in the agenda.

Councillor Trevor Young, was invited to put his motion to the meeting, as follows: -

“Chairman

In 2016 Lincolnshire County Council turned off almost half of the street lights across the County resulting in many residents living in fear for their safety at night.

At a recent presentation by Lincolnshire Police (18<sup>th</sup> Feb ) it was stated that the lack of street lighting has significantly impacted on crime levels in parts of the Gainsborough South West Ward and their ability to effectively deal with crime during hours of darkness.

Perception of personal safety is important especially for the vulnerable. The recent events of the Sarah Everards case have placed emphasis on women’s safety, particularly at night time.

Surely it is time this position was re-considered?

I call upon Members to support this motion requesting that the Leader of this Council commences robust discussions with Leading Members of the County Council with a view to seeking the re-introduction of street lighting in parts of West Lindsey, particularly into those communities we ourselves have deemed to be vulnerable.

Furthermore, the Leader be required to feed back to this Council, by way of reporting to Prosperous Communities, the outcome of these discussions, potential options which could be investigated and their associated costs.

I so move”

Having being duly seconded debate ensued, with the Leader of the Council indicating that he was unable to support the Motion, and outlined his reasons for this. He considered there was a more appropriate way for this matter to be addressed - that being for individual town and parishes with support from their County Councillor, to approach the County Council direct regarding their specific area, an option which was currently available.

The facts within the Motion were disputed. A dual hatted Member indicated she had sought further information direct from the County and had been advised of the 68,000 street lights owned by LCC 42,000 remained on for part of the night. This approach saved £2.5 million for the tax payer. Data available showed no correlation between lighting and crime levels, and whilst perception of crime initially rose this had eased. There was a danger that fear could be easily created. There was a process by which street lighting could be reintroduced, with parishes and neighbourhoods being charged a one-off fee.

Councillor Young as the Motion submitter was asked to quantify the statement made regarding Lincolnshire Police, which some Members considered was at odds with their understanding and as such they could not support the Motion.

In responding, reference was made to the pledges which had been made in recent County Council and Police Commissioner elections. The statement had been made at a Member briefing on 18 February attended by the Police and Crime Commissioner when he had spoken of the difficulties the force were experiencing hampered by street lighting.

Councillor Young further advised of campaign pledges made by the Crime Commissioner and of his visits to Gainsborough and had indicated he would support any campaign to re-instate street lighting on those streets where there had been an impact. In Gainsborough Councillor Young was of the view almost 90% of the street lights were off. During lockdown crime in the area had significantly increased, the darkness allowed crime to thrive. As a Council, he considered it a duty to ensure residents had safe environments to live, without a safe environment there was little point. Personal Safety had to be a priority, not a political matter, and Councillor Young urged the Council to acknowledge the issue existed, commence robust discussions with the County Council and report back to this Committee options and costs to re-

introduce street lights where they were required.

Reference was made to the work undertaken by a former Leader of this Council, however the costs were significantly higher than those that had been stated by previous speakers. He urged the council to fully understand the costs and the options to a full discussion about finding a solution. Can areas be turned on, individual lights?, individual streets? The Chamber were again urged to acknowledge the problem, Gainsborough was in total darkness after midnight, it had a night time economy, with aspirations for this to grow. Members were challenged to walk Gainsborough in the evening and confirm they felt safe.

The facts were again disputed but Members were keen to understand where these differences had arisen.

Personal perception data was not collected and yet personal perception was key, this impacted lives and if the District was to be successful in attracting businesses , visitors, employment, personal safety and public perception needed to be addressed.

Some Members were not supportive of the reporting back proposal and questioned the constitutional appropriateness. In response it was suggested both the process and testing the evidence were not the real issues for discussion. Community safety was of paramount importance, people needed to feel safe. Speaking to residents there was a genuine fear.

A Member suggested a report back to Council, following discussions with LCC and the Police and Crime Commissioner, outlining those areas which may benefit, may be more appropriate and something he could support should the Motion be amended.

Several Gainsborough Ward Members spoke of the experience of the town of an evening, the feedback received from residents, concerns around emergency services been unable to find addresses. It was suggested a saving of £2.5 million within a budget the size of the County Council's was not significant enough given the impact on the community. Councillor Devine, Gainsborough East Ward Member advise Members he had written directly to the Executive Member of the County Council , but had been advised there was no evidence to suggest crime had increased in the absence of street lighting.

A request for a recorded vote was made and duly seconded by a further Member.

On being put to the vote, votes were cast in the following manner: -

**For:** - Councillors Boles, Bunney, Clews, Cotton, Coulson, Darcel, Davies, Devine, Dobbie, Hill, Howitt-Cowan, Panter, Rainsforth, Rollings, M Snee, J Snee, White, and Young (18)

**Against:** - Councillors Bierley, Brockway, England, Fleetwood, Grimble, , Lawrence, McCartney, J McNeill, Morris, Patterson, Rodgers, Summers and Waller (13)

**Abstentions:** - G McNeill (1)

With a total of 18 votes in favour, 13 votes against and 1 abstention, it was it was **RESOLVED** that the motion be **ACCEPTED** and as such

- (a) The Leader of the Council to commence robust discussions with Leading Members of the County Council with a view to seeking the re-introduction of street lighting in parts of West Lindsey, particularly into those communities we ourselves have deemed to be vulnerable; and
- (b) the Leader feed back to this Council, by way of reporting to Prosperous Communities, the outcome of these discussions, potential options which could be investigated and their associated costs.

## **20 REVIEW OF THE ALLOCATION OF SEATS TO POLITICAL GROUPS ON COMMITTEES/SUB -COMMITTEES**

The Chairman presented the report, which set out details of the political groups on the Council, the number of Members to be appointed to serve on each Committee, and the allocation of seats on each of the Committees based on political groupings.

The requirement to review the allocations was as a result of the recent by-election held in the Kelsey Wold Ward at which Councillor P Morris was elected . Councillor Peter Morris has given due notice under Regulation 9b that he wishes to be treated as Member of both the Conservative Group and the Administration.

This was a matter, which had been determined by the Head of Paid Service under his delegated authority, and as such, there was no requirement for a vote.

With no questions posed, the following was **DULY NOTED**: -

- (a) the details of the political groups, as set out in Appendix A of the report,
- (b) the number of Members to be appointed to serve on each committee and sub-committee; and
- (c) the allocation to different political groups of seats on committees/sub-committees, as set out in Appendix B of the report.

## **21 APPOINTMENT OF COMMITTEES, COMMITTEE CHAIRMEN AND COMMENCEMENT TIME OF MEETINGS**

The Chairman of the Council presented the report which set out the wishes expressed by the political groups in respect of the appointment of Members to serve on each of the Council's formal Committees for the remainder of the 21/22 Civic Year.

Requests had been received that the Overview and Scrutiny be not politically balanced.

Members were asked to suspend the rules relating to proportionality in respect of the Overview and Scrutiny Committee and appoint the Members named in the report to the respective Committees.

The report further sought to appoint Chairmen and Vice/Chairmen for the remainder of the 21/22 civic year and determine the normal commencement time for each Committee .

Whilst the Council had had the need to re-appoint the Committees in accordance with its duty to make appointments to Committees in accordance with the wishes expressed by political groups, all Group Leaders had indicated they had no wish to amend the Chairmen and Vice-Chairmanship appointments previously made, with the exception of one. This being the Vice-Chairmanship for Chief Officer Employment Committee (COEC).

This report therefore merely sought re-affirmation of the majority of the positions and sought Council approval to amend the vice-chairmanship for the COEC from Councillor Owen Bierley to Councillor Mick Devine

No changes to usual commencement times of meetings were being proposed.

A Member indicated that in future, where a committee had two vice-chairmanships, the report should make clear which Councillor held vice-chair 1 and vice-chair 2, as this had implications for other council procedures, Concurrent committee being one such example.

With no questions posed, following a unanimous vote in favour it was

**RESOLVED** that

- (a) That the rules relating to proportionality be suspended in relation to the Overview and Scrutiny Committee;
- (b) In accordance with the provisions of section 16 of the Local Government and Housing Act 1989 and the wishes expressed by political groups, Members be appointed to serve to the Council's Committees for the remainder of the civic year as follows: -

**Chief Officer Employment Committee (8 Members)**

Councillor Owen Bierley	
Councillor Jackie Brockway	Chairman
Councillor Mick Devine	Vice-Chairman **
Councillor Diana Rodgers	
Councillor Lesley Rollings	
Councillor Anne Welburn	
Councillor Angela White	
Councillor Trevor Young	

**Corporate Policy and Resources Committee (12 Members)**

Councillor Owen Bierley  
Councillor Matt Boles  
Councillor Stephen Bunney  
Councillor Mick Devine



Councillor Ian Fleetwood  
Councillor Paul Howitt-Cowan  
Councillor Giles McNeill  
Councillor John McNeill  
Councillor Mandy Snee  
Councillor Jeff Summers Vice-Chairman  
Councillor Anne Welburn Chairman  
Councillor Trevor Young

**Governance and Audit Committee (7 Members)**

Councillor Jackie Brockway Vice-Chairman  
Councillor Stephen Bunney  
Councillor Tracey Coulson  
Councillor Chris Darcel  
Councillor David Dobbie  
Councillor John McNeill Chairman  
Councillor Anne Welburn

**Licensing Committee (12 Members)**

Councillor Liz Clews  
Councillor David Cotton  
Councillor Tim Davies  
Councillor Caralyne Grimble  
Councillor Paul Howitt-Cowan  
Councillor Angela Lawrence Vice-Chairman  
Councillor Cordelia McCartney  
Councillor Jessie Milne Chairman  
Councillor Peter Morris  
Councillor Judy Rainsforth  
Councillor Jim Snee  
Councillor Jeff Summers

**Regulatory Committee (12 Members)**

Councillor Liz Clews  
Councillor David Cotton  
Councillor Tim Davies  
Councillor Caralyne Grimble  
Councillor Paul Howitt-Cowan  
Councillor Angela Lawrence Vice-Chairman  
Councillor Cordelia McCartney  
Councillor Jessie Milne Chairman  
Councillor Peter Morris  
Councillor Judy Rainsforth  
Councillor Jim Snee

Councillor Jeff Summers

**Planning Committee (12 Members)**

Councillor Matthew Boles  
Councillor David Cotton  
Councillor Mick Devine  
Councillor Jane Ellis  
Councillor Ian Fleetwood Chairman  
Councillor Cherie Hill  
Councillor Cordelia McCartney  
Councillor Jessie Milne  
Councillor Roger Patterson  
Councillor Bob Waller Vice-Chairman  
Councillor Judy Rainsforth  
Councillor Angela White

**Prosperous Communities Committee (12 Members)**

Councillor Owen Bierley Chairman  
Councillor Stephen Bunney  
Councillor Tracey Coulson Vice-Chairman  
Councillor Chris Darcel  
Councillor Mick Devine  
Councillor Steve England  
Councillor John McNeill Vice-Chairman  
Councillor Jessie Milne  
Councillor Mandy Snee  
Councillor Jim Snee  
Councillor Tom Regis  
Councillor Trevor Young

**Overview and Scrutiny Committee (11 members unbalanced)**

Councillor Liz Clews  
Councillor Tim Davies  
Councillor David Dobbie  
Councillor Caralyne Grimble  
Councillor Cherie Hill  
Councillor Angela Lawrence  
Councillor Keith Panter  
Councillor Roger Patterson  
Councillor Diana Rodgers Vice-Chairman  
Councillor Lesley Rollings Chairman  
Councillor Angela White Vice-Chairman

- (c) The current committee Chairmen, and Vice-Chairmen) be re-affirmed, and the amended Vice-Chairmanship relating to the Chief Officer Employment Committee be approved as follows;

Committee	Chairman	Vice-Chairman/men
Chief Officer Employment	Councillor Jackie Brockway	Councillor Mick Devine
Corporate Policy and Resources	Councillor Anne Welburn	Councillor Jeff Summers
Planning	Councillor Ian Fleetwood	Councillor Robert Waller
Governance and Audit	Councillor John McNeill	Councillor Jackie Brockway
Licensing	Councillor Jessie Milne	Councillor Angela Lawrence
Overview and Scrutiny	Councillor Lesley Rollings	Councillor Diana Rodgers Councillor Angela White
Regulatory	Councillor Jessie Milne	Councillor Angela Lawrence
Prosperous Communities	Councillor Owen Bierley	Councillor Tracey Coulson Councillor John McNeill
Standards Sub-Committee	Councillor Anne Welburn	David Cotton

and

- (d) the normal commencement time for each of the Committees be approved in accordance with the schedule detailed in table 2 of the report, as follows: -

Committee	Chairman
Chief Officer Employment	Meeting to be convened as and when required
Corporate Policy and Resources	6.30pm
Planning	6.30pm
Governance and Audit	2.00pm

Licensing*	6.30pm
Overview and Scrutiny	6.30pm
Regulatory*	6.30pm
Prosperous Communities	6.30pm
Standards Sub-Committee	Meeting to be convened as and when required

\* =Sub Committees for these meetings will be convened as required and will be held at various times during office hours.

## **22 APPOINTMENT OF SUB-COMMITTEES, BOARDS AND OTHER BODIES (INCLUDING ANY OUTSIDE BODIES DUE TO EXPIRE )**

Council considered a report which sought to appoint Members to Sub-Committees, Working Groups, Panels, Boards and Outside Bodies which were due to expire or where notification had been received from the main Group Leaders.

Councillor Trevor Young indicated that since the reports publication he wished to replace Councillor Judy Rainsforth on the Community Awards Panel, and appoint Councillor Keith Panter as her replacement. The amendment was formally moved and seconded and on being put to the vote, the **AMENDMENT** was **CARRIED**.

**Note:** Councillor Giles McNeill requested his vote against the above amendment be recorded.

The Chairman of the Governance and Audit Committee highlighted references to the former Challenge and Improvement Committee (now Overview and Scrutiny Committee), within the membership of Honours Panel. It was again noted that reference was also made to the Committee's Vice-Chairman, of which there were now two. As such it was suggested these matters be further addressed as appropriate for increased clarity.

In response to Members' queries, regarding the Joint Staff Consultative Committee, noting its absence from any of the reports. Officers confirmed the membership was to remain as previously appointed. In light of Group Leaders' having indicated, they did not wish to amend its Membership, reference to both it and the Standards Sub-Committee had been excluded from the report. It was accepted that, for transparency, its inclusion for noting would have been more appropriate.

It was also confirmed the Standards Sub-Committee remained a sub-committee of the Governance and Audit Committee.

**RESOLVED** that : -

- (a) Councillors Steve England and Caralyne Grimble be appointed to the Climate and Sustainability Working Group;

- (b) Councillor Judy Rainsforth be re-appointed to the following Outside Bodies, for a further four year term, expiring Annual Council 2025 (subject to re-election in May 2023)-
- \* Trustees of Francis Barker Trust
  - \* Trustees of Gainsborough Education Charity
  - \* Trustees of WG Rose Memorial; and
- (c) Councillor Keith Panter be appointed to the Community Awards Panel in replacement of Councillor Judy Rainsforth.  
(Membership of the remaining bodies detailed in Appendix A of the report to remain unchanged).

**Note:** No amendments to the Membership of the Joint Staff Consultative Committee or Standards Sub-Committee were being made as a result of this report.

## **23 ADOPTION OF THE SCOTTON, BISHOP NORTON AND ATTERBY, GAINSBOROUGH, AND MORTON NEIGHBOURHOOD PLANS**

Members gave consideration to a report sought approval to adopt (make) the Scotton, Bishop Norton and Atterby, Gainsborough, and Morton Neighbourhood Plans as part of the West Lindsey Development Plan, following each plan's successful referendum, held on 6 May 2021, having been delayed by the Coronavirus pandemic.

The Chairman of Council, as Member Champion for Neighbourhood Planning presented the report and in doing so made reference to his joy at seeing more plans being made. It was custom and practice for Neighbourhood Planning Groups to formally present their plans to the Council Meeting. Disappointingly, current restrictions had not made this possible, but the Chairman indicated of his intention to ensure Group representatives, were invited in due course, to meet with him at a separate event when restrictions allowed more easily.

Members across the Chamber acknowledged the enormous amount of hard work and dedication it took to complete a Neighbourhood Plan. Members directly involved with the production of both the Gainsborough, Morton and Scotton Plans addressed the meeting and placed on record their thanks to the individuals involved, and the hours of work numerous volunteers had undertaken to reach this stage.

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

**RESOLVED** that the Scotton, Bishop Norton and Atterby, Gainsborough, and Morton Neighbourhood Plans be adopted and made, in accordance with the Neighbourhood Planning Regulations 2012.

## **24 APPOINTMENT TO REMUNERATION PANEL**

Consideration was given to a report which sought to appoint an Independent Member to serve on the Council's Remuneration Panel. The Monitoring Officer presented the report

and in doing so outlined the recruitment process which had been undertaken and personnel involved in that process.

The Council formally placed on record its thanks to outgoing Remuneration Panel Member Mr Peter Clay.

**RESOLVED** that Mr R Harvey be appointed to serve on the Remuneration Panel from 28 June 2021 for a period of 3 years to Annual Council 2024.

**Note:** The meeting was adjourned for 10 minutes at the conclusion of this item of business, with the meeting re-convening at 20.40 pm.

## **25 THE COUNCIL'S CARBON MANAGEMENT PLAN AND DRAFT SUSTAINABILITY, CLIMATE AND ENVIRONMENT STRATEGY AND ACTION PLAN**

Members gave consideration to a report which presented the Council's Carbon Management Plan and draft Sustainability, Climate and Environment Strategy and action plan for approval having been recommended by both the Prosperous Communities Committee and the Corporate Policy and Resources Committee at their concurrent meeting in April 2021.

In summary the report provided

- a brief reminder to Members setting out the original rationale for this work, arising from a Motion to Council and the approach adopted to undertake the task;
- information produced by the Carbon Trust detailing the Council's revised carbon footprint and an associated carbon reduction action plan;
- the proposed Council's Sustainability, Climate Change and Environment Strategy and action plan for consideration and an outline of the process followed to develop the Strategy; and
- details of further matters for consideration to progress this agenda.

In presenting the report it was noted that a key message of the Strategy was that in addressing climate change a number of important co-benefits could accrue. In addition to greenhouse gas reductions, long-term sustainable financial savings; better development; improved health and wellbeing; new technologies and skilled employment; greater community resilience and secure energy supplies could be realised. Further information was contained in Section 2 of the report.

Climate change and its adverse impacts was considered one of the biggest issues individuals, communities, organisations and nations faced. Reference was made to the special report of the Intergovernmental Panel on Climate Change (IPCC) which stressed the urgency with which greenhouse gas emissions must be reduced to avoid the worst impacts of climate change.

The draft strategy and action plan, before Members set out the Council's response to this

challenge. It provided a path way for the Council to follow in order to reach a net-zero carbon position across its own operations and for the wider District to achieve the same position by 2050 at the latest. It was considered not taking immediate action was not an option.

The scale of the carbon reduction challenge had been calculated. The Council's most recent carbon footprint had been calculated at 3428t CO<sub>2</sub>e pa, with an initial targeted footprint of 2089t CO<sub>2</sub>e pa. to be tackled. The Council's current carbon 'hotspots' have also been identified. The carbon footprint of the whole District was estimated at 524kt CO<sub>2</sub>e pa. which signified that the Council's overall impact was minimal in comparison. However, as a leader of place it was considered vitally important that the Council brought to bear its influencing skills to support and encourage all stakeholders across the District to also meet the challenge.

The key contributory factors to climate change had been identified and were discussed and detailed within the strategy. Their identification provided a robust framework against which action could be taken to mitigate their harmful effects on a themed approach.

The report also set out the key steps undertaken during the strategy's production. These included work with the Carbon Trust to deliver the CMP; two phases of consultation; training/awareness packages for staff and Members; the production of a communications plan; updates to the website and keeping abreast of the review of the Central Lincolnshire Local Plan.

Consultation and feedback had shown that the Council had considerable support from stakeholders across the District. The Consultation findings were summarised within the report.

It was stressed the route towards achieving a net-zero carbon position would require a strong level of ambition. The creation of the Strategy was in effect "the end of the beginning". Members were advised that a number of matters remained to be determined. These related to the overall internal governance arrangements of the work required; how to achieve both District and County-wide collaboration and exert influence; and on-going resourcing requirements in terms of both Officer capacity and skills and finances. There was a need to identify projects which would work on scale and whilst Officers and Members understanding had significantly increased through the development of the Strategy and by working with such bodies as the Carbon Trust, there would be a need to procure technical expertise as the Council moved forward

In concluding it was again stressed the route towards achieving a net-zero carbon position would require the Council to continue to display a strong level of ambition. There was a strong mandate from the public to take action and the Strategy provided the road map by which this may be achieved.

Debate ensued and Members from across the Chamber spoke in support of the Strategy and the need to address climate change and sustainability. It was considered important that the Council made its financial investments in an ecological and considerate manner also. Members considered the document was well considered and welcomed delivery of the action plan commencing. Some would have liked to have seen greater aspiration for de-carbonisation of the District as a whole but acknowledged this would be further addressed and a long term plan developed. It was welcomed that the District Council as an organisation

was a small contributor to the total carbon footprint of the District, but some Members considered further consideration needed to be given to fleet conversion options, given their significant contribution to overall total emissions.

In response Officers advised that a range of options had been considered and continued to be considered, the Council was keen it didn't invest in short lived technologies, but rather technologies that would last decades. It was envisaged that proposals would be brought forward in coming years as part of the action plan.

**RESOLVED** that: -

- (a) the recommendations made on 22nd April 2021 by the Prosperous Communities and Corporate Policy and Resources Committees be accepted, and in doing so, the Council's Carbon Management Plan and the Sustainability, Climate and Environment Strategy and action plan, be approved for formal adoption.
- (b) delegated authority be granted to the Head of Policy Strategy and Sustainable Environment in conjunction with the Chairs of The Prosperous Communities and Corporate Policy and Resources Committees to undertake housekeeping amendments to the Strategy document.

## **26 ANNUAL CONSTITUTION REVIEW 19/20 AND 20/21 AND MONITORING OFFICER'S ANNUAL REPORT COVERING THE SAME PERIOD, AS RECOMMENDED BY THE GOVERNANCE AND AUDIT COMMITTEE**

Council gave consideration to a report which presented the 19/20 and 20/21 Annual Review of the Constitution and arising recommendations as considered by the Governance and Audit Committee on 13 April and recommended for approval.

The report also included an Annual Report from the Monitoring Officer for the period 19/20 and 20/21. The report aimed to provide an holistic view of all governance associated matters.

The Governance and Audit Committee Chairman in presenting the report advised Members that comprehensive reviews were undertaken in 2011,14 , 17 and large sections of the document were also amended in 2018. As such a number of relatively minor amendments , detailed in Section 2 of the report were being proposed. All changes included a rationale for doing so. It was noted that changes made during Annual Reviews were driven by a number of factors, including responding to questions and motions, with Members' attention being drawn to sections 2.6 and 2.7.

These constitutional amendments would be supported by a number of training sessions throughout the year aimed at Parish Councils and their understanding of the planning process, in a bid to develop a common understanding of the process and help reduce any confusion and ultimately complaints

As part of the last Annual Review considered by Council in May 2019, Members had agreed



a list of associated work to be undertaken during the 2019/20 civic year. Section 5 of the report provided a brief update of the work which had undertaken and the arising outcomes over the two year period.

Whilst undertaking the annual review of the Constitution a number of other associated actions for further work, development or “watch in brief” had been identified, these were detailed at Section 6 of the report and progress and any arising recommendations from this work would form part of the 21/22 review reportable to Governance and Audit in April 2022.

The remaining sections of the report 7 -13 made up the Monitoring Officers Annual Report which aimed to provide an holistic overview of all governance associated matters and again covered a two year period on this occasion.

In the ensuing debate Members welcomed the report and in particular those amendments being proposed to further assist Parish Councils in the responding to planning applications process.

Whilst the amendments to Membership restrictions relating to the Overview and Scrutiny Committee were welcomed it was suggested this matter should have been considered prior to the Committee’s membership have been determined.

Having being moved and seconded it was

**RESOLVED** that the recommendation from the Governance and Audit Committee be accepted and as such: -

- (a) the outcome of the annual reviews detailed within the report be noted;
- (b) the amendments detailed throughout Section 2 of the report, including those detailed in Appendix 2 relating to the Planning Delegation scheme be approved, adopted and implemented with immediate effect;
- (c) that the proposed amendments, raised through the review process, but which are not being progressed, detailed at Section 2.8 be not included;
- (d) the appointments of Mrs Alison Adams, Mr Peter Walton, and Mr Andrew Middleton be approved;
- (e) the progress made with regards to the areas of work agreed for further development in the previous reviews (Section 5);

the further planned work for 2021/22 (Section 6);

the statistical data provided within the report in respect of the number, nature and outcome of Code of Conduct Complaints (Section 8);

the support offered to Parish Councils (Section 11);

the use of the Council’s RIPA powers during the period (section 13); and

the updated financial and contract procedure rules as approved by the

Governance and Audit Committee in April 2021 shown at Appendix 3 and 4 be noted.; and

- (f) the interim decision making process(es) that have been in place during the COVID -19 Pandemic be acknowledged.

**Note:** Councillor David Cotton declared a personal interest as he had known Mr Walton on a personal level for a significant number of years.

## **27 REPORT ON WORK UNDERTAKEN BY THE GOVERNANCE & AUDIT COMMITTEE 2020/21**

The Chairman of the Governance and Audit Committee presented the report to Council which provided an overview of the work of the Governance & Audit Committee during 2020/21.

Despite working under the constraints of lockdown, necessitating the holding of virtual meetings, the Committee had fulfilled its obligations as set out in its terms of reference. The Chairman summarised some of the activities the Committee had undertaken including a self-evaluation exercise to identify any aspects that required improvement in order that the Committee could be a more effective body. This had proved to be a useful piece of work and had led to some improvements in the way the Committee operated.

The Chairman of the Committee took the opportunity to thank the outgoing Monitoring Officer for all his support over the past year. These comments were echoed by other Members.

Members of the Committee thanked the Governance and Audit Committee Chairman for the way he engaged his Members and managed his committee. Members welcomed the introduction of full Committee pre-briefings, which it was considered, had greatly improved Members' ability to engage.

Having being moved and seconded it was

**RESOLVED** that the work undertaken by the Governance and Audit Committee during 2020/21 be noted.

## **28 OVERVIEW AND SCRUTINY ANNUAL REPORT**

The Chairman of the Overview and Scrutiny Committee presented her Committee's Annual Report to Full Council. The report covered a two year period, owing to the impact of the Pandemic, and detailed everything from the changes implemented following the 2018/19 scrutiny review right through to the focus on the flood risk work that had been ongoing for the last 12 months.

The Committee had continued to welcome outside agencies, even in the virtual world, especially in relation to the focus on leisure when it had received presentations from three leisure agencies across the district

Over the coming year the Committee planned to widen its involvement with outside agencies as well as addressing some ongoing concerns in the district such as fly-tipping. The Committee's work around flooding would continue.

In response to questions, the Chairman of the Committee considered real progress, with cross party involvement had been made in a number of areas including flooding and drainage. The Committee had seen a number of meetings cancelled and benefitted, due to the nature of the Committee, from in persons meeting. It was hoped a return to these would see progress and relationships improve even more. She thanked Officers and Members alike for their support, including former Monitoring Officer Alan Robinson, Ady Selby and Ele Snow.

**RESOLVED** that the Annual Report from the Overview and Scrutiny Committee be received and noted.

The meeting concluded at 9.15 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	<b>motion to Council - combating litter</b>	<p>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 : -</p> <p>(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;</p> <p>(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.</p>	<p><b>This item has now been re-scheduled for September as opposed to June as previously indicated to Members .</b></p> <p><b>Item will remain on the schedule until the report has completed its route through Committee</b></p>	15/12/20	Ady Selby

Black	<b>accessibility issues - equality strategy on website</b>	<p>extract from mins of meeting 28/6 Councillor Snee thanked the Leader for the response, but advised that the Equality Strategy did not appear to be loading on the website and the links within Strategy did not appear to be fully functional.</p> <p>This fact was disputed by way of Point of Information from another Member, advising that he had successfully accessed the document. Officers undertook to investigate the documents accessibility on the website after the meeting.</p>	<b>Issue has been investigated and does not appear to effect all users. display issues appear to be dependent on internet browser used.</b>	26/08/21	Katy Allen
Black	<b>appointment of cttees, chairmen, outside bodies</b>	relevant bodies, web pages , distributions lists to be updated and communicated in line with the reports contents	<b>(blank)</b>	01/07/21	Katie Storr
Green	<b>motion to council - street lights</b>	<p>extract from mins of meeting 28/6/21 (a) The Leader of the Council to commence robust discussions with Leading Members of the County Council with a view to seeking the re-introduction of street lighting in parts of West Lindsey, particularly into those communities we ourselves have deemed to be vulnerable; and</p> <p>(b) the Leader feed back to this Council, by way of reporting to Prosperous Communities, the outcome of these discussions, potential options which could be investigated and their associated costs.</p>	<p><b>A written approach has been made to the Leader and relevant portfolio holder of LCC requesting a meeting to further discuss this matter initially – a response is awaited”</b></p> <p><b>Further information will be presented to The Prosperous Comms Cttee in accordance with the motion as this matter progresses”</b></p> <p><b>arising report will need programming into Prosperous Comms workplan</b></p>	10/09/21	Cllr. O Bierley
Green	<b>neighbourhood plans</b>	<p>extract from mins of mtg 28/6/21</p> <p>It was custom and practice for Neighbourhood Planning Groups to formally present their plans to the Council Meeting. Disappointingly, current restrictions had not made this possible, but the Chairman indicated of his intention to ensure Group representatives, were invited in due course, to meet with him at a separate event when restrictions allowed more easily.</p>	<b>this has been logged within the Civic Work Plan</b>	31/10/21	Trudi Hayes

Green	Annual Review of Constitution	extract from mins of mtg 28/6/21 the amendments detailed throughout Section 2 of the report, including those detailed in Appendix 2 relating to the Planning Delegation scheme be approved, adopted and implemented with immediate effect;	all amendments referenced in the report, revised fin regs , contract regs, table of housing keeping amendments to be made and full document re-published , also chnages arising from DCPS departure be made	06/09/21	Katie Storr
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**Council**

**Monday 6 September 2021**

**Subject: Treasury Management Annual Report 2020-21**

Report by:	Assistant Director Finance, Business Support and Property Services (S151)
Contact Officer:	Caroline Capon Corporate Finance Team Leader  caroline.capon@west-lindsey.gov.uk
Purpose / Summary:	To report on Annual Treasury Management activities and prudential indicators for 2020-21 in accordance with the Local Government Act 2003

**RECOMMENDATION(S):**

1. Members approve the Annual Treasury Management Report and actual Prudential Indicators 2020/21.

## IMPLICATIONS

**Legal:** This report complies with the requirement of the Local Government Act 2003.

### **Financial : FIN/51/22/A/CC**

Treasury Investment activities have generated £0.185m of investment interest at an average rate of 0.896%.

Non-Treasury investments (Investment Property acquisitions) have generated a gross yield of 6.43%.

Financing activities has resulted in a total of £20m of external borrowing at a cost in year of £0.391m.

The overall Capital Financing Requirement (underlying borrowing need) reflects additional capital expenditure funded from borrowing of £1.608m in the year, minimum revenue payments of £0.251m and a voluntary revenue provision of £0.707m (which has been made against prudential borrowing of the Commercial Property Portfolio and which has been funded from the Valuation Volatility Reserve). Resulting in a £38.525m Capital Financing Requirement.

**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

CIPFA The Prudential Code

Local Government Act 2003

Located in the Finance Department, Guildhall, Gainsborough

**Risk Assessment :**

The Treasury Management Strategy sets 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**

**x**

**Key Decision:**

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

**Yes**

**No**

**x**

## 1. Executive Summary

The Council are required to receive as a minimum the following reports;

- an annual treasury strategy in advance of the year (March 2020)
- a mid-year, (minimum), treasury update report (November 2020)
- an annual review following the end of the year describing the activity compared to the strategy, (this report)

In addition, this Corporate Policy and Resources Committee has received quarterly treasury management update reports and the annual Treasury Report (this report) which they recommend to Council for approval.

The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report is, therefore, important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by members.

This Council confirms that it has complied with the requirement under the Code to give prior scrutiny to all of the above treasury management reports by either the Governance and Audit Committee who provide scrutiny of the Treasury Management Strategy and the Corporate Policy and Resources Committee who monitor in year performance and mid-year updates. Member training on treasury management issues was undertaken during the year in order to support members' scrutiny role.

During 2020/21, the Council complied with its legislative and regulatory requirements. The key actual prudential and treasury indicators detailing the impact of capital expenditure activities during the year, with comparators, are as follows:

<b>Prudential and treasury indicators</b>	<b>2019/20 Actual £000</b>	<b>2020/21 Original £000</b>	<b>2020/21 Actual £000</b>
Capital expenditure	18,029	24,118	9,034
Capital Financing Requirement:	37,905	50,307	38,525
Of which – Investment Properties	21,602	30,000	20,959
<b>Gross borrowing (External)</b>	<b>20,000</b>	<b>38,189</b>	<b>20,000</b>
Finance Lease	0	0	0
Investments			
• Longer than 1 year	3,000	3,000	3,000
• Under 1 year	8,670	10,321	13,872
• <b>Total</b>	<b>11,670</b>	<b>13,321</b>	<b>16,872</b>

Prudential and treasury indicators	2019/20 Actual £000	2020/21 Original £000	2020/21 Actual £000
<b>Net borrowing</b>	<b>8,330</b>	<b>24,868</b>	<b>3,128</b>

Other prudential and treasury indicators are to be found in the main body of this report. The Assistant Director Property Services, Business Support and Finance (S151 Officer) also confirms that borrowing was only undertaken for a capital purpose and the statutory borrowing limit, (the authorised limit), was not breached.

The financial year 2020/21 continued the challenging investment environment of previous years, namely low investment returns.

This report summarises the following:-

- Capital activity during the year;
- Impact of this activity on the Council's underlying indebtedness, (the Capital Financing Requirement);
- The actual prudential and treasury indicators;
- Overall treasury position identifying how the Council has borrowed in relation to this indebtedness, and the impact on investment balances;
- Summary of interest rate movements in the year;
- Detailed debt activity; and
- Detailed investment activity.

## 2. Capital Expenditure and Financing

The Council undertakes capital expenditure on long-term assets. These activities may either be:

- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need; or
- If insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.

The actual capital expenditure forms one of the required prudential indicators. The table below shows the actual capital expenditure and how this was financed.

Capital and Financing	2019/20 Actual £000's	2020/21 Original Budget £000's	2020/21 Actual £000's
<b>Capital expenditure</b>	<b>18,029</b>	<b>18,029</b>	<b>9,034</b>
Financed in year by:			
Capital Receipts	359	2,152	2,519
Capital grants/contributions	734	5,728	3,314

Revenue	1,801	5,538	1,576
Leases	0	0	0
S106	202	500	17
Prudential Borrowing	14,933	10,200	1,608

### 3. The Council's overall borrowing need

The Council's underlying need to borrow for capital expenditure is termed the Capital Financing Requirement (CFR). This figure is a gauge of the Council's indebtedness. The CFR results from the capital activity of the Council and resources used to pay for the capital spend. It represents the 2020/21 unfinanced capital expenditure (see above table), and prior years' net or unfinanced capital expenditure which has not yet been paid for by revenue or other resources.

Part of the Council's treasury activities is to address the funding requirements for this borrowing need. Depending on the capital expenditure programme, the treasury service organises the Council's cash position to ensure that sufficient cash is available to meet the capital plans and cash flow requirements. This may be sourced through borrowing from external bodies, (such as the Government, through the Public Works Loan Board [PWLB], or the money markets), or utilising temporary cash resources within the Council.

**Reducing the CFR** – the Council's underlying borrowing need (CFR) is not allowed to rise indefinitely. Statutory controls are in place to ensure that capital assets are broadly charged to revenue over the life of the asset. The Council is required to make an annual revenue charge, called the Minimum Revenue Provision – MRP, to reduce the CFR. This is effectively a repayment of the borrowing need. This differs from the treasury management arrangements which ensure that cash is available to meet capital commitments. External debt can also be borrowed or repaid at any time, but this does not change the CFR.

The total CFR can also be reduced by:

- the application of additional capital financing resources, (such as unapplied capital receipts); or
- charging more than the statutory revenue charge (MRP) each year through a Voluntary Revenue Provision (VRP).

The Council's 2020/21 MRP Policy, (as required by MHCLG Guidance), was approved as part of the Treasury Management Strategy Report for 2020/21 on 02 March 2020.

In respect of Commercial Investment Properties, which are funded from borrowing, no MRP will be payable, however in 2020/21 voluntary revenue provision (VRP) was applied (£707k). The Council has retained a Valuation Volatility Reserve with a minimum balance of 5% of purchase price of the portfolio. This Reserve will be utilised to mitigate any loss on the investment upon sale of the assets if the capital receipt does not meet the debt outstanding. This is considered a prudent approach for these specific assets.

The Council's CFR for the year is shown below, and represents a key prudential indicator. It includes leasing schemes on the balance sheet, which increase the Council's borrowing need. No borrowing is actually required against these schemes as a borrowing facility is included in the contract.

<b>Capital Financing Requirement (CFR)</b>	<b>31 March 2020 Actual £000's</b>	<b>31 March 2021 Actual £000's</b>
Opening balance	23,082	37,905
Add adjustment for the inclusion of on-balance sheet leasing arrangements and Prudential Borrowing	14,933	1,608
Less MRP/Finance Lease Repayments	(110)	(281)
Less VRP	0	(707)
<b>Closing balance</b>	<b>37,905</b>	<b>38,525</b>
<i>Movement on CFR</i>	<i>14,823</i>	<i>620</i>

Borrowing activity is constrained by prudential indicators for gross borrowing and the CFR, and by the authorised limit.

**Gross borrowing and the CFR** - in order to ensure that borrowing levels are prudent over the medium term and only for a capital purpose, the Council ensures that its gross external borrowing does not, except in the short term, exceed the total of the capital financing requirement in the preceding year (2019/20) plus the estimates of any additional capital financing requirement for the current (2020/21) and next two financial years. This essentially means that the Council is not borrowing to support revenue expenditure. This indicator allowed the Council some flexibility to borrow in advance of its immediate capital needs in 2020/21. The table below highlights the Council's gross borrowing position against the CFR. The Council has complied with this prudential indicator.

	<b>31 March 2020 Actual £000's</b>	<b>31 March 2021 Actual £000's</b>
Prudential borrowing position	33,381	38,453
CFR	37,905	38,525

**The Authorised Limit** - the authorised limit is the "affordable borrowing limit" required by s3 of the Local Government Act 2003. Once this has been set, the

Council does not have the power to borrow above this level. The table below demonstrates that during 2020/21 the Council has maintained gross borrowing within its authorised limit.

**The Operational Boundary** – the operational boundary is the expected borrowing position of the Council during the year. Periods where the actual position is either below or over the boundary are acceptable subject to the authorised limit not being breached.

**Actual financing costs as a proportion of net revenue stream** - this indicator identifies the trend in the cost of capital, (borrowing and other long term obligation costs net of investment income), against the net revenue stream.

	<b>2020/21 £000's</b>
Authorised limit	55,307
Operational boundary	21,608
Financing costs as a proportion of net revenue stream	7.41%

#### **4. Treasury Position as at 31 March 2021**

The Council's debt and investment position is organised by the treasury management service in order to ensure adequate liquidity for revenue and capital activities, security for investments and to manage risks within all treasury management activities. Procedures and controls to achieve these objectives are well established both through member reporting detailed in the summary, and through officer activity detailed in the Council's Treasury Management Practices. At the end of 2020/21 the Council's treasury, (excluding borrowing and finance leases), position was as follows:

##### **4.1 Borrowing**

<b>TABLE 1</b>	<b>31 March 2020 Principal £000's</b>	<b>Rate/ Return</b>	<b>Average Life yrs.</b>	<b>31 March 2021 Principal £000's</b>	<b>Average Rate/ Return</b>	<b>Average Life yrs.</b>
Fixed rate funding:						
-PWLB	16,500	2.14%	27	16,500	2.14%	27
-Other LA	3,500	1.02%	1	3,500	1.02%	1
<b>Total debt</b>	<b>20,000</b>	<b>1.95%</b>	<b>22</b>	<b>20,000</b>		<b>22</b>
<b>CFR</b>	<b>37,905</b>		-	<b>38,525</b>	-	-
<b>Over / (under) borrowing</b>	<b>(17,905)</b>	-	-	<b>(18,525)</b>	-	-
Investments:						
	11,670	1.655%	-	16,872	0.896%	-
<b>Total investments</b>	<b>11,670</b>	<b>1.655%</b>	-	<b>16,872</b>	<b>0.896%</b>	-
<b>Net debt</b>	<b>8,330</b>	-	-	<b>3,128</b>		-

Under borrowing reflects Internal Borrowing from the Council's cash balances.

The maturity structure of the debt portfolio was as follows:

	<b>31 March 2020 Actual £000's</b>	<b>31 March 2021 Actual £000's</b>	<b>%</b>
Less than 5 years	6,000	6,000	30
5 years and within 10 years	3,000	3,000	15
10 years and within 20 years	0	0	0
20 years and within 30 years	2,500	2,500	12.5
30 years and within 40 years	0	0	0
40 years and within 50 years	8,500	8,500	42.5

£16.5m of loans have been undertaken with the Public Works Loans Board at fixed rates on a maturity basis as detailed above.

One loan for £3.5m has been undertaken with another Local Authority at a fixed rate on a maturity basis for a period of 1 year.

### **Borrowing in advance of need**

The Council has not borrowed more than, or in advance of its needs, purely in order to profit from the investment of the extra sums borrowed.

The Council's capital investments and their subsequent financing costs as a % of the Net Revenue Stream is detailed below along with the impact on Council Tax (all other things being equal). The indicators reflect our Borrowing Strategy, that we will only borrow where schemes are able to provide sustained support for the costs of borrowing and reflect new income generated is in excess of the cost of borrowing.

	31 March 2020 Actual	31 March 2021 Actual
Ratio of Financing Costs to Net Revenue Stream	1.6%	7.41%
Increase/(Reduction) in Council Tax	(£7.26)	(£0.02)

## 4.2 Investments

**Investment Policy** – the Council's investment policy is governed by MHCLG investment guidance, which has been implemented in the annual investment strategy approved by the Council on 2 March 2020. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data, (such as rating outlooks, credit default swaps, bank share prices etc.).

The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties.

**Resources** – the Council's cash balances comprise revenue and capital resources and cash flow monies. The Council's core cash resources comprised as follows:

Balance Sheet Resources	31 March 2020 £000's	31 March 2021 £000's
General Fund Balance	4,234	7,338
Earmarked reserves	15,787	19,209
Provisions	947	1,045
Usable capital receipts	3,462	1,168
Capital Grants Unapplied	537	2,366
<b>Total</b>	<b>24,967</b>	<b>31,126</b>

### Investments held by the Council

- The Council maintained an average balance of £21.167m of internally managed funds.
- The internally managed funds earned an average rate of return of 0.896%.



- The comparable performance indicator is the average 7-day LIBID rate, which was -0.07%
- Total investment income was £0.185m compared to a budget of £0.144m

Types of investments	31 March 2020 Actual £000	31 March 2021 Actual £000
Deposits with banks and building societies	1,870	9,052
Money Market Funds	2,800	4,820
Other Local Authorities	4,000	0
Property funds	3,000	3,000
<b>TOTAL TREASURY INVESTMENTS</b>	<b>11,670</b>	<b>16,872</b>

#### 4.3 Non Treasury Investments

YEAR OF ACQUISITION	Commercial Property Portfolio	Sector	Total Acquisition Cost £'m
2017/18	Bradford Road, Keighley	Hotel	2.490
2018/19	43 Penistone Road, Sheffield	Leisure	2.700
2018/19	Unit 7 Drake House, Sheffield	Manufacturing	3.175
2018/19	5 Sandars Road, Gainsborough	Manufacturing	6.470
2018/19	Heaton Street, Gainsborough	Retail	1.150
2019/20	Wheatley Road, Doncaster	Commercial Unit	5.681
	<b>TOTAL PORTFOLIO</b>		<b>21.666</b>

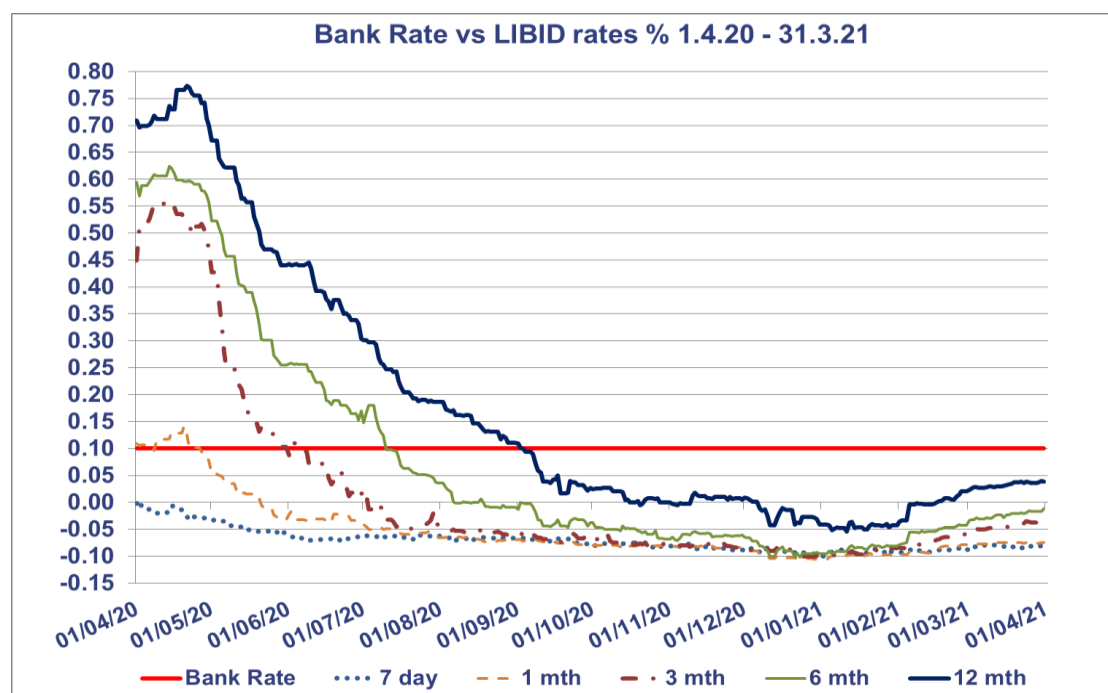
The investments are held on the balance sheet at their Fair Value (*the price expected to be received in current market conditions*). The Fair Value as at 31 March 2021 for the Commercial Property Portfolio is £20.855m, effectively reflecting a reduction for the costs of purchase.

This investment portfolio is generating a gross yield of 6.43% and £1.325m in income relevant to the financial year.

The Council mitigates any loss on investment by holding a Valuation Volatility Reserve at a minimum of 5% of the purchase price of properties. The balance on this reserve as at 31 March 2021 is £1.084m.

## 5.0 The strategy for 2020/21

### 5.1 Investment strategy and control of interest rate risk



	Bank Rate	7 day	1 mth	3 mth	6 mth	12 mth
<b>High</b>	0.10	0.00	0.14	0.56	0.62	0.77
<b>High Date</b>	01/04/2020	02/04/2020	20/04/2020	08/04/2020	14/04/2020	21/04/2020
<b>Low</b>	0.10	-0.10	-0.11	-0.10	-0.10	-0.05
<b>Low Date</b>	01/04/2020	31/12/2020	29/12/2020	23/12/2020	21/12/2020	11/01/2021
<b>Average</b>	0.10	-0.07	-0.05	0.01	0.07	0.17
<b>Spread</b>	0.00	0.10	0.25	0.66	0.73	0.83

Investment returns which had been low during 2019/20, plunged during 2020/21 to near zero or even into negative territory. Most local authority lending managed to avoid negative rates and one feature of the year was the growth of inter local authority lending. The expectation for interest rates within the treasury management strategy for 2020/21 was that Bank Rate would continue at the start of the year at 0.75 % before rising to end 2022/23 at 1.25%. This forecast was invalidated by the Covid-19 pandemic bursting onto the scene in March 2020 which caused the Monetary Policy Committee to cut Bank Rate in March, first to 0.25% and then to 0.10%, in order to counter the hugely negative impact of the national lockdown on large swathes of the economy. The Bank of England and the Government also introduced new programmes of supplying the banking system and the economy with massive amounts of cheap credit so that banks could help cash-starved businesses to survive the lockdown. The Government also supplied huge amounts of finance to local authorities to pass on to businesses. This meant that for most of the year there was much more liquidity in financial markets than there was demand to borrow, with the consequent effect that investment earnings rates plummeted.

This authority does not have sufficient cash balances to be able to place deposits for more than three months so as to earn higher rates from longer deposits. While the Council has taken a cautious approach to investing, it is also fully appreciative of changes to regulatory requirements for financial institutions in terms of additional capital and liquidity that came about in the aftermath of the financial crisis. These requirements have provided a far stronger basis for financial institutions, with annual stress tests by regulators evidencing how institutions are now far more able to cope with extreme stressed market and economic conditions.

Investment balances have been kept to a minimum through the agreed strategy of using reserves and balances to support internal borrowing, rather than borrowing externally from the financial markets. External borrowing would have incurred an additional cost, due to the differential between borrowing and investment rates as illustrated in the charts shown above and below. Such an approach has also provided benefits in terms of reducing the counterparty risk exposure, by having fewer investments placed in the financial markets.

## **5.2 Borrowing strategy and control of interest rate risk**

During 2020/21, the Council maintained an under-borrowed position. This meant that the capital borrowing need, (the Capital Financing Requirement), was not fully funded with loan debt as cash supporting the Council's reserves, balances and cash flow was used as an interim measure. This strategy was prudent as investment returns were very low and minimising counterparty risk on placing investments also needed to be considered.

The policy of avoiding new borrowing by running down spare cash balances has served well over the last few years. However, this was kept under review to avoid incurring higher borrowing costs in the future when this authority may not be able to avoid new borrowing to finance capital expenditure and/or the refinancing of maturing debt.

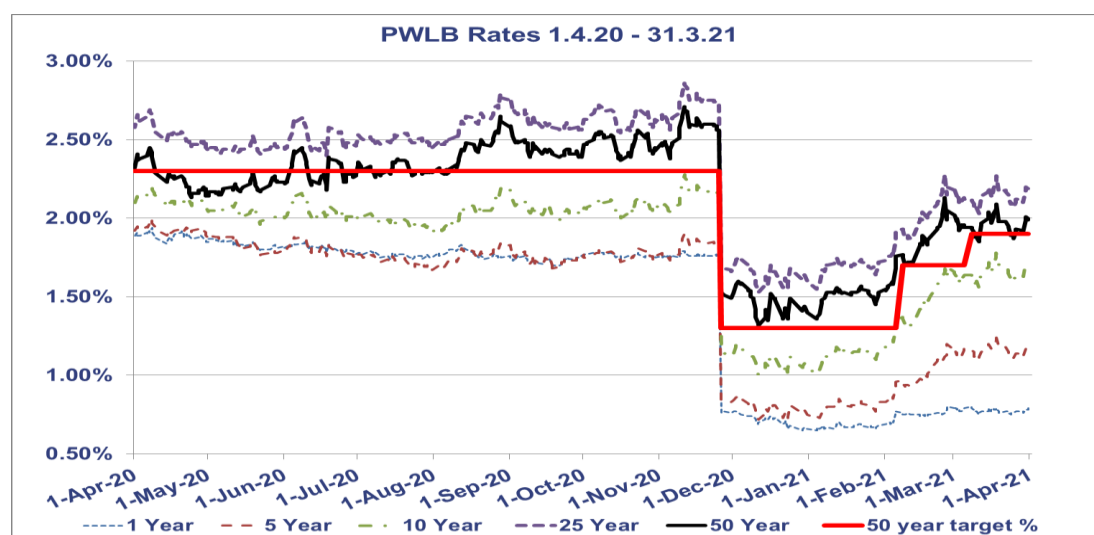
Against this background and the risks within the economic forecast, caution was adopted with the treasury operations. The Assistant Director of Property Services, Business Support & Finance therefore monitored interest rates in financial markets and adopted a pragmatic strategy based upon the following principles to manage interest rate risks

- if it had been felt that there was a significant risk of a sharp FALL in long and short term rates, (e.g. due to a marked increase of risks around relapse into recession or of risks of deflation), then long term borrowings would have been postponed, and potential rescheduling from fixed rate funding into short term borrowing would have been considered.
- if it had been felt that there was a significant risk of a much sharper RISE in long and short term rates than initially expected, perhaps arising from an acceleration in the start date and in the rate of increase in central rates in the USA and UK, an increase in world economic activity or a sudden increase in inflation risks, then the portfolio position would have been re-appraised. Most likely, fixed rate funding would have been

drawn whilst interest rates were lower than they were projected to be in the next few years.

Interest rate forecasts expected only gradual rises in medium and longer term fixed borrowing rates during 2020/21 and the two subsequent financial years. Variable, or short-term rates, were expected to be the cheaper form of borrowing over the period.

Link Group Interest Rate View		8.3.21												
		Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24
BANK RATE		0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
3 month ave earnings		0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
6 month ave earnings		0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
12 month ave earnings		0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20
5 yr PWLB		1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.30	1.30	1.40	1.40	1.40	1.40
10 yr PWLB		1.60	1.60	1.60	1.60	1.70	1.70	1.70	1.80	1.80	1.90	1.90	1.90	1.90
25 yr PWLB		2.10	2.10	2.10	2.20	2.30	2.30	2.30	2.40	2.40	2.50	2.50	2.50	2.50
50 yr PWLB		1.90	1.90	1.90	2.00	2.10	2.10	2.10	2.20	2.20	2.30	2.30	2.30	2.30



	1 Year	5 Year	10 Year	25 Year	50 Year
<b>Low</b>	0.65%	0.72%	1.00%	1.53%	1.32%
<b>Low date</b>	04/01/2021	11/12/2020	11/12/2020	11/12/2020	11/12/2020
<b>High</b>	1.94%	1.99%	2.28%	2.86%	2.71%
<b>High date</b>	08/04/2020	08/04/2020	11/11/2020	11/11/2020	11/11/2020
<b>Average</b>	1.43%	1.50%	1.81%	2.33%	2.14%
<b>Spread</b>	1.29%	1.27%	1.28%	1.33%	1.39%

PWLB rates are based on gilt (UK Government bonds) yields through H.M.Treasury determining a specified margin to add to gilt yields. The main influences on gilt yields are Bank Rate, inflation expectations and movements in US treasury yields. Inflation targeting by the major central banks has been successful over the last 30 years in lowering inflation and 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. This has pulled down the overall level of interest rates and bond yields in financial markets over the last 30 years. We have seen, over the last two years, many bond yields up to 10 years in the Eurozone turn negative on expectations that the EU would struggle to get growth rates and inflation up from low levels. 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.

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<sup>th</sup> 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<sup>th</sup> March 2020, but not for mainstream non-HRA capital schemes. A consultation was then held with local authorities and **on 25<sup>th</sup> November 2020, the Chancellor announced the conclusion to the review of margins over gilt yields for PWLB rates**; the standard and certainty margins were reduced by 1% but a prohibition was introduced to deny access to borrowing from the PWLB for any local authority which had purchase of assets for yield in its three year capital programme. The new margins over gilt yields are as follows: -.

- **PWLB Standard Rate** is gilt plus 100 basis points (G+100bps)
- **PWLB Certainty Rate** is gilt plus 80 basis points (G+80bps)
- **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)

There is likely to be only a gentle rise in gilt yields and PWLB rates over the next three years as Bank Rate is not forecast to rise from 0.10% by March 2024 as the Bank of England has clearly stated that it will not raise rates until inflation is sustainably above its target of 2%; this sets a high bar for Bank Rate to start rising.

## 5. Other Issues

### 5.1 Counterparty Limits

There have been no breaches of Prudential Indicators.

# Agenda Item 9b



**Council**

**Monday, 6 September 2021**

**Subject: Appointment to Vacancy on the Governance and Audit Committee**

Report by:

Chief Executive

Contact Officer:

Katie Storr  
Democratic Services & Elections Team Manager  
(Interim)

[katie.storr@west-lindsey.gov.uk](mailto:katie.storr@west-lindsey.gov.uk)

Purpose / Summary:

To appoint a Member to serve on the Governance and Audit Committee, on which there is currently a vacancy.

**RECOMMENDATION(S):**

**That Councillor Mrs Caralyne Grimble be appointed to serve on the Governance and Audit Committee for the remainder of the 2021/22 Civic Year.**

## IMPLICATIONS

**Legal:**

**The report seeks to correct an unconstitutional appoint**

**Financial : FIN/64/22/SL**

**There are no financial implications arising from this report.**

**Staffing :**

**None arising from this report**

**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 :**

**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 :**

**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 Introduction**

- 1.1 Members will be aware that Council at its last meeting on 28 June appointed Members to serve on its Committees for the 2021/22 civic year.
- 1.2 At that meeting, Councillor Anne Welburn was appointed to serve on the Governance and Audit Committee.
- 1.3 The membership rules of that Committee, as set out on page 9 of Part IV of the Constitution, state : -

The Leader of the Council, Leader of the Opposition, the Chairman of the Overview and Scrutiny Committee and the Chairman of the Standards Sub-Committee may be required to attend this committee but may not be appointed to it.

- 1.4 At that same meeting Councillor Welburn, was also re-affirmed as the Chairman of the Standards Sub-Committee, her appointment to the Governance and Audit Committee was therefore unconstitutional.
- 1.5 Councillor Welburn has indicated that she will retain her position on the Standards-Sub Committee, resigning from the Governance and Audit Committee, which has resulted in a vacancy.
- 1.6 The vacancy sits within the Administration Group's committee seat allocations, but it is the responsibility of Council to make appointments to Committee Memberships.
- 1.7 As such Council are asked to appoint Councillor Mrs Caralyne Grimble to serve on the Governance and Audit Committee for the remainder of the 2021/22 Civic Year.

# Agenda Item 9c



**Council**

**Monday 6 September**

**Subject: Appointment of Monitoring Officer**

Report by:

Chief Executive

Contact Officer:

Katie Storr  
Democratic Services & Elections Team Manager  
(Interim)  
katie.storr@west-lindsey.gov.uk

Purpose / Summary:

To make an appointment to the Statutory post of Monitoring Officer for West Lindsey District Council

## **RECOMMENDATION(S):**

It is recommended that

- (a) In accordance with the terms of Part I, 5 of the Local Government and Housing Act 1989 (as amended) and all subsequent related legislation, Mrs Emma Redwood be appointed as the Council's Monitoring Officer, with immediate effect.
- (b) The Constitution be amended, as necessary, to reflect this revised appointment.

## IMPLICATIONS

**Legal:**

The Council has a statutory duty to appoint to the position of Monitoring Officer

**Financial : FIN/62/22/SL**

There are no financial implications from this appointment.

**Staffing :**

The role of Monitoring Officer has a range of support provision to ensure the officer is able to undertake their responsibilities in the fullest. This will include:

- A – A Personal external coach
- B – A contract for legal support with Lincolnshire Legal Services Partnership
- C – Expert coaching/mentoring from an existing Monitoring Officer
- D – A cross Lincolnshire support group of Monitoring Officers.

**Equality and Diversity including Human Rights :**

N/A

**Data Protection Implications :**

N/A

**Climate Related Risks and Opportunities :**

N/A

**Section 17 Crime and Disorder Considerations :**

N/A

**Health Implications:**

N/A

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

N/A

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<b>Risk Assessment :</b>
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N/A
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**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 The role of Monitoring Officer is a Statutory Officer, which Council has a duty to appoint to.
- 1.2 The role of Monitoring Officer is currently assigned to Mr James O'Shaughnessy, Head of Policy, Strategy and Sustainable Environment, and has been since April 2021.
- 1.3 Council will be aware that Mr O'Shaughnessy departed the authority on 18 August, to take up a position with North Lincolnshire Council.
- 1.4 Due to the departure of the current post holder, it is essential that a new appointment is made immediately.

## 2. Regulations

### 2.1 Monitoring Officer

#### 2.3.1 *Part I, section 5 of the Local Government and Housing Act 1989*

- (i) It shall be the duty of every relevant authority –
  - (a) to designate one of their officers (to be known as “the monitoring officer”) as the officer responsible for performing the duties imposed by this section; and
  - (b) to provide that officer with such staff, accommodation and other resources as are, in his opinion, sufficient to allow those duties to be performed;

and the officer so designated may be the head of the authority's paid service but shall not be their chief finance officer.

This was later amended in the *Local Government Act 2000 Schedule 5 (24)* as:

- 3) 1a) The officer designated under subsection (1) above by a relevant authority to which this subsection applies may not be the head of that authority's paid service
- 1b) Subsection (1a) above applies to the following relevant authorities in England and Wales –
  - (a) a county council;
  - (b) a county borough council;
  - (c) a district council;
  - (d) a London borough council;
  - (e) a Greater London Authority; and

- (f) the Common Council of the City of London in its capacity as a local authority, police authority or post health authority.

### **3. Role of the Monitoring Officer**

- 3.1 The Monitoring Officer's statutory duty under Section 5 can be summarised as being a duty to ensure that the Council, its elected members and officers maintain the highest standard of conduct in all that they do.
- 3.2 The Monitoring Officer must report to the Council in any case where they are of the opinion that any proposal, decision or omission of the Council, its committees or subcommittees or anyone employed by the Council is, or is likely to be, illegal or to constitute maladministration.
- 3.3 If the Monitoring Officer makes such a report to the Council, it will be sent to every councillor and the proposal, decision, or omission referred to in the report is suspended. Council must consider the report and decide, within 21 days on the steps it is taking in response to the report.
- 3.4 This statutory duty is a personal duty, and the Monitoring Officer cannot delegate it to someone else unless they are ill or away, or otherwise unable to act, in which case the Deputy Monitoring Officer, can take over the role.
- 3.5 The Monitoring Officer also has a range of functions relating to the conduct of councillors. These include the arrangement of local investigations into Member conduct at both District and Parish level, and the provision of advice to District and Parish Councillors on the Members' Code, and the establishment and maintenance of the Register of Members' Interests.
- 3.6 The Monitoring Officer will also report on any findings of maladministration by the Local Government Ombudsman.
- 3.7 A full list of statutory functions is contained within the Appendices of the Constitution (Appendix 12 refers)
- 3.8 The District Council has also delegated a number of non-statutory functions to the Monitoring Officer, as detailed in Part IV – Page 37. (<https://democracy.west-lindsey.gov.uk/documents/s23400/Part%20IV%20Responsibility%20for%20Functions.pdf> )

#### **4. Proposed Recommendations**

It is recommended that

- (a) In accordance with the terms of Part I, 5 of the Local Government and Housing Act 1989 (as amended) and all subsequent related legislation, Mrs Emma Redwood, Assistant Director for People and Democratic be appointed as the Council's Monitoring Officer, with immediate effect.
- (b) The Constitution be amended, as necessary, to reflect this revised appointment.